

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY

Minutes—REGULAR BOARD OF DIRECTORS MEETING

9:30 a.m. Wednesday, April 20, 2016 at our La Mesa Office, 521 St. Valentine, La Mesa, NM

NOTE: Minutes are a DRAFT until approved & signed by the Board of Directors

- I. **Call to Order, Roll Call to Establish Quorum:** Chairman Roberto Nieto called the meeting to order at 9:30 a.m. and called the roll. Mr. Raymundo Sanchez representing District #1 was absent initially, but arrived at 9:33 a.m. and departed at the end of Mr. Mattiace's presentation, Ms. Alma Boothe representing District #2 was absent, Ms. Blanca Martinez representing District #3 was absent, Mr. John Holguin representing District #4 was present, Mr. Nieto representing District #5 was present, Mr. Mike McMullen representing District #6 was present, and Mr. Furman Smith representing District #7 was present. Staff members present were General Manager Martin Lopez, Operations Manager Mike Lopez, Finance Manager Kathi Jackson, Projects Manager Karen Nichols, and Projects Specialist Liza Lopez. Espy Holguin from HUD was present, and Bill Mattiace, Executive Director of the NM Border Authority was also present.
- II. **Pledge of Allegiance:** Mr. John Holguin led the pledge.
- III. **Swearing-In of Blanca Martinez, newly appointed Board Member for District 3:** Postponed
- IV. **Motion to approve the Agenda:** Mr. Holguin made the motion to approve the Agenda and Mr. Smith seconded the motion. The motion carried with none opposed.
- V. **Motion to approve the minutes of the February 17, 2016 and March 18, 2016 Board Meetings:** Mr. Smith made the motion to approve the minutes of both Board Meetings and Mr. Holguin seconded the motion with all in favor.
- VI. **Guest Presentations:**
 - A. **Mr. Mattiace, Executive Director of the New Mexico Border Authority:** Mr. Mattiace gave an overview of the proposed Santa Teresa International Rail Project and estimated it would be 8-10 years before construction on the project began. He also described several other Border Authority projects to the Board. Several members of the Board expressed concern about the project's impact on the communities of Berino, Vado and Mesquite. Mr. Mattiace assured the Board that the New Mexico Border Authority was proposing a different route for the rail project, through the desert, where the impact would be minimal.
- VII. **Public Input—15 minutes total allotted for this item, 3 minutes per person – None**
- VIII. **Managers' Reports**
 - A. **General Manager:** Mr. Martin Lopez provided a written report and stood for questions. Mr. Holguin asked Mr. Martin Lopez what the possible economic development project on the east side of I-10 at the Mesquite exit was, and Mr. Martin Lopez responded that he had been contacted regarding water and sewer services at that location and that the development project would be a truck stop/restaurant. Mr. Martin Lopez also advised the Board that the owner of the property next to the Dollar Store in Vado was seeking a zone change on his property and that the Board may be asked to provide comments in regards to the requested zone change. Ms. Espy Holguin from HUD advised the Board that the speed limit on Vado Drive, from I-10 to 478 will be raised from 35 mph to 45 mph on July 1, 2016 and that the requested zone change, from no zone to residential zoning, may once again change the speed limit on Vado Drive.
 - B. **Operations:** Mr. Mike Lopez provided a written report and stood for questions. Mr. Nieto inquired about the new Distribution Site Plan and Mr. Mike Lopez described the site plan and explained that the LRGPWWA had been given three weeks to complete it for NMED. He also stated that the LRGPWWA had also created new maps with every address for sample sites in connection with the DSSP. Mr. Nieto then

asked Mr. Mike Lopez about the Arroyo Well. Mr. Mike Lopez described the well flushing process and stated the well is close to being online again. He also told the Board that LRGPWVA Well Technicians were working hard on well maintenance and he hoped to have pictures of the improvements to show the board. Mr. John Holguin asked Mr. Mike Lopez if the LRGPWVA was having any issues with lead in the water and Mr. Mike Lopez responded "no." Mr. Mike Lopez told the Board that the LRGPWVA does lead and copper testing on the water and that the lab samples were fine.

- C. **Projects:** Ms. Karen Nichols provided a written report and stood for questions. She told the Board that Calle de Brazito, part of the Brazito Water System Improvements project, has been repaved. The area has been cleaned up and the LRGPWVA was waiting to hear from Souder, Miller and Associates, the engineering firm on the project. Ms. Karen Nichols and Mr. Martin Lopez also told the Board they had met with EBID regarding a surface water plant, which would involve the transfer of agricultural waters for domestic use. Mr. Martin Lopez told the Board that they may need to have a closed session in order to address legal and other issues related to this project. Mr. Mike Lopez advised the Board that Operations would have to do a year of performance testing before any of this surface water was placed into the LRGPWVA distribution system.
- D. **Finance:** Ms. Kathi Jackson provided a written report and stood for questions. She advised the Board that the LRGPWVA has exceeded their projected Revenue Budget for the 2016 fiscal year, and that the LRGPWVA has only used about 67% of their budget for the year. She stated that the LRGPWVA should have more than enough funds to finish out the year within their budget. Ms. Kathi Jackson also told the Board that the conversion to the new Tyler utility billing system has been completed. She described the new billing format, stating that the new bills are sent out in envelopes instead of the previously used postcard format. She stated this also allows the LRGPWVA to send out enclosures, such as newsletters, along with the bills. Ms. Kathi Jackson told the Board that the contracts for the 2016 fiscal year Audit are due to the Office of the State Auditor by May 15, 2016 and that the LRGPWVA was planning on using the same firm: RPC.

IX. Unfinished Business : None

X. New Business

- A. **Motion to adopt Resolution #FY2016-11, Third Quarter Budget:** Mr. Holguin made the motion to adopt the Third Quarter Budget and Mr. McMullen seconded the motion. The motion passed with none opposed.
- B. **Review and Comment on Draft ICIP:** Mr. Martin Lopez told the Board that LRGPWVA staff had met and revised the Infrastructure Capital Improvement Plan, moving the LRGPWVA Central Office and Warehouse Facility up the list to the number 5 position. Ms. Karen Nichols advised the Board that some of the projects on the list had been re-ordered, as some had been completed. LRGPWVA Board and Staff members then briefly discussed possible funding options for the Central Office Project. Ms. Karen Nichols also reminded the Board that two public meetings would be held the first week of May in relation to the ICIP.
- C. **Motion to approve a contract for lobbying services with the Apricot Tree:** Mr. Martin Lopez told the Board that LRGPWVA Staff had met to evaluate lobbying proposals that had been submitted and that while all of the firms who had submitted proposals were very impressive, LRGPWVA Staff ultimately recommended The Apricot Tree to provide lobbying services to assist with changes to the LRGPWVA statute.
- D. **Motion to authorize RFP for Engineering Services for Surface/Brackish/Ground Water Well & Treatment Project due to statutory expiration date of Bohannon Huston, Inc. contract:** Mr. Martin Lopez explained that the statutory expiration date was approaching and that was why this project had to be re-RFP'd. Mr.

Holguin made the motion to authorize the RFP and Mr. McMullen seconded the motion. The motion carried with none opposed.

- E. Motion to authorize Informal RFP for As-Needed Engineering Services for small projects:** Ms. Karen Nichols reminded the Board that this would be an informal RFP, reserved for small projects under \$60,000. Mr. Holguin made the motion to authorize informal RFP and Mr. Smith seconded the motion with none opposed.
 - F. Review Draft Board Meeting Schedules for Open Meetings Act Resolution for FY-2017:** Ms. Karen Nichols asked the Board for feedback regarding the two possible Board Meeting schedules for the 2017 fiscal year. The Board preferred the schedule that continued to include the La Mesa LRGWWA office but excluded the LRGWWA Berino office, due to its small meeting space.
 - G. Motion to Approve Amendment to the LRGWWA Schedule of Rates and Fees: Convenience Fee for Payment by Credit Card:** Mr. Martin Lopez explained that the Convenience Fee for credit card transactions had been changed from \$3.00 for an on-site transaction to \$2.00 and \$1.25 per online transaction. Mr. Holguin made the motion to approve the amendment to the Schedule of Rates and fees. Mr. Smith seconded the motion and it carried with none opposed.
 - H. Motion to Approve Amendment to LRGWWA Employee Policy Manual: Section 6, Equipment Use and Section 8, Workplace Safety Policy:** Mr. Martin Lopez went over the changes to the Employee Policy Manual, explaining that a new section had been added to address equipment use. This section was added to address employees' responsibilities for Authority property and the consequences of employee negligence in regards to Authority equipment. Mr. Mike Lopez advised the Board that employee training in the correct use and care of Authority equipment was ongoing. Ms. Karen Nichols advised the Board that the Workplace Safety Policy had also been incorporated into the Employee Policy Manual. A new section, section 8.08 on Medical Release to Return to Work, had also been added to the Safety Policy. After reviewing the proposed changes Mr. Holguin made the motion to approve the amendment and Mr. McMullen seconded the motion. The motion passed with none opposed.
 - I. Motion to repeal current Safety Policy, Policy #2014-1:** Ms. Karen Nichols explained that because the Workplace Safety Policy had been rewritten and incorporated into the LRGWWA Employee Policy Manual the current Safety Policy was no longer needed. Mr. Holguin made the motion to repeal the current Safety Policy and Mr. McMullen seconded the motion. The motion passed with none opposed.
 - J. Motion to award Bid #2016-02- Surplus Meters- to highest bidder:** Ms. Karen Nichols described the bidding process and recommended the bid be awarded to United Meter Buyers. Mr. Holguin made the motion to award the bid to the highest bidder, United Meter Buyers, and Mr. McMullen seconded the motion. The motion passed with none opposed.
- XI. Other discussion and agenda items for next meeting:**
- A.** Amendment to Schedule of Rates and Fees/testing of larger water meters
 - B.** Training/Credits for Board Members
 - C.** Adopt Open Meetings Act Resolution/Board Schedule
 - D.** Re-file service area with Dona Ana County due to the purchase of the Valle Del Rio water system
 - E.** Adopt interim proposed budget/resolution
- XII. Adjourn:** Mr. Holguin made the motion to adjourn and Mr. McMullen seconded the motion. The meeting was declared adjourned at 11:23 a.m.

Minutes approved April 20, 2016

Roberto Nieto, Chairman (District 5)

John Holguin, Vice-Chairman (District 4)

ABSENT
Alma Boothe, Secretary (District 2)

ABSENT
Raymundo Sanchez, Director (District 1)

VACANT
Director (District 3)

Michael McMullen, Director (District 6)

Furman Smith, Director (District 7)



Lower Rio Grande Public Water Works Authority
 Sign In Sheet Page 1 of 1

Date: April 20, 2016 Time: 9:30 AM Places: LRGPNWA La Mesa Office Event: Regular Board Meeting

Signature	Print Name, Title, Company or Agency Represented	Contact Information	Email Address
<i>[Signature]</i>	LRGPNWA MARTIN G. COPEL LRGPNWA	1730. Upper C. / rgauuthority.com PO Box 2646 San Antonio, TX 78201	
<i>[Signature]</i>	William Patterson MIKE McAVILLAN LRGPNWA	Bill P. 920-302-7532	mwpatt@lrgauthority.com William.Patterson@lrgpnwa.com
<i>[Signature]</i>	Mike McAvellan	(575) 640-4330	
<i>[Signature]</i>	LRG-PURCH FINANCE MANAGER FURMAN SMITH B M	" 382 5982	Same
<i>[Signature]</i>	Robert Nick John H. Lewis	505-636-5851	
<i>[Signature]</i>	MIKE LOPEZ Espy Lopez	575-636-9007	bolovina@gmail.com
<i>[Signature]</i>	MIKE LOPEZ Espy Lopez	635-3921	mike.lopez@lrgauthority.com
<i>[Signature]</i>	Best job	635-1289	HAUD
<i>[Signature]</i>	Karen Nichol 15 pm, LRGPNWA	575-636-9968	
<i>[Signature]</i>		915 203 2057	Karen.nichols@lrgauthority.com

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LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY

Meeting Notice & Agenda—REGULAR BOARD OF DIRECTORS MEETING

9:30 a.m. Wednesday, April 20, 2016 at our La Mesa Office, 521 St. Valentine, La Mesa, NM 88044.

Agendas are final 72 hours prior to the meeting and may be obtained at any LRGPWWA Office—call 575-233-5742 for information

- I. Call to Order, Roll Call to Establish Quorum: District #1 (Mr. Sanchez) ____, #2 (Ms. Boothe) ____, #3 (Ms. Martinez) ____, #4 (Mr. Holguin) ____, #5 (Mr. Nieto) ____, #6 (Mr. McMullen) ____, #7 (Mr. Smith) ____.
- II. Pledge of Allegiance
- III. Swearing-In of Blanca Martinez, newly appointed Board Member for District 3
- IV. Motion to approve the Agenda
- V. Motion to approve the minutes of the February 17, 2016 and March 18, 2016 Regular Board Meetings
- VI. Guest Presentations
 - A. Mr. Mattiace, Executive Director of the New Mexico Border Authority, regarding the proposed Santa Teresa International Rail project
- VII. Public Input—15 minutes total allotted for this item, 3 minutes per person
- VIII. Managers' Reports
 - A. General Manager
 - B. Operations
 - C. Projects
 - D. Finance
- IX. Unfinished Business
- X. New Business
 - A. Motion to adopt Resolution #FY2016-11, Third Quarter Budget
 - B. Review and Comment on Draft ICIP
 - C. Motion to approve a contract for lobbying services with The Apricot Tree
 - D. Motion to authorize RFP for Engineering Services for Surface/Brackish/Ground Water Well & Treatment Project due to statutory expiration date of Bohannon Huston, Inc. contract
 - E. Motion to authorize Informal RFP for As-Needed Engineering Services for small projects
 - F. Review Draft Board Meeting Schedules for Open Meetings Act Resolution for FY-2017
 - G. Motion to Approve Amendment to the LRGPWWA Schedule of Rates and Fees: Convenience Fee for Payment By Credit Card
 - H. Motion to Approve Amendment to LRGPWWA Employee Policy Manual: Section 6, Equipment Use and Section 8, Workplace Safety Policy
 - I. Motion to repeal Current Safety Policy, Policy #2014-1
 - J. Motion to award Bid #2016-02 – Surplus Meters to highest bidder
- XI. Other discussion and agenda items for **next meeting, 9:30 a.m., May 18, 2016 at the Berino Office:**
- XII. Adjourn

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aide or service to attend or participate in the hearing or meeting, please contact the LRGPWWA office at 575-233-5742, PO Box 2646, Anthony NM 88021 OR 215 Bryant St., Mesquite NM at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the LRGPWWA office if a summary or other type of accessible format is needed.

Si usted es una persona con una discapacidad que necesita un lector, amplificador, intérprete de lenguaje de signos o cualquier otra forma de ayudante auxiliar o de servicio para asistir o participar en la audiencia o reunión, póngase en contacto con la oficina de LRGPWWA, 575-233-5742, PO Box 2646, Anthony, NM 88021 o 215 Bryant St., Mesquite, NM por lo menos una semana antes de la reunión o tan pronto como sea posible. Documentos públicos, incluyendo el orden del día y actas, pueden proporcionarse en diferentes formatos accesibles. Póngase en contacto con la oficina LRGPWWA si es necesario un resumen u otro tipo de formato accesible.

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY

Minutes—REGULAR BOARD OF DIRECTORS MEETING

9:30 a.m. Wednesday, February 17, 2016 at our East Mesa Office, 9774 Butterfield Park Blvd. Las Cruces, NM

NOTE: Minutes are a DRAFT until approved & signed by the Board of Directors

- I. **Call to Order, Roll Call to Establish Quorum:** Chairman Roberto Nieto called the meeting to order at 9:31 a.m. and called the roll. Mr. Raymundo Sanchez representing District #1 was absent, Ms. Alma Boothe representing District #2 was present, the seat on the Board for District #3 is currently vacant, Mr. John Holguin representing District #4 was absent, Mr. Nieto representing District #5 was present, Mr. Mike McMullen representing District #6 was present, and Mr. Furman Smith representing District #7 was present. Staff members present were General Manager Martin Lopez, Operations Manager Mike Lopez, Finance Manager Kathi Jackson, Projects Manager Karen Nichols, and Projects Specialist Liza Lopez. Matt Dyer, an engineer with Parkhill, Smith & Cooper was also present.
- II. **Pledge of Allegiance:** Martin Lopez led the pledge.
- III. **Motion to approve the Agenda:** Mr. McMullen made the motion to approve the Agenda and Ms. Boothe seconded the motion. The motion carried with none opposed.
- IV. **Motion to approve the minutes of the January 20, 2016 Regular Board Meeting and the November 18, 2015 Regular Board Meeting:** Mr. McMullen made the motion to approve the minutes of the January 20, 2016 Regular Board Meeting and Ms. Boothe seconded the motion, with all in favor. Mr. McMullen then made the motion to approve the minutes of the November 18, 2016 Regular Board Meeting. Ms. Boothe seconded that motion and it also passed with none opposed.
- V. **Guest Presentations – NONE**
- VI. **Public Input—15 minutes total allotted for this item, 3 minutes per person – NONE**
- VII. **Managers' Reports**
 - A. **General Manager:** Mr. Martin Lopez provided a written report and stood for questions. Mr. Smith asked Mr. Martin Lopez if new trucks had been purchased. Mr. Martin Lopez responded that the loan for the vehicles had closed but the grant agreement needed to be signed before the vehicles could be purchased. He also stated that the State's 2016 vehicle list was out and that the LRGPWWA would be able to purchase 2016 models instead of 2015 models. Mr. Martin Lopez passed out the agenda for the upcoming Vado Historical Society Meeting and described the upcoming breakfast that will be hosted for the LRGPWWA by Citizen's Bank. Mr. Martin Lopez also told the board that the transition to the new billing software is ongoing and that the billing program is scheduled to go live on March 1, 2016.
 - B. **Operations: (This item was taken out of order; this report followed the Projects Report)** Mr. Mike Lopez provided a written report and stood for questions. Mr. Nieto asked Mr. Mike Lopez where the 12 services had been removed and Mr. Mike Lopez replied that they had been removed from the Butterfield Park/Organ system, and that 5 more LRGPWWA members were due to have their services removed as well because of failure to pay membership fees. Karen Nichols asked Mr. Mike Lopez how the main water lines at Valle del Rio would be scoured and Mr. Mike Lopez replied that high water pressure would be used. He also stated that the customers in the Valle del Rio system would be sent notices regarding the upcoming line scouring/water shut-off. Radio Read Meters are also scheduled to be installed on the Valle del Rio system.
 - C. **Projects: (This item was taken out of order; this report followed the General Manager's Report)** Ms. Karen Nichols provided a written report and introduced Matt Dyer, an engineer with Parkhill, Smith & Cooper, the firm that is working on the water line extension project. Mr. Dyer provided an overview and

update of the project and stood for questions. Mr. Nieto asked Mr. Dyer if it would cost anything to get the waiver on the easements. Mr. Martin Lopez told the Board if anyone in the project area failed to provide an easement that would be where the water line would stop. He stated that it was important to expedite this project and use the funds that were available to complete this work. Mr. Nieto asked Mr. Dyer how many days had been allocated for construction. Mr. Dyer stated that right now he had 150 calendar days scheduled. Mr. Dyer also pointed out that Elephant Butte Irrigation District has ground water monitoring stations throughout the valley and he was coordinating with EBID to get the database with the elevations of these monitoring stations in order to correlate that with the Geo-Tech report to avoid problems with the ground water contours. Ms. Nichols also stated that she had been in contact with the Attorney for the LRGPWWA to file a claim with the bonding company of Western Building and Development, the contractor on the Brazito Project. To date this project has not been completed and/or accepted. The Contractor has negotiated with Dona Ana County to remove and replace 2" of asphalt in the east lane of Calle de Brazito, which the County agreed to, but he has failed to respond with a schedule for doing the work. Mr. Martin Lopez also told the Board that the LRGPWWA was on the Capital Outlay Projects list and was requesting funds for SCADA work and rugged laptops/tablets that could be used by operators in the field to generate and complete work orders.

- D. Finance:** Ms. Kathi Jackson stood for questions. She described the challenges with transitioning to the new Billing System, which is scheduled to go live on March 1, 2016. She told the Board that LRGPWWA staff had attended classroom training and have been receiving hands-on training with the new Tyler system.

VIII. Unfinished Business : None

IX. New Business

- A. Appointment of a new Director for District 3:** Mr. Martin Lopez explained that due to the unexpected passing of Mr. Carlos Tellez, Board Director for District 3, there is now a vacancy on the Board of the LRGPWWA which must be filled within 45 days. He requested authorization from the Board to send out a letter to residents in District 3 in order to find someone who would be eligible and interested in filling this position. He added that the appointment would be for a little over a year, until the Board elections in 2017. Mr. McMullen made the motion to authorize the mailing of this letter and Ms. Boothe seconded the motion. The motion passed with none opposed.
- B. Motion to adopt the proposed Amendment to the LRGPWWA Employee Policy Manual:** Mr. Martin Lopez explained that this amendment would clarify the information provided in the Policy Manual regarding existing health care benefits and the retirement plan, as well as outlining when donated leave can be used in sections 4.01 and 4.02 of the Employee Policy Manual. Ms. Boothe made the motion to adopt the proposed amendment and Mr. Smith seconded this motion. This motion passed with none opposed.
- C. Motion to assign new members from Valle Del Rio to District 6, pending redistricting for 2017 election:** Mr. Martin Lopez explained that the membership numbers in both Districts 3 and 6 had been examined and because there were fewer members in District 6, new members to the LRGPWWA from Valle Del Rio should be assigned to this district for the 2017 LRGPWWA Election. Mr. McMullen made the motion to assign these new members to District 6 and Mr. Smith seconded the motion. The motion passed with none opposed.
- D. Motion to approve proposed Engineering Services Agreement with Souder, Miller & Associates for the Valle Del Rio Water System Improvements Project contingent upon NMED-CPB approval:** Ms. Karen Nichols discussed the proposed agreement. Ms. Boothe made the motion to approve the proposed agreement and Mr. McMullen seconded the motion. The motion passed with all in favor.

- E. Motion to adopt proposed Amendment to the LRGPWWA Member/Customer Service Policy:** Mr. Martin Lopez and Mr. Mike Lopez both told the board that there are situations where people have broken sewer pipes that are causing an environmental/health hazard. In these cases the water service needs to be shut off until the pipes are repaired. Mr. Martin Lopez stated that this amendment would clarify the LRGPWWA's authority to disconnect water service to these customers until the repairs are made. Ms. Boothe made the motion to adopt the proposed amendment. Mr. McMullen seconded the motion and it passed with all in favor.
- F. Motion to accept the FY-2015 State Auditor's Report:** Mr. Martin Lopez told the Board that there had been a Finding on the audit in regard to internal controls on fixed assets for the 2015 fiscal year. Ms. Kathi Jackson explained the audit process that had taken place in December of 2015 and the difficulties with the auditors, their timeframe and delayed requests for information. She explained that the audit was supposed to take place in October of 2015 but did not actually take place until December of 2015, allowing only 15 days for the audit to be completed. Martin Lopez told the Board that he anticipates the record keeping issues pointed out in the audit will be taken care of with the new software that the LRGPWWA is transitioning to this year. Mr. McMullen made the motion to accept the FY-2015 State Auditor's Report and Ms. Boothe seconded the motion. The motion passed with none opposed.
- X. Other discussion and agenda items for next meeting:**
- A. Request presentation from Mr. Mattiace, Executive Director of the New Mexico Border Authority:** Mr. Martin Lopez stated that he would attempt to contact Mr. Mattiace in order to request a presentation regarding the Santa Teresa Rail Study.
- B. Authorize Public Hearings for ICIP:** Ms. Karen Nichols stated that she could ask Tiffany Goolsby, a planner with the South Central Council of Governments, to give a presentation to the Board on the ICIP. Mr. Nieto stated that would be a good idea.
- XI. Adjourn:** Ms. Boothe made the motion to adjourn. Mr. Smith seconded the motion and it carried unanimously. Mr. Nieto declared the meeting adjourned at 10:25 a.m.

Minutes approved April 20, 2016

Roberto Nieto, Chairman (District 5)

ABSENT

John Holguin, Vice-Chairman (District 4)

Alma Boothe, Secretary (District 2)

ABSENT

Raymundo Sanchez, Director (District 1)

VACANT

Director (District 3)

Michael McMullen, Director (District 6)

Furman Smith, Director (District 7)

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY

Minutes—REGULAR BOARD OF DIRECTORS MEETING

9:30 a.m. Wednesday, March 16, 2016 at our East Mesa Office, 9774 Butterfield Park Blvd. Las Cruces, NM

NOTE: Minutes are a DRAFT until approved & signed by the Board of Directors

- I. **Call to Order, Roll Call to Establish Quorum:** Chairman Roberto Nieto called the meeting to order at 9:40 a.m. and called the roll. Mr. Raymundo Sanchez representing District #1 was absent, Ms. Alma Boothe representing District #2 was absent, the seat on the Board for District #3 is currently vacant, Mr. John Holguin representing District #4 was present, Mr. Nieto representing District #5 was present, Mr. Mike McMullen representing District #6 was present, and Mr. Furman Smith representing District #7 was present. Staff members present were General Manager Martin Lopez, Operations Manager Mike Lopez, Finance Manager Kathi Jackson, Projects Manager Karen Nichols, and Projects Specialist Liza Lopez. Prospective Board Members Blanca Martinez and Joe Evaro attended this meeting, and Espie Holguin from HUD was also present.
- II. **Pledge of Allegiance:** Karen Nichols led the pledge.
- III. **Motion to approve the Agenda:** Mr. McMullen made the motion to approve the Agenda and Mr. Smith seconded the motion. The motion carried with none opposed.
- IV. **Motion to approve the minutes of the February 17, 2016 Regular Board Meeting:** This motion was postponed until the April 20, 2016 Regular Board meeting because the date on the minutes was incorrect.
- V. **Guest Presentations – NONE**
- VI. **Public Input—15 minutes total allotted for this item, 3 minutes per person – NONE**
- VII. **Managers' Reports**
 - A. **General Manager:** Mr. Martin Lopez provided a written report and stood for questions. Mr. Martin Lopez clarified that the printing of LRGPWWA bills had been outsourced but not the billing process itself. Mr. Martin Lopez informed the board that because of the new billing system the current bill had gone out late and no late fees would be imposed. Mr. Smith informed Mr. Martin Lopez that the Organ Post Office has been closed temporarily and residents must drive to Dona Ana to pick up their mail, so late payments from the East Mesa area may be expected. Mr. Holguin inquired about the outcome of the meeting that Martin Lopez had with Stephanie Paladio from the University of Oklahoma. Mr. Martin Lopez explained that Ms. Paladio was primarily interested in obtaining irrigation and surface water information. Mr. Martin Lopez told the board that staff had just been through an intensive 2 week training session with Tyler in reference to the billing system and that staff was becoming more proficient and comfortable with the change in systems. He added that the work was more streamlined and that the inventory portion of the system is being worked on. Mr. Holguin asked Mr. Martin Lopez about the timeline on the reassessment of LRGPWWA District boundaries. Mr. Martin Lopez informed him that the re-districting would occur in January 2017.
 - B. **Operations:** Mr. Mike Lopez provided a written report and stood for questions. Mr. Holguin asked Mr. Mike Lopez about the lower water production rate for 2016, as compared with 2015. Mr. Mike Lopez attributed this to people being more conservative with water usage, perhaps as a result of an increase in water rates. Mr. Nieto asked Mr. Mike Lopez about the problems with the Arroyo Well. Mr. Mike Lopez responded that they had been receiving calls about "dirty water." Operators shut everything off, emptied tanks and back-flushed lines. He stated that operators had cleared transmission and distribution lines and have continued flushing the lines in an effort to correct the problem. Mr. Mike Lopez anticipates putting the Arroyo well back online sometime next week.

- C. **Projects:** Ms. Karen Nichols provided a written report and stood for questions. Ms. Karen Nichols informed the Board that the purchase of the Valle Del Rio water system had gone very smoothly and a Notice To Proceed had been issued to Souder, Miller and Associates for the upgrades to the system. Mr. Martin Lopez congratulated Karen Nichols on obtaining Capital Outlay funding. This funding will be used for SCADA work and the purchase of rugged laptops/tablets for use in the field.

- D. **Finance:** Ms. Kathi Jackson stood for questions. She told the Board that the transfer of data to the new billing system had gone well. She discussed the recent on-site training provided by Tyler and said staff was adjusting well to the changes involved in implementing the new billing software. She informed the Board that Benita Evaro, who handles Procurement, had moved to the LRGPWWA office in Brazito and that Tony Duarte had been re-assigned to Brazito to help Benita in the warehouse. Kathi Jackson and Martin Lopez also informed the Board that the LRGPWWA may send out an RFP for a new auditor due to the departure of the LRGPWWA's current auditor.

VIII. Unfinished Business : None

IX. New Business

- A. **Motion to authorize Public Meetings for ICIP, request SCCOG assistance with the ICIP and authorize SCCOG to access the ICIP database on behalf of the LRGPWWA:** Karen Nichols advised the Board that she had set up a meeting with Tiffany Goolsby of the SCCOG regarding the ICIP. She stated that the information provided in the ICIP database would be invaluable to the LRGPWWA and there was no cost to access this information. Written authorization would be needed to access the ICIP database, and she would like to have two public meetings regarding the ICIP. The deadline for this is June 15, 2016. Mr. Holguin made the motion to request SCCOG assistance with the ICIP, authorized two public meetings and authorized the SCCOG to access the ICIP database on behalf of the LRGPWWA. Mr. Smith seconded the motion and the motion carried with none opposed.

- B. **Motion to authorize the General Manager to hire a new operator/operator trainee:** Mr. Martin Lopez informed the Board that one of the LRGPWWA's senior Operations personnel, Tony Duarte, had been transferred to the Finance Department to assist with Procurement at the Brazito Office. He requested authorization to hire a new operator/operator trainee to fill this vacancy. Mr. Holguin made the motion to authorize the hiring of a new operator/trainee. Mr. Smith seconded the motion and the motion passed with none opposed.

- C. **Motion to authorize the purchase of a 5th truck using USDA Vehicle Funding:** Mr. Martin Lopez told the Board that there would be enough USDA funding left after the purchase of 4 trucks, and using \$6,700 in General Funds, to purchase another truck. Mr. Martin Lopez requested authorization from the Board to purchase this 5th vehicle. Mr. Holguin made the motion to authorize the purchase of a 5th truck and Mr. McMullen seconded the motion. The motion carried with none opposed.

- D. **Appointment of Director to fill District 3 vacancy:** Mr. John Holguin took a moment to remember former Board member, Mr. Cali Tellez, who passed away in January of 2016. Mr. Martin Lopez advised the Board that a letter seeking interested persons to fill the vacancy on the Board had been sent out and that two individuals had responded to the letter: Ms. Blanca Martinez, who had been on the LRGPWWA Board previously, and Mr. Joe Evaro, who had served on the Board of the La Mesa Mutual Domestic System prior to its incorporation with the LRGPWWA. Both Ms. Martinez and Mr. Evaro were present at today's Board meeting. Mr. Martin Lopez reminded the Board that the LRGPWWA needed to fill the vacancy on the Board within 45 days and that the person who would be appointed as a Board member would only serve until the 2017 elections were held. Mr. Holguin stated that he felt that both candidates were qualified but he expressed concern that Mr. Evaro's wife, Benita Evaro, is employed by the LRGPWWA and

this might present a conflict of interest. Mr. Holguin then nominated Ms. Blanca Martinez to be on the Board. Mr. Smith then nominated Mr. Joe Evaro to be on the Board and voted for Mr. Evaro. Mr. McMullen voted for Ms. Blanca Martinez. Mr. Nieto expressed that he felt both candidates had good qualities, experience, and dynamics to bring to the Board and ultimately voted for Ms. Blanca Martinez. Mr. Nieto thanked both candidates for applying, and Ms. Blanca Martinez was appointed as the Director to fill the District 3 vacancy.

- E. Motion to approve Amendment #3 to Bohannon Huston, Inc. contract for Surface/Brackish/Groundwater Well Project contingent upon NMED-CPB approval:** Ms. Karen Nichols advised the Board that the LRGPWWA was coming up against a 4 year statutory deadline in July of 2016 for the engineering contract for this project, and the funding expires in 2017. She stated that the scope of Amendment #3 would have to be reduced to what could be accomplished by the statutory deadline and the project would have to be re-RFP'ed before July of 2016. She asked the Board to approve Amendment #3 contingent upon NMED-CPB approval and contingent upon the reduction in scope to what the engineering firm can accomplish before the statutory deadline. Mr. Holguin made the motion to approve Amendment #3 under the contingencies stated by Ms. Nichols and Mr. McMullen seconded the motion. The motion carried with none opposed.

- X. Other discussion and agenda items for next meeting:**
 - A. Presentation from Mr. Mattiace, Executive Director of the New Mexico Border Authority:** Mr. Mattiace has been contacted and will provide a presentation to the Board at its next meeting on April 20, 2016.

 - B. Administer Oath of Office to Blanca Martinez, newly appointed Board member**

 - C. Approve 3rd Quarter Budget Report with Resolution**

 - D. Draft ICIP**

 - E. RFP for Audit Services**

- XI. Adjourn:** Mr. Holguin made the motion to adjourn. Mr. Smith seconded the motion and it carried unanimously. Mr. Nieto declared the meeting adjourned at 10:25 a.m.

Minutes approved April 20, 2016

Roberto Nieto, Chairman (District 5)

John Holguin, Vice-Chairman (District 4)

ABSENT
Alma Boothe, Secretary (District 2)

ABSENT
Raymundo Sanchez, Director (District 1)

VACANT
Director (District 3)

Michael McMullen, Director (District 6)

Furman Smith, Director (District 7)



SANTA TERESA INTERNATIONAL RAIL STUDY UPDATE

April 2016

HNTB



NEW MEXICO
BORDER AUTHORITY

Participants

2

MÉXICO

- ❑ Estado de Chihuahua
- ❑ Secretaría de Comunicaciones y Transportes
- ❑ Municipio de Juárez, Chihuahua
- ❑ Instituto Municipal de Investigación y Planeación (Cd. Juárez)
- ❑ Ferrocarril Mexicano S.A. de C.V.
- ❑ Transconsult S.A. de C.V.
- ❑ Cruces y Puentes Internacionales S.A. de C.V.

USA

- ❑ New Mexico Border Authority
- ❑ States of New Mexico and Texas
- ❑ U.S. Departments of Commerce, State, and Homeland Security
- ❑ Surface Transportation Board / Federal Railroad Administration
- ❑ Cities of Sunland Park, NM and El Paso, TX
- ❑ El Paso Metropolitan Planning Org.
- ❑ BNSF Railway Company
- ❑ Union Pacific Railroad
- ❑ HNTB

HNTB

Transconsult



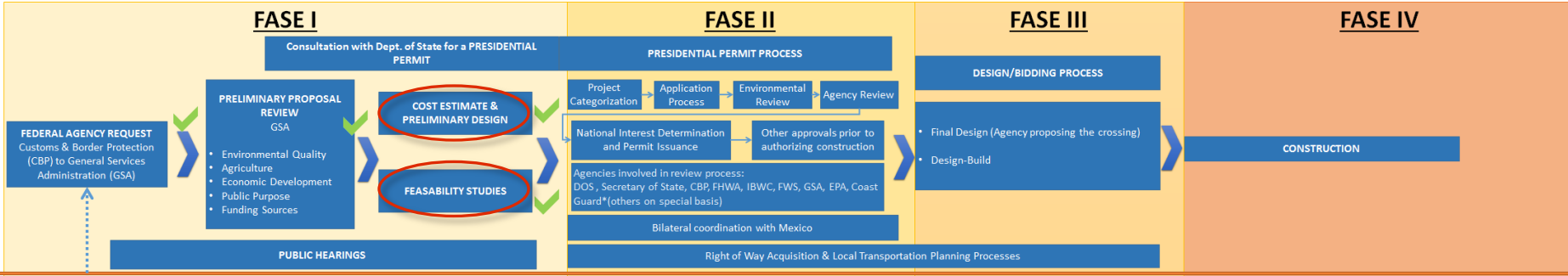
NEW MEXICO
BORDER AUTHORITY



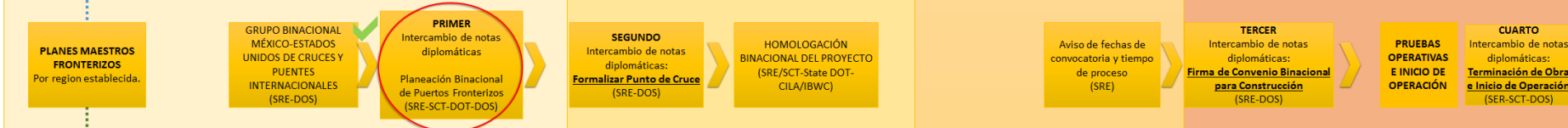
Binational Process

3

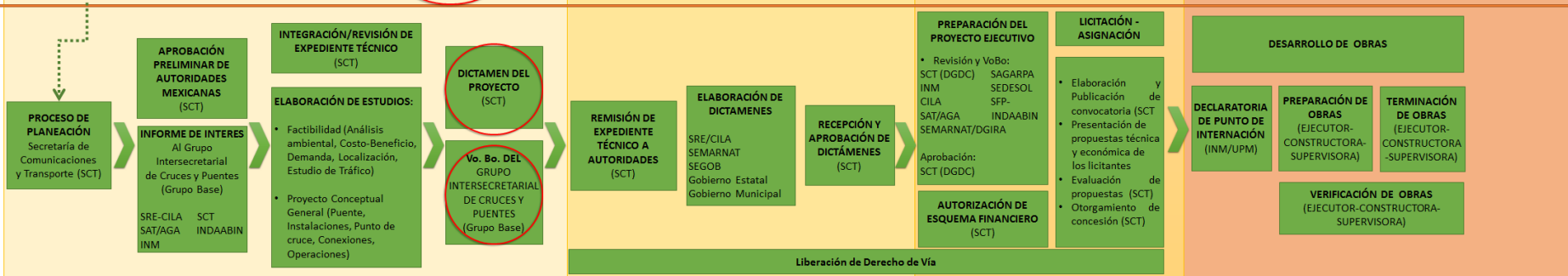
Instrumentación en Estados Unidos



Instrumentación Binacional



Instrumentación en México



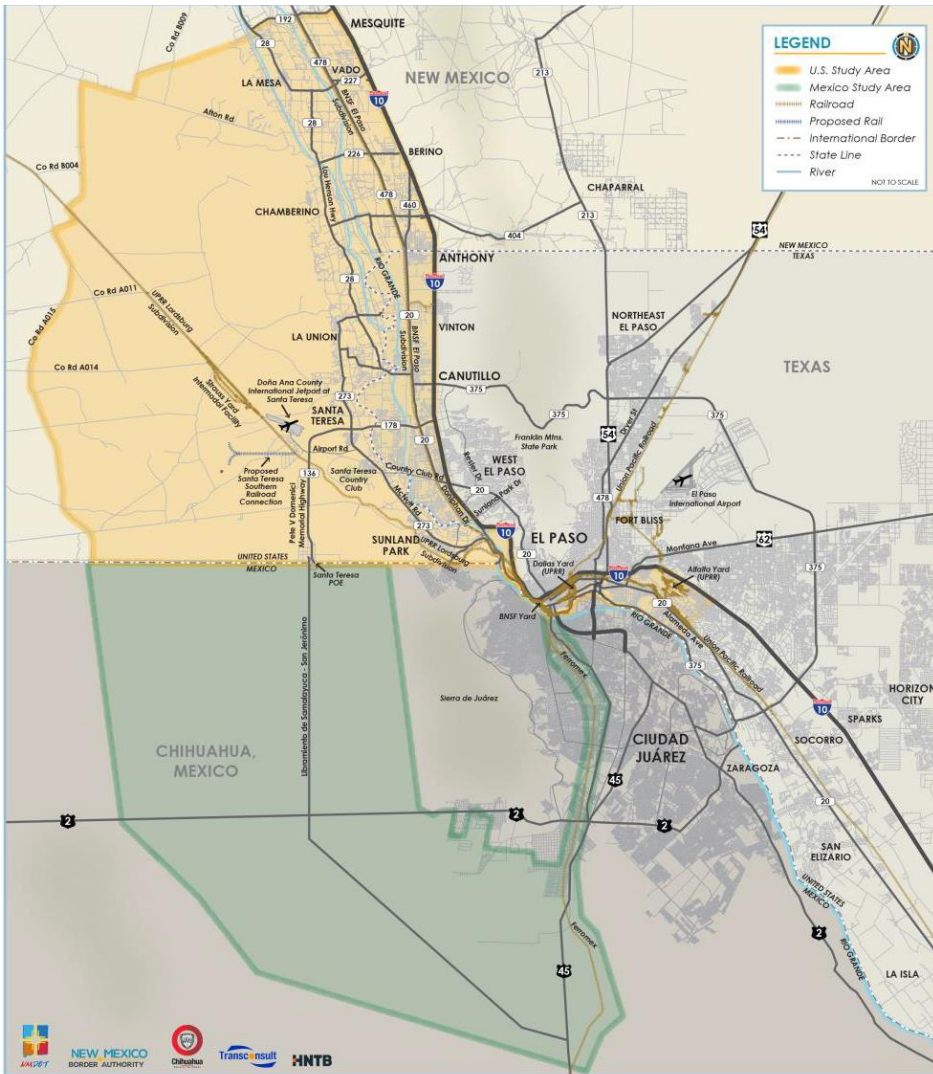
Union Pacific RR Strauss Yard, Santa Teresa, NM

4



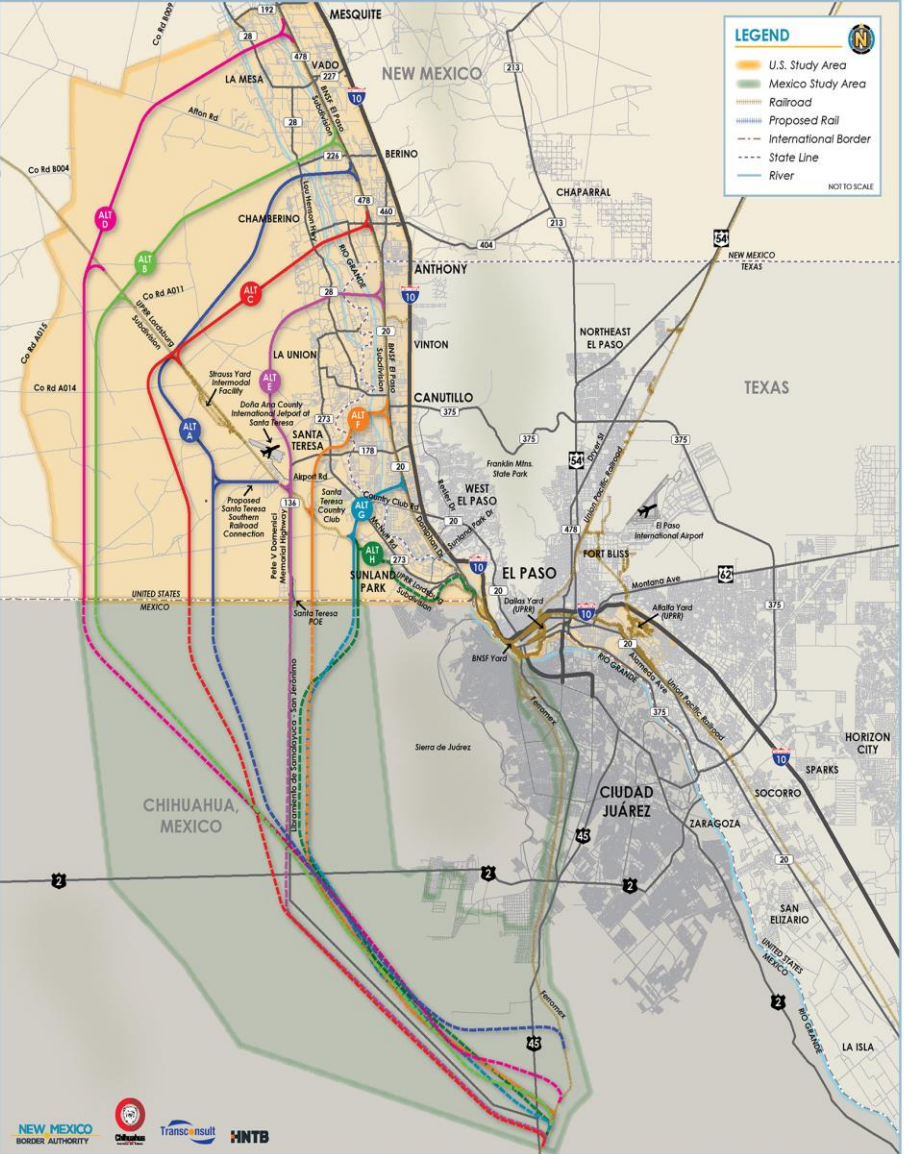
Project Objectives

5



- ❑ Construct a new rail bypass between Chihuahua and New Mexico:
 - ❑ Expedite cross-border flow of trade
 - ❑ Eliminate rail operation conflicts in the urban areas of Cd. Juárez and El Paso
 - ❑ Create economic development opportunities

Binational Coordination



This map developed by the Study Team and with input from the Technical Advisory Committee, depicts some alternative alignments and/or facilities for illustrative purposes only to assist in general comprehension of the alternatives. Precise planned or proposed alternative alignments can only be identified during the NEPA environmental process, which is not a part of this study or report. Corridors are approximately 150' in width for planning purposes. May 28, 2015

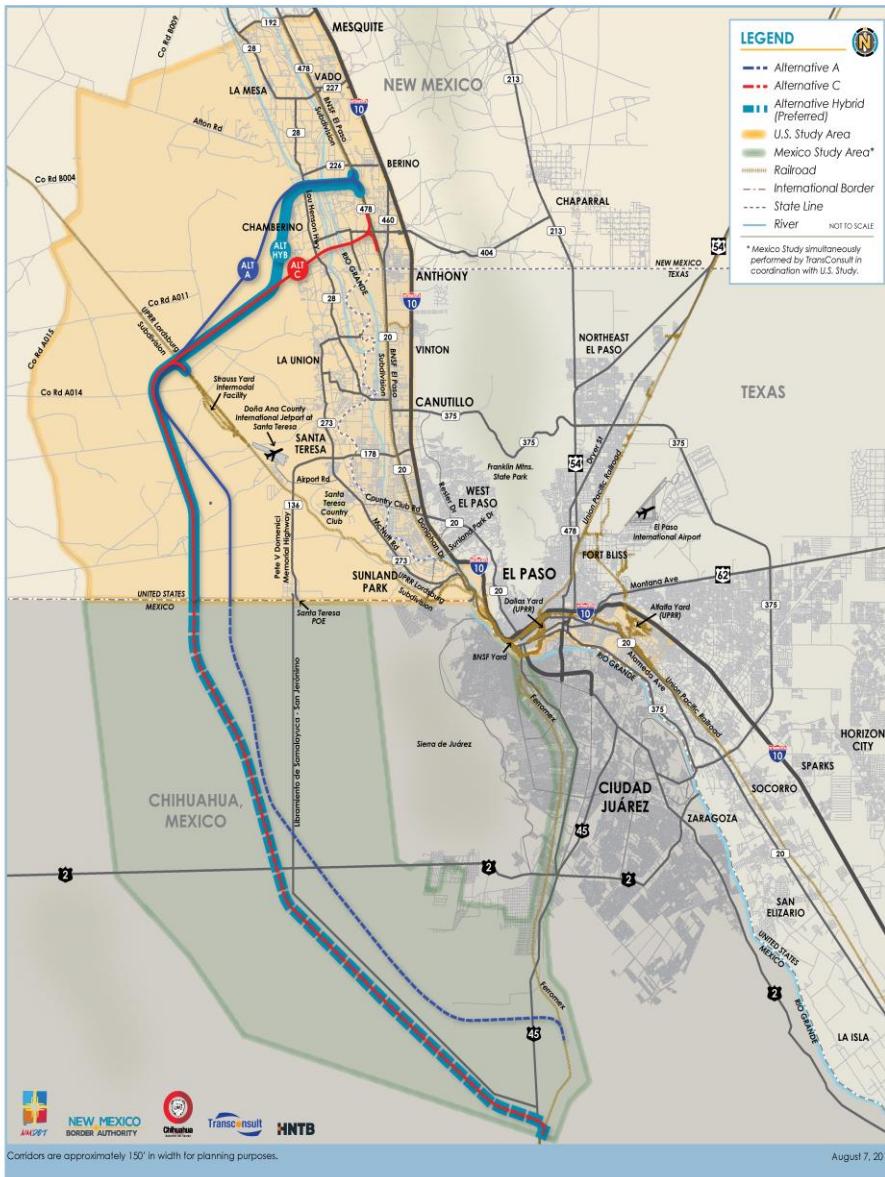
- Work team: Chihuahua & Transconsult, NMBA & HNTB
- Study area
- Joint determination of “Universe of alternatives (8)”
- Alternatives evaluation
- Separate processes but well coordinated



SANTA TERESA INTERNATIONAL RAIL STUDY
Universe of Alternatives



Detailed evaluation of 3 alternatives



Three alternatives were further analyzed :

- Alternative A
- Alternative C
- “Hybrid” Alternative



SANTA TERESA INTERNATIONAL RAIL STUDY



Evaluation of Alternatives and Selection of “Preferred”

8

México

- ❑ Fatal flaw analysis to 3 alternatives based on:
 - ❑ Environmental and social impacts, criteria aligned with Plan de Desarrollo Urbano de Cd. Juárez
 - ❑ Rail operations
 - ❑ Engineering
 - ❑ Safety
 - ❑ Technical input from key stakeholders: Ferromex, SCT, Aduanas, Chihuahua state government, industry trade groups, etc.

U.S.

- ❑ Evaluation criteria in consensus with *Technical Advisory Committee*:
 - ❑ Operations / Mobility
 - ❑ Safety
 - ❑ Impacts to human and physical environment
 - ❑ Engineering feasibility and constructability
 - ❑ Consistency with regional transportation and development plans
 - ❑ Feasibility of ROW acquisition
 - ❑ Cost

HNTB

Transconsult



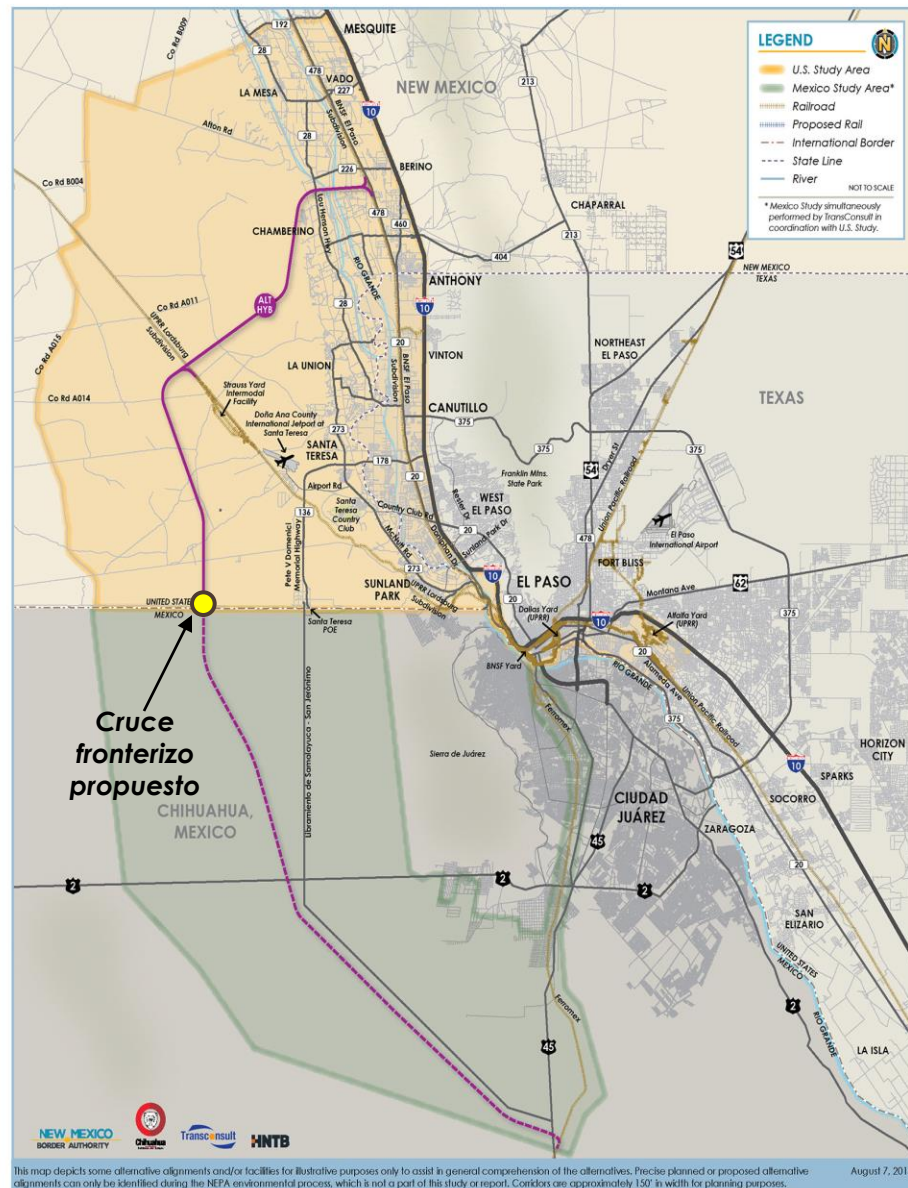
NEW MEXICO
BORDER AUTHORITY



“Preferred” Alternative

Key Features

- No fatal flaws
- Easier to construct
- Lower cost compared to other alternatives
- Minimizes environmental and social impacts
- Consistency between preferred conceptual alignments on both sides of the border
- Proposed location of new border crossing determined through binational coordination



Preferred Alternative in Chihuahua

10

□ Characteristics

- Length of main track: 57.6 km (35.8 miles)
- Flexible track design with 115 lbs/yd rail and concrete ties
- Optimized alignment and grades compared to current conditions
- Rail yard located close to the border with 29.4 km of tracks for dispatch, receipt and classification of cargo, customs verification, and vehicle maintenance
- 2 sidings with 3 km in length strategically located along the corridor
- Right of way: 30 m. width (98'), 40 m. en areas with sidings (131'). Take advantage of existing ROW along 20 km of the Samalayuca-San Jerónimo (CHIH-D) highway
- Rail yard infrastructure will be built and equipped based on federal agencies' requirements
- Estimated cost: \$2,200 millones MXN (not including ROW acquisition)

Preferred Alternative (Hybrid) New Mexico

11

□ Features

- Corridor length: 25 miles (40.2 km)
- Separate parallel tracks for UP and BNSF between int'l border and UP Sunset Line (ROW: 150' wide)
- BNSF track between UP Sunset Line and BNSF El Paso Subdivision (ROW: 100' wide)
- Separate infrastructure for CBP primary and secondary inspections
- Connectivity between UP y BNSF
- Estimated construction cost: \$471 million

□ Conclusions

- Project is feasible
- Key challenges:
 - Funding/Financing
 - Opposition by some property owners in the Valley

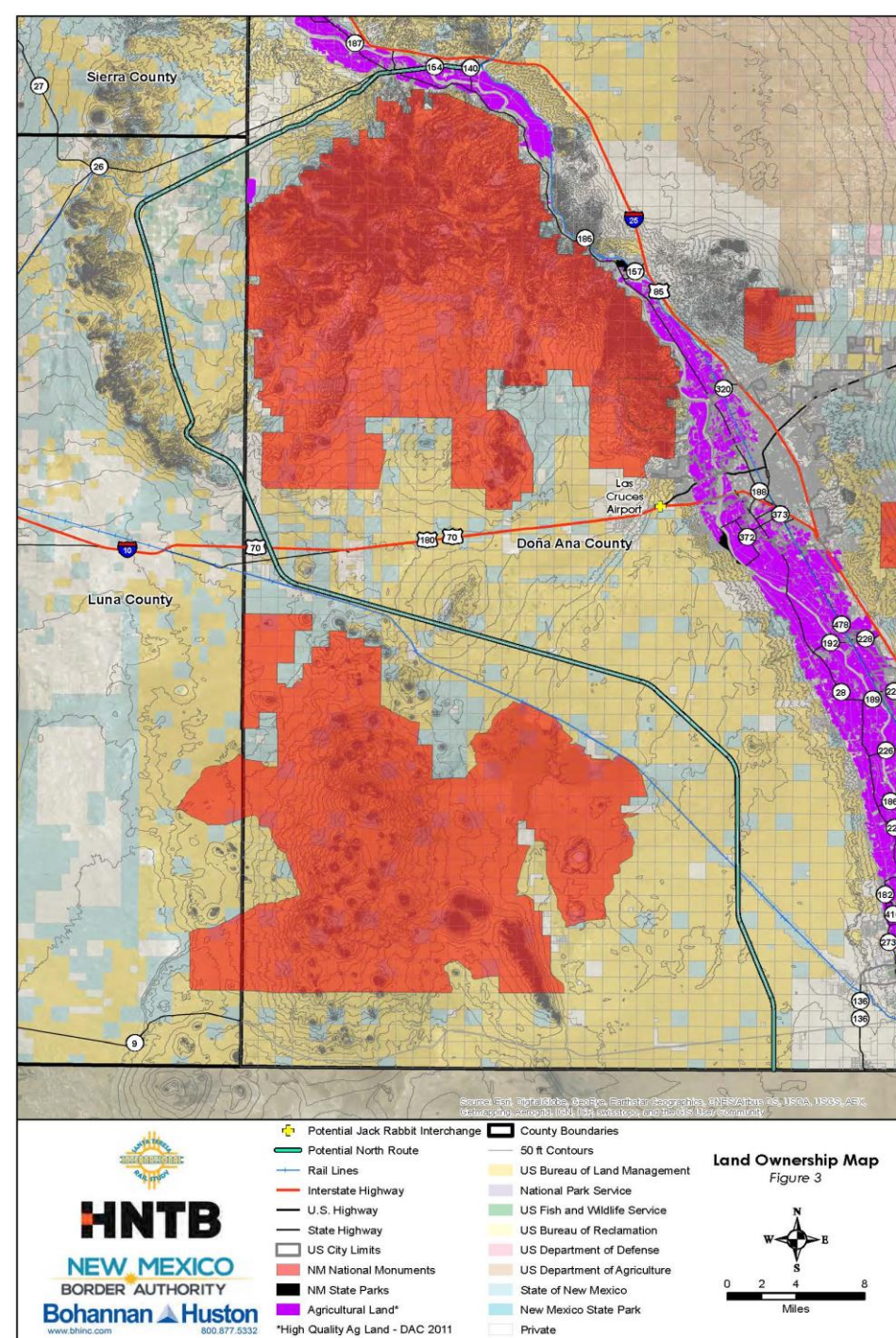
“Northern” Route

12

- In response to comments from public, NMBA requested to look at a totally new alternative that eliminates or minimizes acquisition of privately owned farmland
- HNTB performed a “fatal-flaw” review as a guide to determine opportunities, constraints, and challenges
- Analysis not intended to be comparable to that performed in the feasibility study

Northern Route

- Expanded study area
- Main constraints:
 - ▣ National monuments
 - ▣ Topography
 - ▣ Farmland
- One conceptual alignment “feasible” but 95 miles long
- Same from border to UPRR



Next Steps – Binational Process

14

- Memorandum of Understanding to formalize location of proposed new POE along border
 - States of Chihuahua and New Mexico
 - Railroads
 - Union Pacific
 - BNSF
 - Ferromex
- Exchange of diplomatic notes between United States and México
- Continue to “Next Phase” on both sides

Next Steps in Binational Process

15

México

- Survey work
- Continue with preliminary engineering work
- Initiate process with SHCP to access federal funding
- Final Design
- Environmental Documentation
- Right of Way acquisition

U.S.

- NEPA and detailed Alternatives analysis
 - Lead Federal Agency for NEPA (along with U.S. DOS)
 - Preliminary engineering
 - Detailed evaluation of impacts to environment from alternative(s)
- Develop Implementation Plan, including funding and financing
- Prepare and process Presidential Permit application

HNTB

Transconsult



Chihuahua
Gobierno del Estado

NEW MEXICO
BORDER AUTHORITY



Questions & Answers

16



LRGPWWA
Manager's Report
April 20, 2016

- Met with DAC Engineering to try and coordinate projects to avoid conflicting improvements by both LRGPWWA and DAC
- Met with DAC Planning and SCCOG pertaining to “possible” Economic Development Project on Eastside of I-10 Mesquite Exit
- Working with NM State Land Office and BHI to clarify transfer of business lease for the Organ Wastewater Facility
- Continued participation with stakeholders/facilitators to develop Regional Water Plan-LRGWUO has concerns with the process and will meet on April 26 to strategize prior to LRGWUO Board meeting which will be scheduled in May
- Completed the US Department of Commerce-US Census Bureau 2016 Government Units Survey, which gathers information on the basic characteristics of all local, general purpose, and special district governments

Lower Rio Grande PWWA

Operators Report

April 20, 2016

System Problems and Repairs:

- Backflow inspections are current.(Mesquite District)
- The wetlands project continues.
- Well # 6 has been operating well.
- JJ and I had to create a new DSSP for NMED and EPA that took us two weeks to produce.
- We are just now learning how to create work and service orders on the new Tyler billing system.
- We are flushing the arroyo well every day to re-develop the well; it is clearing up faster every day.
- We had 5 new services for the month of March.
- Suspiro Tank SCADA is working well.
- We have a leak on the transfer water line between Organ and Butterfield Park, I had Ramon and his crew excavate the area; however, the leak is coming from inside the bore.
- The county approached us to relocate two services, one flush out, and one fire hydrant on Harper road so that they can finish paving the road.

- On 4/20/16 we are going to have a tour of Well #2 South Valley Arsenic Treatment Unit, for the Southwest section of the NMWWA.

NMED: All of our Monthly Bac-T-Samples were taken for the month of May and all samples were negative.

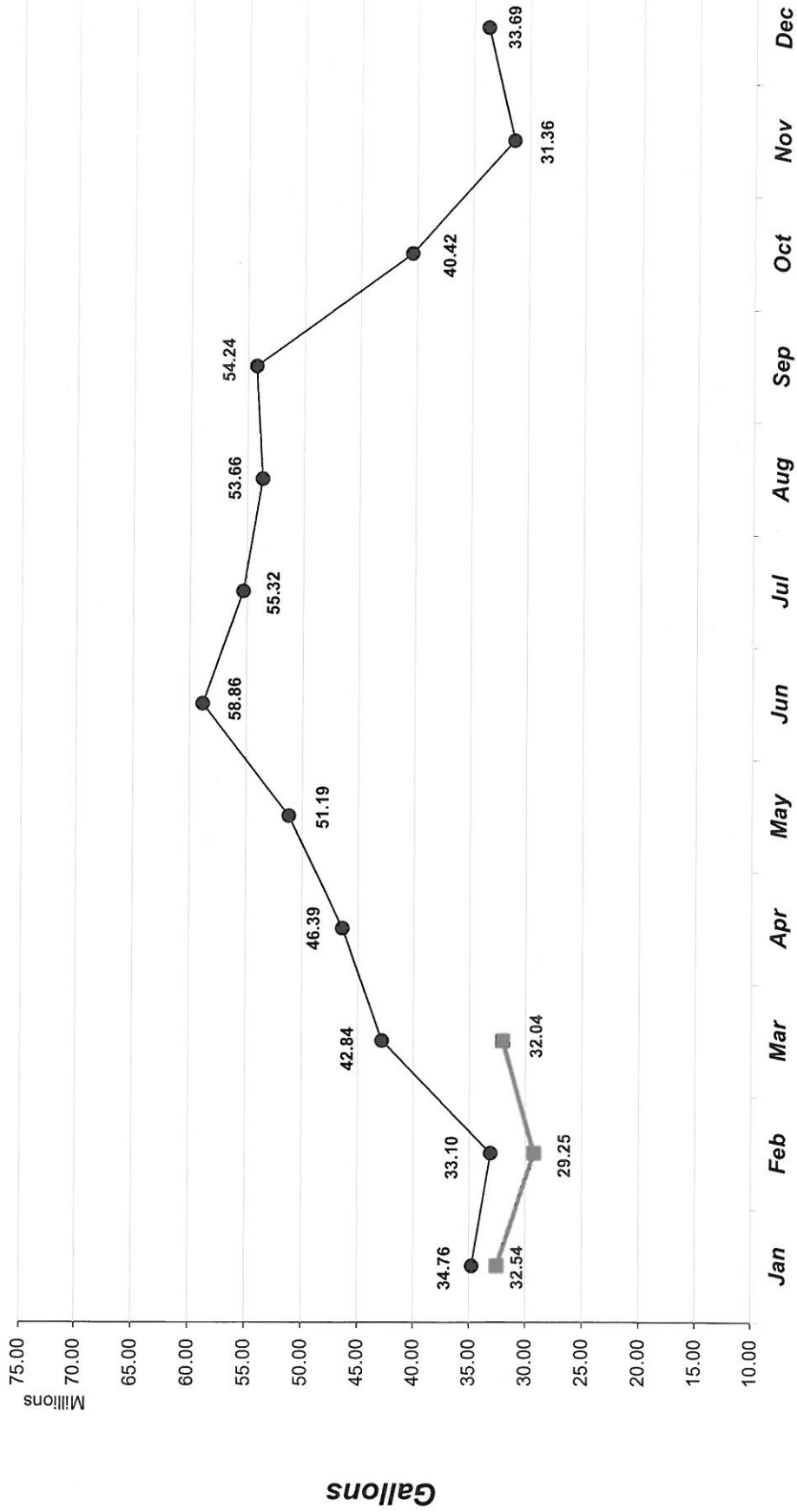
Mesquite District Wetlands: Demo continues.

Mesquite Sewer Report. Due in May.

Chlorine: No problems.

Reports: NMED, State Engineers, and the water conservation reports have been sent.

Lower Rio Grande PWWA Water Production Report



● 2015 Production ■ 2016 Production

**LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY
PROJECTS REPORT – 4/20/16 BOARD OF DIRECTORS MEETING**

Authority Construction Projects:

LRG: 11-02.1 - Mesquite Wastewater Project – Gannett Fleming– **CONSTRUCTION Stage complete** – Layne Southwest - RD \$7,262,081, CITF \$1,670,257: Remaining \$10k will be used along with RD Vehicle Purchase Project funds toward purchase of the 1-ton truck necessary to pull the sewer jetter/vac unit. Closing on RD Vehicle funds was 1/26/16.

LRG-11-02.2 – Mesquite-Brazito Sewer Project – Bohannon Huston, Inc. – **LOC Stage** – NMFA PG/SAP funded Planning, \$30k 2014 SAP, \$540,608 2014 CITF (10% Loan), USDA-RD Loan \$357,000 @ 3.250%, Grant \$1,194,919, Colonias Grants of \$6,356,474 & \$119,407: Project report not provided by Bohannon Huston.

LRG-11-03 – Interconnect & Looping Project – see 12-01 Authority PER

LRG-11-04 – Berino/ Mesquite-Del Cerro Water System Project WTB #223 – Vencor – **Construction Stage - Smithco** – RD - \$5,420,147/WTB - \$4,371,630:

Berino/Bosque Area: Contractor has completed all waterline markers on new fire hydrants in DAC ROW. Contractor completed 60 LF of 4" residential small bore crossing at 3522 Three Saints Road (WO#8), thus completing ALL planned bores for the BMDC project. Contractor has completed Guillen Laundromat's new meter as per Work Order #10. Kinder Morgan (KM)/EPNG crossings are complete at NM 478, Opitz Road, Three Saints and Harding Rd. Proposed 12" waterline re-positioning at the Berino BNSF bore (east & west side locations) are complete per Work Order #14. As of 4/05/16, 390 LF of 6" HDPE, 311 LF of 8" HDPE, 578 LF of 12" HDPE, 173 LF of 12" PVC C900 and 30 LF 12" Ductile Iron waterlines have been installed. NOTE: waterlines within the Berino/Bosque area have begun to be pressure tested but no Bac-t's have been taken. Pending: Contractor is pending reconnection of Fire Hydrant at Berino Road and Opitz Road. Contractor pending a sampling station which has been relocated from Three Saints to #1116 Harding Road.

Mesquite Area: Contractor addressed Substantial Completion Punch List items in the Mesquite area and is 98% complete on original Bid contract items only. Pending: WO#12: Bid Lot #15 Additive Alternate (addition of base course material to DAC Roads). Construction staking is currently underway with installation on 4/06/16.

Del Cerro/Vado Area: Contractor addressing Substantial Completion Punch List items in the Del Cerro/Vado area and is about 95% complete on original Bid contract items only. Contractor has completed 12" PRV on Vado Drive/NM 227 as per Work Order #11.

LRG-11-05 – Surface Water Treatment Plant WTB #252– Bohannon Huston - **Design stage - \$750,000 WTB – 10% Loan 10% Match:** A new engineering scope contract amendment was approved by the Board and NMED-CPB, will meet with BHI & Robert Frowlie tomorrow to kick off design of groundwater well at arsenic treatment facility in Berino. NMED-CPB approved the engineering contract amendment with a reduced scope due to the statutory expiration in July. Authorization for RFP is on today's agenda.

LRG-12-01 – Authority Water System Improvements PER 2013 – Vencor – Planning Stage - CDBG Planning Grant \$50,000, NMFA Planning Grant \$37,500 & \$12,500 Local Match: PER is a complete, planning grants have both closed.

Forty-Year Water Plan – CE&M – complete – needs update for new mergers: pending NM-OSE comments/approval.

LRG-13-02 – System-wide Information Technology Standardization - Software - \$175,000 NM STB – Tyler Technologies: Thirteen requisitions have been submitted to NMED-CPB and paid. Change Order #2 to further reduce the scope of the data conversion is pending at Tyler, but may not be needed. Project is behind schedule. Utility module training and implementation are complete. Issues with the Financial Module appear to be resolved. Document Management Module training is scheduled for tomorrow morning. Work Order training was cancelled by the instructor and still needs to be rescheduled. \$37,500 additional Capital Outlay was approved to purchase rugged laptops.

LRG-15-01 – System-wide Information Technology Standardization - SCADA - \$130,000 NM STB – Molzen Corbin: Molzen Corbin (MC) has developed base plans and compiled technical specifications for each prioritized site. 30% design drawings completed and submitted to PWWA. Clarification on Scope Discussion Items were addressed and noted - see Meeting Minutes 04.06.16. For Priority 3: Brazito Booster Station, the current pipe configuration will not allow for a new flow transmitter. MC to send a follow up Scope Document to address the work involved. MC will start preparing the RFP document for LRGPWWA to review. \$90,000 additional Capital Outlay was approved in 2016.

LRG-13-03 – Valle Del Rio Water System Project – RFP/Planning/Design Stage - \$1,197,708 DWSRLF funding - \$898,281 principal forgiveness – 299,427 loan repayment – Souder, Miller & Associates: Closed on the funding on 2/26/16, closed on the purchase on 2/29/16. SMA received notice to proceed on 3/1/16. The survey crew has been on site and collected the data for the majority of the meters; the survey crew will still be on site again to complete the data collection at the tank and wells site. The data from the engineering evaluation is being converted to the preliminary engineering report format.

LRG-13-01 – Brazito Water System Improvements – Souder, Miller & Associates. – Construction Phase - Western Building & Development - \$523,354 NM CITF Grant, \$58,150 Loan, \$58,150 Match Requirement, 2014 CITF \$157,986 (10% loan): The contractor did not meet his substantial and final completion due dates of August 28, 2015 and September 11, 2015 respectively. On March 10, 2016, Western Building and Development sent the asphalt submittal, and identified Smith & Aguirre as the subcontractor to remove and replace the defective asphalt and a start date of two days after approval of the submittal. SMA returned and approved the submittal to the contractor on March 11, 2016. Work to correct the asphalt on Calle De Brazito began on March 29, 2016. The new asphalt was laid on April 13, 2016 and final cleanup is scheduled to take place on or before April 15, 2016.

LRG-14-01 – Waterline Extension Project (incl. Veterans Road) – Design/Build - \$882,430 CITF incl. 10% Loan – Parkhill, Smith & Cooper - March 2016 Progress: Original 7 corridors design is 60% complete. Survey and geotechnical crews are working on Joy Road Extensions. NM DOT Environmental Clearance was returned and cleared for NM Hwy 28. Project budget was refined to including permit fees, for original 7 corridors. Finalized list of properties requiring easement, based upon the proposed alignments.

Planned Activities for April 2016: 70% Designs were submitted to LRGPWVA for review on original 7 corridors, • Joy Road Extensions designs to 60%. Package NM DOT permit application to be ready for submittal when designs are 100%. Submit 70% design to DAC and EBID for preliminary review (upon LRG alignment approval), to streamline permitting process. Finalize project budget (including permit fees) for original contract. Create and refine OPC for Joy Road Extensions. Continue on to easement processing.

Other projects:

USDA-RD Community Facilities Grant/Loan for Vehicle Purchase – LOC - \$46,600 Grant/\$103,400 Loan: Closing was 1/26/16. Funds are now available. Five trucks were ordered.

Infrastructure Capital Improvements Plan 2018-2022: Deadline is 6/15/16. Public meetings are set for May 3rd & 4th at East Mesa Office and Vado Office. Draft ICIP is on today's agenda for review, final will be on May's agenda for adoption.

Documents Retention & Destruction – Sorting of old association documents for storage or destruction is ongoing, and staff is implementing approved retention/destruction schedules for LRGPWVA documents.

Website and Email – Notices and Board Minutes pages are current. Other updates are ongoing.

Training –Liza attended two AWWA Webinars in April on Water Loss and Asset Management.

Lower Rio Grande Water Users Organization – Regional Water Plan meeting was held on 4/5/16 at Dona Ana County Building 1:00 to 4:00 pm. We were able to confirm that three of our projects were included in their list and were assured they would add all of our projects from the ICIP.

EBID Surface Water Plant: - NMED-DWB approval has been received, meeting with EBID on 4/18/16.

2017 Legislature: Contract for lobbying is on today's agenda. We will begin working on our bill right away for the next session in order to get it heard by Interim Committees.

Surplus Meter Disposal ITB: Bid opening was 4/13/16, and bid award on today's Agenda.

RFP for As-Needed Engineering Services for Small Projects: RFP authorization is today's Agenda

Finance Managers Report

For the Quarter ending March 31, 2016

Financial

3rd Quarter		Year to Date	
Revenue	\$577,485	Revenue	\$2,016,392
Expenses	<u>572,649</u>	Expenses	<u>1,688,788</u>
Net Income	\$4,836	Net Income	\$347,604

We have exceeded our projected Revenue Budget for FYE 2016.

We have only used 67% of our budget for the year.

We should have more than enough funds to finish out the year within our budget.

Tyler Accounting & Billing Conversion

The Utility Billing conversion is complete, it went very smoothly.

We are still working out a few issues with the billing but we think we have them corrected and going forward the bills should be getting out on time.

We are still struggling with the accounting conversion but are very close to having everything resolved.

The last module, TCM is now operational and we will have training on it this week.

There is still work to be done in many areas and more learning and sharing but we are almost done!

Audit

Contracts for the FYE2016 Audit are due to the Office of the State Auditor by May 15th.



www.LRGauthority.org

LOWER RIO GRANDE

Public Water Works Authority

325 Holguin Road Box C Vado, New Mexico 88072 (575) 233-5742

Resolution #FY2016-11

3rd Quarter Budget Report for Fiscal Year 2016

Whereas, in order to comply with Sections 6-6-1 and 6-6-2 NMSA 1978 and to apply for CDBG funding,

The Board of Directors wishes to adopt and pass a resolution to approve the FY2016 3rd Quarter Budget Report on April 20, 2016.

Therefore, be it resolved, the Board of Directors adopts and passes this resolution to approve the FY2016 3rd Quarter Budget Report, officially approved on April 20, 2016.
PASSED, APPROVED, AND ADOPTED: April 20, 2016.

Roberto Nieto, Chairman

Alma Boothe, Secretary

Seal:

UNITED STATES DEPARTMENT OF AGRICULTURE
STATEMENT OF BUDGET, INCOME AND EQUITY

Schedule I

Name
LowerRioGrandePublicWaterWorksAuthority

Address PO Box 2646
Anthony, NM 88021

(1) <u>OPERATING INCOME</u>	PRIOR YEAR <u>Actual</u> (2)	ANNUAL BUDGET BEG <u>07-01-2015</u> END <u>06-30-2016</u> (3)	For the <u>01-01-2016</u> Months Ended <u>03-31-2016</u>		Actual YTD (Over) Under Budget Col. 3 - 5 = 6 (6)
			CURRENT YEAR		
			Actual Data		
			Current Quarter (4)	Year To Date (5)	
1. <u>Water Revenue</u>	1,962,958	2,246,000	541,045	1,883,033	362,967
2. <u>Sewer Revenue</u>	135,000	135,000	32,074	109,704	25,296
3. <u>Interest</u>	300	300	157	455	-155
4. _____					0
5. <u>Miscellaneous</u>					0
6. <u>Less: Allowances and Deductions</u>					0
7. <u>Total Operating Income</u> (Add lines 1 through 6)	2,098,258	2,381,300	573,276	1,993,192	388,108
<u>OPERATING EXPENSES</u>					
8. <u>Salaries, Labor</u>	1,224,949	1,301,077	288,251	849,773	451,304
9. <u>Accounting, Legal</u>	95,925	90,925	30,552	100,158	-9,233
10. <u>Taxes, Insurance</u>	93,500	167,339	22,787	64,337	103,002
11. <u>Utilities</u>	258,400	258,400	73,165	210,817	47,583
12. <u>Supplies</u>	437,500	455,720	101,929	287,436	168,284
13. <u>Lab, Chem., Sewer</u>	115,387	71,500	17,614	41,137	30,363
14. <u>Debt Service</u>	356,942	356,942	38,351	115,130	241,812
15. <u>Interest</u>					0
16. <u>Depreciation</u>	760,000	984,485	269,311	807,915	176,570
17. <u>Total Operating Expense</u> (Add Lines 8 through 16)	3,342,603	3,686,388	841,960	2,476,703	1,209,685
18. <u>NET OPERATING INCOME (LOSS)</u> (Line 7 less 17)	-1,244,345	-1,305,088	-268,684	-483,511	-821,577
<u>NONOPERATING INCOME</u>					
19. <u>Water</u>	312,958	313,103	4,209	23,200	289,903
20. <u>Sewer</u>	5,000	7,500	0	0	7,500
21. <u>Total Nonoperating Income</u> (Add 19 and 20)	317,958	320,603	4,209	23,200	297,403
22. <u>NET INCOME (LOSS)</u> (Add lines 18 and 21)	-926,387	-984,485	-264,475	-460,311	-524,174
23. <u>Equity Beginning of Period</u>					0
24. _____					0
25. _____					0
26. <u>Equity End of Period</u> (Add lines 22 through 25)	-926,387	-984,485	-264,475	-460,311	-524,174

Budget and Annual Report Approved by Governing Body

Quarterly Reports Certified Correct

Secretary

Date

Appropriate Official

Date

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0015 and 0572-0137. The time required to complete this information collection is estimated to average 2-1 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Infrastructure Capital Improvement Plan FY 2018-2022

Lower Rio Grande Public Water Works Authority Project Summary

ID	Year	Rank	Project Title	Category	Funded						Total	Amount	Phases?
					to date	2018	2019	2020	2021	2022	Project Cost	Not Yet Funded	
22905	2018	001	Water System Rehabilitation & Improvements	Water Supply	1,185,606	2,101,573	2,179,347	3,275,671	0	0	8,742,197	7,556,591	Yes
24026	2018	002	System-Wide Information Technology Standardization	Other	900,000	680,000	150,000	100,000	250,000	0	2,080,000	1,180,000	Yes
19248	2018	003	Authority Interconnect Looping Project	Water Supply	112,563	2,040,000	1,000,000	1,000,000	1,000,000	0	5,152,563	5,040,000	Yes
29104	2018	004	PER and Environmental Documents for East Mesa	Water Supply	0	150,000	0	0	0	0	150,000	150,000	No
30435	2018	005	Central Office & Warehouse Facility	Adm/Service Facilities (local)	0	180,000	1,820,000	0	0	0	2,000,000	2,000,000	Yes
21300	2018	006	Water Supply and Treatment Plant	Water Supply	1,024,684	5,000,000	0	0	0	0	6,024,684	5,000,000	No
21301	2018	007	Authority Brazito Sewer Project	Wastewater	8,774,860	826,000	0	0	0	0	9,600,860	826,000	No
30447	2018	008	Water Master Plan	Water Supply	0	200,000	0	0	0	0	200,000	200,000	Yes
25096	2018	009	Heavy Equipment Purchase	Water Supply	0	571,000	100,000	100,000	100,000	100,000	971,000	971,000	Yes
30449	2018	010	Iron & Manganese Removal	Water Supply	0	400,000	400,000	400,000	0	0	1,200,000	1,200,000	Yes
25937	2019	001	40 Year Water Plan Update	Water Rights	0	0	75,000	0	0	0	75,000	75,000	No
22906	2019	002	Light Equipment Purchase	Water Supply	0	0	140,000	105,000	105,000	0	350,000	350,000	Yes
22911	2019	003	Vado Area Water System Improvements	Water Supply	0	0	100,000	1,480,000	0	0	1,580,000	1,580,000	Yes
25097	2020	001	Sewer Service Extension to Unserved Areas	Wastewater	0	0	0	100,000	600,000	1,500,000	2,200,000	2,200,000	Yes

Infrastructure Capital Improvement Plan FY 2018-2022

27612	2022	001	Green Projects	Clean Energy	0	0	0	0	0	100,000	100,000	100,000	No
25920	2022	002	Water Rights Purchase	Water Rights	0	0	0	0	0	1,800,000	1,800,000	1,800,000	Yes

Number of projects:	16												
	Funded to date:	Year 1:	Year 2:	Year 3:	Year 4:	Year 5:	Total Project Cost:	Total Not Yet Funded:					
Grand Totals	11,997,713	12,148,573	5,964,347	6,560,671	2,055,000	3,500,000	42,226,304	30,228,592					



www.LRGauthority.org

LOWER RIO GRANDE

Public Water Works Authority

PO Box 2646 Anthony, New Mexico 88021 (575) 233-5742

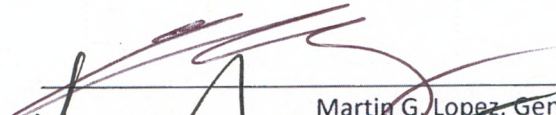
Informal Request For Proposals for Lobbying Services Committee Report - March 23, 2016

At the January 20, 2016 regular Board of Directors meeting, the board authorized General Manager Martin Lopez to engage a lobbyist to assist with passage of a bill to amend the legislation which established the Lower Rio Grande Public Water Works Authority. The resulting professional services contract will require board approval. The LRGPWWA bill was not declared germane for the 2016 legislative session, this action was deferred until after the session. The anticipated cost of lobbying services does not meet or exceed the threshold for a formal RFP process, so an informal process was employed.

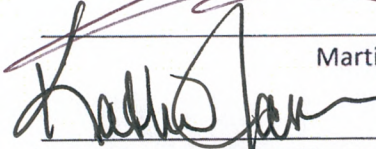
Beginning the last week of February, 2016, LRGPWWA Projects Manager Karen Nichols acting as Procurement Manager contacted lobbying firms based on contact information from the NM Secretary of State website and recommendations from lobbyists we are acquainted with. Six firms were contacted, and two declined to submit proposals because of potential conflicts with their clients. Proposals were received from The Apricot Tree, Shoats & Weeks, Inc., John Thompson Consulting and Motiva Corporation.

Mr. Lopez appointed Ms. Nichols and Finance Manager/Chief Procurement Officer Kathi Jackson to serve, along with himself, as the Selection Committee. The committee met at 10:30 a.m. on Wednesday, March 23, 2013 at the LRGPWWA Mesquite Office to review the four proposals. Criteria considered for selection included lobbying experience, familiarity with the LRGPWWA and the issues being addressed in the proposed legislation, the scope of services proposed, and cost, with cost being a factor but not in itself the deciding factor.

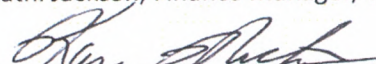
The committee members were in unanimous agreement that The Apricot Tree Proposal best meets the current needs of the LRGPWWA for lobbying services based on their familiarity with the LRGPWWA and its founding legislation, their proposed scope of services and proposed fees. The committee found all four proposals to be very impressive and chose not to rank or score them at this time. In the event contract negotiations with The Apricot Tree are unsuccessful, the committee will decided to either meet again to re-evaluate and perhaps seek additional information from the remaining three firms or seek additional proposals.



Martin G. Lopez, General Manager
3/23/2016



Kathi Jackson, Finance Manager/Chief Procurement Officer
3/23/2016



Karen Nichols, Projects Manager/Procurement Manager
3/23/2016

SERVICE AGREEMENT

between

Lower Rio Grande Public Water Works Authority

and

The Apricot Tree, LLC

This Service Agreement (Agreement) is entered into on April 20, 2016 by and between The Lower Rio Grande Public Water Works Authority (LRGPWWA), and The Apricot Tree, LLC (Consultant).

I. Scope of Work

The LRGPWWA engages Consultant to assist the LRGPWWA in governmental advocacy, lobbying strategies, political consulting and issues management relating to the interests of the LRGPWWA to successfully pass legislation that makes adjustments to the original legislation that created the authority. Namely- the issues around water rights and liens that are required for water rights compliance and allow for a process for liens when and if it may ever become necessary.

The primary services to be performed, as may be adjusted from time-to-time during the period of this agreement, by mutual agreement of the parties, are as follows:

Consultant will develop a strategic plan and timeline in conjunction with at least two (2) legislative interim committee chairs to coordinate a presentation by the LRGPWWA to outline the proposed legislation and allow for questions from legislators and the general public during committee hearings. During the 2017 legislative session provide lobbying services to ensure a successful outcome including lobbying the executive to approve the legislation as passed.

Key consultant obligations:

- Lobby two (2) legislative interim committee chairs related to water issues to allow a presentation of this draft statute change and allow stakeholders to present concerns if any. Coordinate and organize presentations for LRGPWWA review and approval. Coordinate with Legislative Council Staff (LCS) the agenda item and names of presenters as well as provide electronic copies of the presentation and copies for the committee.
- In advance of the 2017 legislative session organize and coordinate with legislative council services (LCS) staff the draft legislation, the sponsors of the legislation and coordinate with the sponsors a “Pre-file” bill for consideration.
- As the legislation makes its way through the process, work directly with LFC analysts, committee analysts and stakeholder agencies in development of the fiscal impact report (FIR), work with each to answer questions as they analyze the bill and where necessary set up a conference call with LRGPWWA director and staff to ensure clarity of the bill and its impacts.
- During the first week of the 2017 legislative session coordinate with committee chairs the scheduling of the bill(s) as introduced and ensure timely scheduling of its first hearing on both the House and Senate. In advance of each hearing, lobby each individual legislator in those respective committees to educate them on the legislation and garner support for a positive outcome from those committee hearings.
- During the 2017 legislative session and on a daily basis, follow the legislation and lobby committee chairs and staff to get bill scheduled wherever the process leads it both in the House and Senate. Ensure timely scheduling of hearings and in advance of each hearing, lobby individual legislators to educate them on the legislation and garner support for a positive outcome from those committee hearings. This will be the process throughout the entire session until the bill is scheduled in each floor. Once the bill is scheduled on the floor, circle back with any legislators that may have had any negative reaction or questions on the legislation during the committee hearings.
- Work with the administration to gauge support of the legislation and if necessary set up a meeting with agency stakeholders, legislative sponsors, and the LRGPWWA director and staff to ensure a positive outcome for the final signing of the legislation.

II. Term

The term of this agreement starts when the agreement is fully executed and ends upon successful completion of Key consultant obligations, as agreed upon by both parties, unless terminated earlier as provided for in this agreement. Either party may terminate this contract with or without cause, at any time on thirty (30) day advance written notice.

III. Consultant Responsibilities

In addition to all other obligations contained herein, consultant agrees;

- A. To furnish all material, equipment, labor and supplies in such quantities and of the proper quality to perform said services in a professional and timely manner;
- B. To proceed with diligence and promptness and hereby warrants that such services shall be performed to the satisfaction of the LRGPWWA in accordance with the highest professional workmanship and service standards in the field (Consultant makes no warranty, express or implied, as to the results of the services that may be contracted for);
- C. To comply, at consultants own expense, with the provisions of all local, state and federal laws, regulations, ordinances, requirements and codes which are applicable to the performance of the services hereunder or to consultant as an employer.
- D. That consultant is an independent consultant and not the agent or employee of the LRGPWWA, and that:
 1. Consultant does not have the authority to act for the LRGPWWA or to bind the LRGPWWA in any respect whatsoever, or to incur any debts or liabilities in the name of or on behalf of the LRGPWWA;
 2. Consultant has and hereby retains full control of and supervision over the performance of consultant obligations and full control over any persons employed by consultant for performing services;
 3. Consultant has and hereby retains the right to perform services for other clients during the term of this agreement. Consultant shall not be limited in any way in performing services for other clients that do not prevent it from discharging its obligations under this agreement. Consultant shall fully disclose to the LRGPWWA any real or potential conflicts between the terms of this agreement and any other services provided to other clients.
 4. Consultant shall satisfy all tax and other governmentally imposed responsibilities as a self-employed person and/or independent consultant including, but not limited to, payment of state, federal and social security taxes, unemployment taxes, workers' compensation (as applicable by law) and self-employment taxes.

IV. Compensation

As compensation for satisfactory performance of the agreement, LRGPWWA shall pay the consultant an amount not to exceed \$9,798 including gross receipts taxes. In no event shall that amount be exceeded, nor shall the LRGPWWA be liable for payment in excess of this amount unless the LRGPWWA authorizes an increase in writing. Consultant shall notify the LRGPWWA in writing if consultant has reason to believe that

expenses incurred within the first 60 days of this agreement, when added to costs previously incurred, will exceed the authorized amount herein.

Consultant will invoice the LRGPWWA for services rendered within the LRGPWWA monthly invoice cycle. Any direct expenses invoiced must be documented and accompanied by receipts and mileage must comply with the federal per-diem guidelines for travel.

In the event that the LRGPWWA disputes any part of an invoice, the LRGPWWA will notify consultant within five (5) working days of receipt of the invoice. The LRGPWWA will approve payment of non-disputed items. The LRGPWWA and consultant will proceed to negotiate and then arbitrate the disputed item(s) as specified in Section VII of this agreement.

V. Insurance

Consultant shall maintain standard workers' compensation as required by law in the state where services are to be performed

Consultant also is responsible for any and all professional and general liability insurance prudent for their conduct of consulting services.

VI. Notice

Any notice given hereunder by either party shall be in writing and deemed given when sent by certified mail:

- a) Notices to the LRGPWWA shall be addressed to:
Lower Rio Grande Public Water Works Authority
325 Holguin Road
Vado, NM. 88072

- b) Notices to Consultant shall be addressed to:
The Apricot Tree, LLC
68B Nancy's Trail
Santa Fe, NM. 87507

If either party changes its address during the term of this agreement herein, it shall advise the other party in writing and any notice thereafter shall be sent by certified mail to the new address.

VII. Dispute Resolution/Arbitration

The LRGPWWA and the consultant hereby agree to meet and confer in good faith in an attempt to resolve any dispute, controversy or claim arising under this agreement (including the breach, termination or validity hereof). If the dispute is not resolved, the matter shall be resolved by arbitration in accordance with the Commercial Rules of the American Arbitration Association. The arbitration shall be held in Las Cruces, New Mexico. Upon the LRGPWWA's or consultants written election to resolve any matter by arbitration pursuant to this section, The LRGPWWA and consultant hereby expressly agree: (i) to submit the matter to the jurisdiction of the arbitration panel, and (ii) that judgement on the award rendered by the arbitrator shall be final and may be entered in any court having jurisdiction. In revoking this provision, the LRGPWWA shall not be deemed to have waived any rights, immunities or privileges to which it is entitled, including but not limited to, the right to obtain injunctive relief and other measures from a competent court. The obligation and duties of this agreement shall survive in full the termination of this agreement.

VIII. No Action Pending

Consultant represents and warrants that there is no action, suit, investigation or proceeding pending or, to the knowledge of the consultant, threatened, by and before any court or governmental or administrative body or agency which may reasonably be expected to result in a material adverse change in the activities, operations, assets or properties, or in the condition, financial or otherwise, of consultant, or to impair the ability of consultant to perform their respective obligations under this agreement.

Consultant shall promptly advise the LRGPWWA in reasonable detail should any action, suit, investigation or proceeding be instituted or commenced against consultant that could have a material adverse effect upon the activities, operations, assets or properties, or in the condition, financial or otherwise, of consultant.

IX. Entire Agreement, Amendments and Modification

This agreement, including all attachments, constitute the entire agreement between the LRGPWWA and The Apricot Tree, LLC with respect to the subject matter of this agreement and these provisions shall supersede or replace any conflicting or additional provisions which may be contained in any other writing, document or the like. In the event of a conflict between any provisions appearing in any other writing and in this agreement, the provision of this agreement shall be controlling.

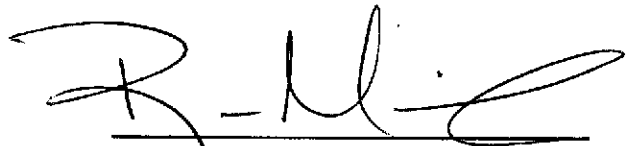
This agreement may not be modified or amended except in writing with the same degree of formality with which this agreement has been executed.

In witness Whereof, the parties have caused their duly authorized representatives to sign the Service Agreement as of the date first stated above.

Lower Rio Grande Public Water Works Authority
325 Holguin Road
Vado, NM. 88072
(575) 233-5742

The Apricot Tree, LLC
68B Nancy's Trail
Santa Fe, NM. 87507
(505) 660-7067

Roberto Nieto
Board Chairman



Rick Martinez
Chief Executive Officer

April 20, 2016
Date

4/20/2016
Date

47-2220799

Federal Tax ID Number

**Lower Rio Grande Public Water Works Authority
Board of Directors Schedule of Meetings 2016-2017
Horario de Reuniones de la Junta Directiva 2016-2017**

Unless otherwise specified to accommodate Holidays, the Lower Rio Grande PWWA Board will meet the third Wednesday of each month at 9:30 a.m. at the Lower Rio Grande PWWA Offices designated in this schedule. Agendas will be available seventy-two hours prior to the meeting at each Lower Rio Grande PWWA office that is open to the public.

A menos que se especifique lo contrario para acomodar días de fiesta, el Consejo del Lower Rio Grande PWWA se reunirá el tercer miércoles de cada mes a las 9:30 de la mañana en las oficinas del Lower Rio Grande señaladas en este calendario. Las agendas serán disponibles 72 horas antes de la reunión en cada oficina del Lower Rio Grande PWWA que está abierto al público.

9:30 a.m. July 20, 2016	Vado 325 Holguin Rd.	9:30 a.m. 20 de Julio, 2016
9:30 a.m. August 17, 2016	Vado 325 Holguin Rd.	9:30 a.m. 17 de Agosto, 2016
9:30 a.m. September 21, 2016	Vado 325 Holguin Rd.	9:30 a.m. 21 de Septiembre, 2016
9:30 a.m. October, 19, 2016	East Mesa 9774 Butterfield Park Blvd.	9:30 a.m. 19 de Octubre, 2016
9:30 a.m. November 16, 2016	Vado 325 Holguin Rd.	9:30 a.m. 16 de Noviembre, 2016
9:30 a.m. December 14, 2016	Vado 325 Holguin Rd.	9:30 a.m. 14 de Diciembre, 2016
9:30 a.m. January 18, 2017	Vado 325 Holguin Rd.	9:30 a.m. 18 de Enero, 2017
9:30 a.m. February 15, 2017	East Mesa 9774 Butterfield Park Blvd.	9:30 a.m. 15 de Febrero, 2017
9:30 a.m. March 15, 2017	Vado 325 Holguin Rd.	9:30 a.m. 15 de Marzo, 2017
9:30 a.m. April 19, 2017	Vado 325 Holguin Rd.	9:30 a.m. 19 de Abril, 2017
9:30 a.m. May 17, 2017	Vado 325 Holguin Rd.	9:30 a.m. 17 de Mayo, 2017
9:30 a.m. June 21, 2017	East Mesa 9774 Butterfield Park Blvd.	9:30 a.m. 21 de Junio, 2017

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aide or service to attend or participate in the hearing or meeting, please contact the LRGPWWA office at 575-233-5742, PO Box 2646, Anthony, NM 88021 OR 215 Bryant St., Mesquite, NM at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the LRGPWWA office if a summary or other type of accessible format is needed.

Si usted es una persona con una discapacidad que necesita un lector, amplificador, intérprete de lenguaje de signos o cualquier otra forma de ayudante auxiliar o de servicio para asistir o participar en la audiencia o reunión, por favor póngase en contacto con la oficina de LRGPWWA en 575-233-5742, PO Box 2646, Anthony, NM 88021 OR 215 Bryant St., Mesquite, NM por lo menos una semana antes de la reunión o tan pronto como sea posible. Documentos públicos, incluyendo el orden del día y actas, pueden proporcionarse en diferentes formatos accesibles. Póngase en contacto con la oficina LRGPWWA si es necesario un resumen o de otro tipo de formato accesible.

Lower Rio Grande Public Water Works Authority
Board of Directors Schedule of Meetings 2016-2017
Horario de Reuniones de la Junta Directiva 2016-2017

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9:30 a.m. September 21, 2016	La Mesa 521 St. Valentine	9:30 a.m. 21 de Septiembre, 2016
9:30 a.m. October, 19, 2016	East Mesa 9774 Butterfield Park Blvd.	9:30 a.m. 19 de Octubre, 2016
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LOWER RIO GRANDE

Public Water Works Authority

325 Holguin Road Vado, New Mexico 88072 (575) 571-3628

SCHEDULE OF RATES & FEES

Water Rates

Adopted January 15, 2014
Implementation Date January 1, 2016 *

Residential Water Rates *

Minimum Bill		\$ 18.30	for			2,000	gallons
Tier 1	2,001–5,000	gallons	for	\$ 2.93	per	1,000	gallons
Tier 2	5,001–10,000	gallons	for	\$ 3.66	per	1,000	gallons
Tier 3	10,001–15,000	gallons	for	\$ 4.39	per	1,000	gallons
Tier 4	15,001–20,000	gallons	for	\$ 5.12	per	1,000	gallons
Tier 5	Over 20,000	gallons	for	\$ 5.86	per	1,000	gallons

Small Commercial Water Rates—12 month average 3,000 gallons or less *

Minimum Bill		\$ 29.28	for			2,000	gallons
Tier 1	2,001–5,000	gallons	for	\$ 2.93	per	1,000	gallons
Tier 2	5,001–10,000	gallons	for	\$ 3.66	per	1,000	gallons
Tier 3	10,001–15,000	gallons	for	\$ 4.39	per	1,000	gallons
Tier 4	15,001–20,000	gallons	for	\$ 5.12	per	1,000	gallons
Tier 5	Over 20,000	gallons	for	\$ 5.86	per	1,000	gallons

Commercial Water Rates *

Minimum Bill		\$ 46.85	for			2,000	gallons
Tier 1	2,001–5,000	gallons	for	\$ 4.39	per	1,000	gallons
Tier 2	5,001–20,000	gallons	for	\$ 5.12	per	1,000	gallons
All over	All over 20,000	gallons	for	\$ 5.86	per	1,000	gallons

*These Rates are scheduled to increase on the following schedule:

- * July 1, 2014
- * January 1, 2015
- * July 1, 2015
- * January 1, 2016
- * July 1, 2016



LOWER RIO GRANDE

Public Water Works Authority

325 Holguin Road Vado, New Mexico 88072 (575) 571-3628

FOR BULK WATER RATE & FEES

See Bulk Water Agreement Form (Attachment 15)

Sewer Rates

Adopted January 15, 2014
Implementation Date March 1, 2014

Residential Sewer Rates (If Water Service is from LRGPWWA)

Minimum Bill	\$ 12.00		for			0	gallons
Tier 1	0–20,000	gallons	for	\$ 1.75	per	1,000	gallons
Tier 2	All over 20,001	gallons	for	\$35.00	per	1,000	gallons

Commercial Sewer Rates (If Water Service is from LRGPWWA)

Minimum Bill		\$15.75	for			0	gallons
Tier 1	0–10,000	gallons	for	\$ 2.00	per	1,000	gallons
Tier 2	10,001–20,000	gallons	for	\$ 2.25	per	1,000	gallons
Tier 3	All over 20,001	gallons	for	\$ 3.00	per	1,000	gallons

These sewer rates only apply to people who receive water service from the LRG PWWA.

The following rates apply to those who receive only sewer service from the LRGPWWA:

Residential Sewer Only: \$22.50 per month flat fee
Commercial Sewer Only: \$24.00 per month flat fee



LOWER RIO GRANDE

Public Water Works Authority

325 Holguin Road

Vado, New Mexico 88072

(575) 571-3628

Residential Connection Fees

Membership fee:	\$50.00
Water Connection fee (Residential):	\$500.00
Water Rights Acquisition fee (Residential):	\$1,600.00 (see Water Rights Acquisition Policy)
Sewer Connection fee:	\$2,500.00
Other applicable fees:	(As determined by Board or Designee)

Please note that the above fees are for a simple installation only. Costs for permits, paving, boring, etc. will be estimated and charged in advance. If installation cost exceeds the amount specified above, the Member shall pay the balance due within 30 days of connecting.

Commercial and Industrial Connection Fees

Commercial and Industrial Connection Fees and Water Rights Acquisition Fees shall be approved by the Board on a case by case basis.

Penalty & Other Fees

Delinquency fee:	\$20.00
Delinquency deposit:	\$100.00
Open or Close water service (When requested after normal business hours & in addition to Delinquency fee)	\$20.00
Meter Test Fee (Includes removal & reinstallation, transportation to & from test lab, and lab test fee)	\$50.00
Service Activation fee:	\$50.00



LOWER RIO GRANDE

Public Water Works Authority

325 Holguin Road

Vado, New Mexico 88072

(575) 571-3628

Service Deactivation fee:	\$50.00
Renters Deposit (mandatory)	\$100.00
Cross Connection Policy Waiver Re-inspection Fee:	\$25.00
Backflow Prevention Assembly Annual Testing Fee:	\$75.00
Backflow Prevention Assembly Installation/Repair/Replacement Fee:	Cost of Labor + Materials
Fire-flow Testing Fee (per test)	\$200.00
Water/Sewer facility Tampering fee: (in addition to repair/replacement costs)	\$500.00
Insufficient Funds (Bounced Check): (after 3 times, customer is put on cash-only basis)	\$35.00
Late penalty on overdue accounts	15% of the overdue bill
Copy of Current Bill	\$2.00
Customer History	\$1.25 per page
Dona Ana County Service Letter	\$5.00
Copying per page	\$1.25 letter (8½ X11) \$1.40 legal (8½ X14) two-sided copies are charged as two pages
IPR Request Copies/per page (see Inspection of Public Records Policy)	\$1.00
Faxes (Local/Toll free) per page	\$2.00
Faxes (Long Distance) per page	\$3.00



LOWER RIO GRANDE

Public Water Works Authority

325 Holguin Road Vado, New Mexico 88072 (575) 571-3628

Convenience Fee for Payment by Credit Card ~~\$3.00 minimum or 3% of \$2.00 per~~ transaction on-site
\$1.25 per transaction online

BILLING, DUE DATES, DISCONNECTION SUMMARY

Billing Cycle #1 – All LRGPWWA customers

Billing date – 1st of the month

Due date – 25th of the month

Late Penalty – 26th of the month – 15% of overdue amount

Disconnection – 16TH of the next month

Additional Cycles may be added as needed due to growth of the customer base.

Water service will be disconnected when accounts become delinquent with a 15 day grace period.

Service will be reconnected upon payment of the delinquent amount and applicable reconnection fee.

Three (3) returned checks (Insufficient Funds or Closed Account) will result in the customer being placed on a cash-only basis.

The Authority will cancel the Membership of a Member whose delinquent account remains unpaid for twelve (12) months after the service is disconnected. The property owner will then be required to re-apply for membership and pay the current Membership Fee and Connection Fee.

Multiple connections to a single meter are prohibited by the Authority and will result in disconnection and potential loss of membership.

Connections between the Authority's water distribution and a Member's private system/well or between the Authority's wastewater collection system and a Member's private system are prohibited and will result in immediate disconnection of service until the situation is corrected.



Employee Policy Manual

~~February 17, 2016~~ April 20, 2016

Lower Rio Grande Public Water Works Authority Employee Policy Manual

WELCOME

Welcome to the Lower Rio Grande Public Water Works Authority! The Authority is a political subdivision of the State of New Mexico established in the New Mexico Statutory Authority 1978 Chapter 73-26-1. This manual will introduce you to our public entity and provide you with information on the Authority's policies, procedures, practices and employee benefit programs. Acquainting yourself fully with this manual is essential because it will make your job easier and will enable you to make an effective contribution to the Authority and our members and customers.

All employees of the Authority are employees at will, subject to termination at any time. Nothing contained in this employee handbook shall be construed as constituting either expressly or implicitly a contract between any employee and the Authority.

It is obviously not possible to anticipate every situation that may arise in the workplace or to provide information that answers every question. In Addition, future circumstances will undoubtedly require that these policies, practices and benefits change. Accordingly, The Authority's General Manager and Board of Directors reserve the right to modify, supplement, rescind or revise any provision of this manual as necessary or appropriate. Employees will, of course, be advised of changes.

RECEIPT OF EMPLOYEE HANDBOOK

I, _____ hereby acknowledge that I received a copy of this employee Manual on the _____ day of _____, 20____.

I certify that I have read and understand the handbook.

Employee's signature

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Lower Rio Grande Public Water Works Authority Employee Policy Manual

1. INTRODUCTION

About Your Employee Manual

This manual is provided to answer common questions posed by employees. It contains the Authority's personnel policies, procedures, practices and benefits, and how they will affect you. Please take the time to review and become familiar with these materials.

Periodically, policies, procedures, practices and benefits programs currently in effect are reviewed and may be revised or canceled by the General Manager or Board of Directors at any time in response to changing business needs or other requirements with or without a written revision to the Employee Policy Manual. Changes will be announced as they occur, but you may also contact the Human Resources Specialist at any time for the latest information or for clarification of these policies, procedures, practices and benefits. The Authority General Manager maintains the sole and absolute right to make such changes at any time without notice.

We encourage you to ask your supervisor or the Human Resources Specialist for help in answering questions related to the Authority's policies, procedures, practices and benefits and to continue to use them as resources during your employment.

Should any of the descriptions of benefits in this manual differ from any formal agreement or document, the formal agreement or document shall be considered correct. Questions on any matter pertaining to employment or any information included in this manual should be directed to the Human Resources Specialist.

The policies, procedures, practices and benefits described in this manual replace all earlier written and unwritten ones

Principals

The purpose of this manual is to establish for the Authority a system of personnel administration based solely on qualification and ability in line with the following principles:

1. Recruitment should be from qualified individuals from appropriate sources in an endeavor to achieve a work force from all segments of society, and selection and advancement should be determined solely on the basis of relative ability, knowledge, and skills, after fair and open competition which assures that all receive equal opportunity.
2. All employees and applicants for employment should receive fair and equitable treatment in all aspects of personnel management without regard to race, national origin, color, religion, gender, disability, medical condition, veteran status, sexual orientation, age, or any other status protected by Federal, State, or Local law, and with proper regard for their privacy and constitutional rights.
3. Equal pay should be provided for work of equal value, with appropriate consideration of both national and local rates paid by comparable employers, which may include employers in the private sector, and appropriate incentives and recognition should be provided for excellence in performance.
4. All employees should maintain high standards of integrity, conduct, and concern for the public interest.
5. The Authority work force should be used efficiently and effectively.

6. Employees should be retained on the basis of the adequacy of their performance, inadequate performance should be corrected, and employees should be separated who cannot or will not improve their performance to meet required standards.
7. Employees should be provided effective education and training in cases in which such education and training would result in better organizational and individual performance.
8. Employees should be
 - a. protected against arbitrary action, personal favoritism, or coercion for partisan political purposes, and
 - b. prohibited from using their official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for election.
9. Employees should be protected against reprisal for the lawful disclosure of information which the employees reasonably believe evidences
 - a. a violation of any law, rule, regulation, or
 - b. mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

Role of the Board of Directors

The Board of Directors of the Lower Rio Grande Public Water Works Authority is a governing body and does not participate in hiring, directing, overseeing, evaluating, addressing grievances or terminating the employment of any employee except the General Manager. This Employee Policy Manual is developed and implemented by Management.

2. Employment

2.01. Equal Opportunity Statement

It is the policy of the Authority that there shall be no discrimination based upon race, national origin, color, religion, gender, disability, medical condition, veteran status, sexual orientation, age, or any other status protected by Federal, State, or Local law in any personnel action, including recruitment, appointment, performance evaluation, promotion, the granting of leaves, and any disciplinary or grievance action.

The Authority employs persons having the best available skills to efficiently provide high quality service to the public.

The Authority makes reasonable accommodations for qualified persons with disabilities. The Authority is built upon teamwork and equal opportunity. Any questions or concerns relating to equal employment opportunities should be directed to the Human Resources Specialist.

2.02 Drug Free Workplace

The Authority hereby notifies all employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance or alcohol is prohibited in Authority workplaces or vehicles.

All individuals who are offered a full-time, temporary or part-time employment position shall be required to submit to a pre-employment alcohol and controlled substance test at Authority expense. All employees shall be required to submit to subsequent random alcohol and controlled substance testing, and testing

following any on the job accident or injury. The alcohol and controlled substance testing will be conducted at a facility selected by the Authority.

Candidates will be denied employment with the Authority if their test results are confirmed positive for drugs and alcohol. Applicants shall be informed in writing if they are rejected on the basis of a confirmed positive drug and alcohol test result.

If an employee's positive test result has been confirmed or if an employee has been determined to have engaged in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance, or use of alcohol or illegal drugs in the workplace, the employee is subject to corrective-disciplinary action up to and including termination. Factors to be considered in determining the appropriate corrective disciplinary response include the employee's work history, length of employment, current job performance, and the existence of past corrective disciplinary actions.

2.03 Outside Employment

No Authority employee shall be permitted to accept employment in addition to or outside of Authority service if:

The additional or outside employment leads to a conflict, or potential conflict of interest for said employee; or,

The duties to be performed in the additional or outside employment create a conflict between the Authority and the outside employer; or

The nature of the additional or outside employment is such that it will reflect unfavorably on the Authority.

An employee who does have additional or outside employment shall not be permitted to use Authority records, materials, equipment, facilities, or other Authority resources in connection with said employment.

Permission for outside employment must be preauthorized by the General Manager. A copy of the request and approval must be kept as a part of the employee's personnel record.

2.04 Continuity of Service

For probationary and regular employees in all classifications, length of continuous service with the Authority will be used as the basis for determining benefits such as sick leave and annual leave. Length of continuous service will also be one of the considerations in promotions, demotions and layoffs.

Continuity of an employee's service will not be broken by absence for the following reasons, and his/her length of service will accrue for the period of such absence:

Absence by reason of industrial disability;

Authorized absence without pay for less than 30 days in a calendar year; or,

Authorized absence without pay in excess of 30 days in a calendar year with prior permission of the General Manager; or,

Absences governed by applicable state and/or federal laws such as military or National Guard service.

Former employees who are re-hired may have some or all of their previous service continued depending on the employee's status at separation, reason for separation and length of separation.

2.05 Employee Status

Nepotism:

It is the policy of the Authority that no employees may be hired, promoted or directly supervised by a person who is related by blood or marriage within the third degree to the employee. "Relation by blood or marriage within the third degree" includes spouse, domestic partner, parent, mother-in-law, father-in-law, step-parent, children, domestic partner children, son-in-law, daughter-in-law, step-child, brother, brother-in-law, step-brother, sister, sister-in-law, step-sister, grandparent, grandchild, uncle, aunt, nephew, niece, great-grand-child and great-grand-parent.

Classifications:

All employees are classified as **probationary** for a period of six (6) months from the date of hire. **Exempt** employees are those who are not required by law to be paid overtime.

Non-exempt employees must, by law, receive overtime pay. Employees are further classified as **regular** or **temporary** and **part-time** or **full-time**. Regular employees are those who have been hired to fill a permanent position. Temporary employees are those who have been hired to a position for a pre-determined period of time. Part-time employees are those who normally work less than forty (40) hours per week. Full-time employees are those who normally work forty (40) or more hours per week.

3. Compensation

This section only applies to non-exempt employees:

3.01 Hours of Work & Overtime:

A workweek is defined to consist of seven (7) consecutive calendar days out of which there are five (5) eight (8) hour workdays.

Overtime is defined as time worked by non-exempt employees in excess of 40 hours in a workweek. Leave time does not count toward hours worked for calculating overtime pay except for hours worked on a designated holiday when it falls within that workweek. Designated holidays (Section #4.04) count eight (8) hours toward the forty (40) in a work week required before overtime is paid, and hours worked on a designated holiday are paid in addition to the eight (8) hours of holiday pay.

Overtime will be compensated at a rate of one and one-half times the employee's current hourly rate. Documentation supporting the need for overtime must be submitted to the employee's supervisor. Acceptable documentation includes work orders or written explanation of the need for overtime signed by the supervisor.

Overtime must be authorized by the employee's direct supervisor. Overtime should be pre-authorized when the need for it is known in advance, but will be authorized after the fact in the case of emergency repairs or maintenance to the Authority's facilities.

3.02 Work Schedules and On-Call Status:

A work schedule shall be maintained by the General Manager whereby operations employees shall be assigned, on a rotational basis, to be "on-call" on weekends and holidays to perform routine system checks. "On-call" employees are responsible for responding to emergencies. Emergency repair needs will be immediately reported to the supervisor who will authorize the overtime and assign additional employees as needed.

When an employee is on-call, he/she shall be provided a push-to-talk phone which will provide notification in the event of an emergency repair/maintenance work need. The on-call phone shall be kept in the on-call employee's immediate possession during the entire on-call period. Notification of an emergency-repair/ maintenance job may also be given verbally, in person or telephonically by the employee's supervisor.

When an employee is on-call, he/she shall be free to utilize his/her time as desired, but must remain within the general Authority area, going no farther than thirty (30) minutes travel time away from any of the Authority's facilities.

If an on-call employee is called out by her/his supervisor, the employee shall be paid for a minimum of two hours. If additional calls come in during that two-hour time-frame, they will be paid for the two hours plus the additional time worked. On-call employees shall notify their supervisor when each assigned task is complete. The on-call supervisor shall document and ensure hours worked including contacting customers, and shall coordinate the scheduling to maximize the use of the two-hour minimum on-call timeframe.

Any deviation from the policies stated in this section must be authorized by the Operations Manager.

3.03 Time Clock:

All non-exempt employees are required to punch in and out on the time clock to document their hours worked. No one else may punch an employee's time card. Anyone found to have requested someone else to punch their time card without management approval, and the employee doing so without management approval, are subject to immediate termination of employment or other severe sanctions to be imposed by the General Manager. No time worked will be credited unless punched in on the timecard.

If the employee forgets to punch the clock, the time entry may be handwritten on the timecard, but will be credited only if the handwritten entry is initialed by the employee's supervisor or Finance Manager.

Non-exempt employees shall not punch in more than five (5) minutes prior to the beginning of their assigned work-day and no more than five (5) minutes after the end of the assigned work-day unless approved by management.

All timecard are due on the Tuesday following the end of the pay period and must be turned in to the Pay Roll Specialist no later than 1:00 p.m. along with documentation for overtime.

3.04 Pay Periods:

The salaries or wages of all Authority employees shall be paid bi-weekly by direct deposit. A pay period consists of two workweeks beginning on a Wednesday and ending on a Tuesday. Pay date will be the Friday immediately following the end of the pay period.

In the event a payday falls on one of the holidays listed in section 4.04 , "Holidays", the immediately previous working day shall become the payday.

3.05 Advancement of Salaries or Wages:

The Authority may not, by law, grant advancement of salaries or wages to any employees.

3.06 Compensation:

This policy shall apply to all Authority employees. Employees may receive an annual increase in salaries or wages based on their performance during the year and the financial status of the Authority.

Compensation at Hiring: Salaries or wages will be negotiated at the time of hire.

New employees and re-hired former employees may be considered for a merit increase upon completion of the probationary period (2.05 Classifications). Thereafter, salary or wage increases will be linked to a performance evaluation and the salary budget.

3.07 Merit Increase:

Performance Evaluation Required: The General Manager may authorize a merit increase for an employee only after evaluating the employee's performance and determining that it is satisfactory. This determination shall be noted on a performance evaluation form to be placed in the employee's file, with a copy given to the employee.

4. LEAVE

4.01 Annual & Sick Leave:

This policy shall apply to regular and probationary employees in all classifications. Years of service with the founding entities shall count for employees in place as of November 3, 2010. Part-time employees scheduled to work less twenty-four (24) hours per week are not eligible for benefits. Part-time employees scheduled to work at least twenty-four (24) and less than thirty-two (32) hours per week shall accrue leave at fifty percent (50%) of the full-time rate. Part-time employees scheduled to work at least thirty-two (32) but less than forty (40) hours per week shall accrue leave at seventy-five percent (75%) of the full-time rate.

Upon death of an eligible employee, compensation for eligible unused accumulated leave shall be payable to the employee's estate.

Full-time employees shall accrue annual leave and sick leave according to the following schedule on an annual basis:

- (a) During the first five years of continuous work, 10 days annual, 10 days sick (3.07 hours per pay period);
- (b) Six through ten years of service, 15 days annual, 15 days sick (4.62 hours per pay period);
- (c) After ten years of service, one additional day of paid annual leave for each additional year of service not to exceed a total of 30 days annual leave.

Employees who have completed their probationary period may take their accrued annual leave all at once, or gradually, with their supervisor's prior written approval. Requests for annual leave should be submitted at least one pay period prior to allow for scheduling, and priority will be given to the earlier request in case of conflict.

A maximum of two-hundred and forty (240) hours of annual leave may be carried forward after the last pay period in December. Annual leave shall not be used before it is accrued and must be authorized before it is taken except when authorized by the General Manager in cases of medical or personal crisis after all other leave including donated leave has been exhausted. Employees shall schedule at least forty (40) hours of leave annually.

At termination of employment for any reason, the Authority shall compensate the employee for his/her accumulated annual leave at his/her straight time rate of pay at the time of termination.

The Authority will not require an employee to take annual leave in lieu of sick leave during periods of illness. However, the employee may elect to take annual leave or leave without pay in case of extended illness where sick leave has been fully used.

If a holiday falls on a workday during an employee's leave period, that day shall be considered as a paid holiday and not leave time.

4.02 Sick Leave:

A maximum of two-hundred and forty (240) hours of sick leave may be carried forward after the last pay period in December. Sick leave shall not be used before it is accrued, and employees should notify their supervisor in advance to the extent feasible in order to avoid disruptions in work schedules when using sick leave. Failure to notify may result in denial of leave.

Sick leave will not be compensated at any time.

The Authority will not require an employee to take annual leave in lieu of sick leave during periods of illness. However, the employee may elect to take annual leave or leave without pay in case of extended illness where sick leave has been fully used.

Sick leave benefits will not be for absences on authorized holidays or other non-scheduled work days.

In order to receive compensation while on sick leave, the employee shall notify his/her supervisor prior to the time for beginning the regular work day, or as soon thereafter as practical.

If absence from duty by reason of illness occurs, satisfactory evidence may be required by the General Manager.

4.03 Donated Leave:

Employees may donate their annual or sick leave to another employee at their discretion provided that the recipient has met the requirements of Sections 4.01 and 4.02 and that the donor retains at least forty (40) accumulated hours.

4.04 Holidays:

This policy shall apply to all Authority employees.

The following days shall be recognized and observed as paid holidays:

New Year's Day;
Martin Luther King, Jr.'s Birthday;

President's Day;
Memorial Day;
Independence Day;
Labor Day;
Columbus Day;
Veteran's Day;
Thanksgiving Day and the follow day;
Christmas Day

Whenever a holiday falls on Saturday, the preceding Friday shall be observed as the holiday. Whenever a holiday falls on Sunday, the following Monday shall be observed as the holiday.

When an employee is taking an authorized leave with pay when a holiday occurs, said holiday shall not be charged against said leave with pay.

4.05 Jury Duty:

This policy shall apply to employees in all classifications.

An employee summoned for jury duty will immediately notify his/her immediate supervisor and the General Manager.

While serving on a jury, an employee will be given a paid leave of absence for the duration of said jury duty. Said leave of absence is conditional upon the employee returning to work upon dismissal each day to complete his/her remaining normal workday. Should an employee choose not to return to work, he/she must notify his/her immediate supervisor to arrange for leave.

4.06 Military:

Pursuant to the provisions of Section 28-15-1 NMSA 1978, any employee who has left or leaves a position he has held (other than a temporary or emergency status position) to enter the armed forces of the United States, national guard or organized reserve, who makes application for reemployment within ninety days after their service ends, shall be deemed to meet all the requirements of the Authority Employee Policies and shall be restored to such position or to a position of like seniority, status and pay.

4.07 Bereavement:

This policy shall apply to employees in all classifications.

In the event of a death in the immediate family, an employee may be granted a paid leave of absence not to exceed five (5) days. This is in addition to regular sick leave and annual leave. Verification may be required by the General Manager.

"Immediate family" is defined as being spouse, parents, children, siblings, grandparents, grandchildren, father-in-law, mother-in-law, sister-in-law, brother-in-law or any other person who is a legal dependent of the employee.

4.08 Parental Leave:

This policy shall apply to employees in all classifications.

Employees shall coordinate maternity/paternity leave with their immediate supervisor for the use of any and/or all available leave(s) or leave without pay up to a maximum job-protected period of six (6) weeks. Requests for additional leave beyond the six (6) weeks may be granted at the discretion of the General Manager.

4.09 Personal Day:

This policy shall apply to employees in all classifications.

Employees who have completed their probationary period shall be entitled to one paid personal day per calendar year. Personal day must be scheduled under the same procedures outline in section 4.01 Annual & Sick Leave. Personal days must be taken within the calendar year and may not be accumulated and shall not be paid upon separation.

4.10 Administrative Leave:

This policy shall apply to employees in all classifications.

The Authority may authorize an Administrative Leave for an employee with or without pay for up to five (5) consecutive work days when it in the best interest of the Authority to do so. Administrative Leave in excess of five (5) consecutive work days requires written prior approval of the General Manager.

4.11 Leave Without Pay:

This policy shall apply to employees in all classifications.

Any employee who does not otherwise have sufficient accrued leave may make a written request for an unpaid leave of absence for personal reasons for up to a maximum of three (3) consecutive weeks, which will be considered by management and granted at their discretion. Such written request must state the purpose of the request and the anticipated length of the absence. When returning from a voluntary leave of absence without pay, the Authority will make every effort to place the employee in a job of comparable status and pay, but there is no guarantee a job will be available. During a voluntary leave of absence, group health insurance will continue at the employee's expense.

4.12 Voting:

This policy shall apply to employees in all classifications.

During a **general** election, under state law, if the employee's work day begins less than two (2) hours after the polls are open and ends less than two (2) hours before the polls close employees may be allowed up to two (2) hours administrative leave with pay to vote. For example, if the poll closes at 7:00 p.m., because our work day ends at 5:00 for full time employees, then you may not take leave to vote as you have two hours before the polls close. Any employee requesting such leave must fill out a paid leave request and get it to his/her supervisor at least three (3) days in advance of the election, to allow adequate time to make arrangements for full coverage.

5. Policy Against Harassment

5.01 Violence in the workplace policy:

It is the policy of the Authority that workplace violence by its employees is prohibited.

Prohibited workplace behavior includes intimidation; verbal threats; physical assault; vandalism; arson; sabotage; the unauthorized display, possession or use of weapons on Authority property; jokes or comments regarding violent acts which are *reasonably* perceived to be a threat; or any other behavior reasonably perceived to be a threat of imminent harm against an employee or member of the general public.

It is the responsibility of all employees who witness or are the subject of the behaviors prohibited by this policy to report the incident(s) to their immediate supervisor unless the supervisor is the one exhibiting the prohibited behavior, in which case the employee shall report the behavior to the next highest person within the Authority organization.

It is the responsibility of the supervisor receiving the complaint to conduct an investigation of the incident(s) and to initiate appropriate action to abate the prohibited behavior. The supervisor shall prepare a written response to the employee(s) reporting the incident(s). This response shall include acknowledgement of the employee(s) complaint; a description of the investigation conducted; and the action that was initiated to abate the prohibited behavior. Employees engaging in any behavior prohibited by this policy may be subject to evaluation, counseling or mediation; arrest and prosecution; and/or disciplinary action up to and including termination from Authority employment.

If the employee against whom the complaint is alleged is the General Manager, the complaint should be made to the Board Chairman, who shall take whatever initial emergency action should take place until the Board can meet. Immediately at the next regular Board meeting, or at a special or emergency meeting called if necessary, the Board of Directors shall appoint a five member committee of individuals with experience in human relations and/or mediation in the workplace who are not employees or Directors of the Authority. It is the responsibility of this committee after receiving the complaint to conduct an investigation of the incident(s) and, within fifteen days, prepare a written response to the Board with their recommendation or decision as to the reported incident(s). The response shall include a statement and acknowledgment of the basis of the employee(s) complaint; a description of the investigation conducted; and the committee's recommendation of any action needed to abate the prohibited behavior, if such behavior is found to have occurred. Three committee members shall constitute a quorum for purposes of reaching a recommendation. If there is a finding by the committee that the General Manager engaged in behavior prohibited by this policy, the Board will promptly meet and reach a decision as to the recommended action, which may include counseling or mediation; arrest and prosecution; and/or disciplinary action up to and including termination from Authority employment.

5.02 Harassment/Sexual Harassment Policy:

The Authority is committed to providing a work environment free from all forms of harassment. Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, nation origin, ancestry, age, disability, medical condition or sexual orientation; and that has the purpose or effect of unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities or ability to obtain services. Harassment based on any of the forgoing statuses is a form of discrimination, which is unlawful under local, state and federal civil rights laws. This policy applies to all forms of harassment, including sexual harassment.

The Authority **WILL NOT TOLERATE OR CONDONE HARASSMENT IN ANY FORM FROM ANY EMPLOYEE REGARDLESS OF HIS/HER EMPLOYMENT STATUS, NOR FROM A PROVIDER OF SERVICES WHO IS UNDER CONTRACT WITH THE AUTHORITY.** All employees, supervisors and managers are responsible for maintaining a work environment free of any form of harassment and will be held fully accountable in complying with this policy and taking appropriate measures to insure that such conduct does not occur. Applicants for employment are entitled to employment consideration without being subjected to sexual or other forms of harassment. ***ANY EMPLOYEE FOUND TO HAVE ENGAGED IN PROHIBITED HARASSMENT WILL BE SUBJECT TO DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION.***

Title VII of the Civil Rights Act of 1964, in conjunction with the Equal Employment Opportunity Commission" guidelines for defining sexual harassment prohibits unwelcome sexual advances, request for sexual favors, and verbal expression or physical conduct of a sexual nature.

Sexual harassment is defined as any unwelcome sexual advances, requests for sexually motivated physical contact, or other verbal expression or physical conduct or communication of a sexual nature when: Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or services; or submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or obtain services or that conduct or communication has the purpose or effect of unreasonably interfering with an individual's employment or obtaining services or creating an intimidating, hostile or offensive environment in which to work or obtain services.

The following criteria will be looked at to determine if sexual harassment exists:

1. The frequency of the conduct. A single instance of an unwelcome sexually explicit comment or request for a date may not constitute a hostile environment, but a barrage of such comments or requests could.
2. The severity of the conduct. A single instance of physically threatening conduct or public humiliation of someone, based on the person's sex could create a hostile environment if it is severe enough. Grabbing an employee's breasts, even once, could well be considered severe, for example. But a single offensive utterance is less likely to be viewed by a court as creating a hostile environment.
3. Whether the conduct unreasonably interferes with work performance. A person is not required to have a nervous breakdown to make a valid hostile environment claim. It is enough that the conduct "unreasonably interferes" with work performance.

Unwelcome verbal or physical conduct, which does not rise to the level of sexual harassment, may be a violation of other Authority policies and is prohibited.

It is not possible to list all circumstances that might constitute sexual harassment. In general, sexual harassment encompasses any sexual conduct which causes others discomfort, embarrassment, or humiliation, or any harassing conduct, sexually related or otherwise, directed toward an individual because of that individual's sex. **ALL EMPLOYEES OF THE AUTHORITY HAVE THE RIGHT TO AN EQUITABLE WORKING ENVIRONMENT FREE OF HARASSMENT/SEXUAL HARASSMENT.**

6. EQUIPMENT USE

Authority employees shall be held responsible for Authority property, vehicles and equipment and shall be subject to financial responsibility for repair or replacement and disciplinary action up to and including termination of employment for property, vehicles or equipment damaged, lost or stolen due to employee negligence as determined by the General Manager.

67. VEHICLE USE

67.01 Use of Authority Vehicles:

Authority vehicles should be used by Authority employees to conduct their official duties. Some staff positions including on-call positions are permitted to park Authority vehicles overnight at their home.

An Authority employee holding a valid New Mexico driver's may be permitted to use an Authority vehicle in furtherance of official Authority business. A Valid New Mexico Driver's License does not include provisional, limited, any court order restricted or administrative license or permit.

An Authority employee driving a "commercial motor vehicle" must possess a valid New Mexico commercial driver's license (CDL).

Authority drivers shall ensure that the vehicle registration and proof of insurance is located in the glove compartment of any vehicle they operate.

An Authority employee who receives a traffic or parking citation while in an Authority vehicle must report the citation to their immediate supervisor and shall be personally responsible for the citation or ticket. The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, may result in discontinued use of Authority vehicles and may result in disciplinary action up to and including termination.

An employee must receive prior approval from his/her supervisor for all out-of-state travel in an Authority vehicle.

All drivers and occupants of Authority vehicles shall wear seat belts. Violation of this law may result in loss of Authority vehicle privileges.

No employee shall operate an Authority vehicle while under the influence of intoxicating alcohol, controlled substances, or drugs. No employee shall transport alcohol, whether in open or unopened containers, or illegal drugs of any type in an Authority vehicle. No employee shall operate an Authority vehicle when impaired by a legal drug that may render them incapable of operating a motor vehicle in a safe or responsible manner. Employees are responsible for consulting with their physicians concerning possible impairment caused by prescription or over-the-counter medications they may be taking.

No Authority employee shall smoke or use smokeless tobacco products in an Authority vehicle.

No employee shall possess a weapon in an Authority vehicle.

Authorized drivers must turn off the ignition, close all windows, and lock the doors and trunk of an Authority vehicle whenever the Authority vehicle is left unattended. Employees who lose keys or incur locksmith charges for keys locked in vehicles shall be responsible for those costs.

An authorized driver shall notify law enforcement as soon as possible of any auto accident he or she has in an Authority vehicle. The authorized driver shall notify their supervisor of the accident as soon as possible. The supervisor shall travel to the site of the accident if possible and shall notify the Authority Finance Manager who will contact the insurance company.

Authorized drivers involved in an accident are subject to drug and alcohol testing and may be required to attend a defensive driving course at their own expense.

If it is determined by law enforcement that an Authority employee is at fault in an accident due to the improper, careless, negligent, destructive or unsafe use or operation of equipment or vehicles, the employee may be held responsible for expenses, including deductibles, not covered by insurance and may be subject to disciplinary action up to and including termination.

6.02 Use of Personal Vehicles:

Authority employees may use their personal vehicles if no Authority vehicles are available, with prior written approval by their supervisor for official use.

When an employee is authorized to use his/her personal vehicle in the performance of Authority's work, he/she shall be reimbursed for the cost of said use on the basis of total miles driven as documented in a mileage log showing destinations and odometer readings and at the rate specified in the State of New Mexico Mileage and Per diem Act in effect at the time of said usage.

Proof of insurance coverage for collision, personal injury, and property damage shall be required by the Authority of any employee using a personal vehicle in the performance of Authority's work.

8. WORKPLACE SAFETY POLICY

All Authority employees are expected to fully participate in maintaining a safe workplace at all Authority facilities.

8.01 Training

All Authority employees will be required to participate in training on workplace safety. Specialized training will be provided to employees who may be required to work in confined spaces, work under hazardous conditions or operate machinery or equipment. Driving safety training will be provided to Authority employees. First-aid training may be provided to Authority employees, but will not be mandatory and receiving such training does not create an obligation to provide first-aid on the job.

8.02 Protective Clothing and equipment

Authority employees will be issued and are required to utilize protective clothing and safety equipment appropriate to their job requirements such as safety vests, hardhats, steel-toed boots, safety goggles, gloves, filter masks, etc.

8.03 First Aid Kits and Fire Extinguishers

First-aid kits and fire extinguishers are located in all Authority vehicles, at some well-sites and other facilities and at all Authority office buildings. First-aid kits shall be update every six months, and fire extinguishers are inspected every year and replaced as needed. Employees shall immediately report any depleted first-aid kits or extinguishers.

8.04 Hazard Communication/SD Sheets

Safety Data Sheets for all potentially hazardous substances utilized by the Authority in its operations are kept on file at the La Mesa Office where they are accessible to all employees and at each site where such substances are present. The Operations Manager is responsible for communicating with employees concerning the existence of these substances in the workplace and the availability of the MSD Sheets.

8.05 Prevention, Hazard Reporting and Mitigation

Authority employees shall maintain good housekeeping in their personal workspaces to prevent accidents, shall take steps to mitigate any hazards they encounter in the workplace when it is safe and feasible to do so, and shall report workplace hazards that could not be mitigated to the General Manager.

8.06 Work-Related Injury Reporting

Authority employees must immediately report any injury or illness, even minor ones, sustained on the job to their supervisor. Supervisors may require employees to seek medical attention for an injury, and employees may seek medical attention whenever they feel it to be necessary. Supervisors must immediately report on the job injuries to the Human Resources Specialist. Except in the case of an emergency, employees should seek medical attention at an authorized facility after checking with the Human Resources Specialist.

8.07 Non-Work-Related Injury or Medical Condition Reporting

Injuries or medical conditions that may impact an employee's ability to perform their job duties must be reported to their supervisor.

8.08 Medical Release to Return to Work

For any injury or medical condition which required medical attention as outlined in 7.07 and 7.08 requires a doctor's release to return to work.

79. CREDIT CARD POLICY

The Board of Directors adopted Policy 2011-2 at its March 2, 2011 meeting. That policy is attached as Appendix A and made part of this Employee Policy Manual. It includes a form to be completed by each employee who is authorized to use an Authority credit card.

810. UNIFORMS POLICY

Field operations staff are required to dress in Authority issued attire while on duty. Office personnel are required to dress appropriately for the office setting in either the logo shirts issued to them or in business attire. It is the responsibility of each employee to use judgment and common sense in selecting clothing that fits with the function of his/her position while performing their duties and meeting with customers and members of the public. The Purchasing Specialist shall be responsible for tracking the issuance of uniforms, boots and logo-wear to employees. If employees need or desire additional Authority attire over the budgeted price or number items, they may purchase them at their own expense through the Purchasing Specialist.

810.01 Field Staff:

Field operations staff shall be issued five sets of uniforms per year consisting of work shirts and jeans with three sets to be issued in July, two sets to be issued in January, plus one pair of steel-toed work boots per year to be issued in July and a jacket to be issued every two years in October. Newly hired field staff will be issued steel-toed boots and two shirts upon hire and uniforms upon completion of the probationary period. Field staff members are encouraged to wear an Authority logo hat for outdoor work and shall obtain permission from their supervisor for use of non-Authority-issued hats and clothing.

810.02 Office Staff:

Office staff shall be issued two Authority logo shirts per year and a light jacket every two years.

810.03 Management Staff:

Management staff shall be issued logo-wear as appropriate to the needs of their position, but should not exceed the budgeted amount or quantity.

9. PURCHASING POLICY

The Authority shall follow all of the requirements of the New Mexico Procurement Code. Whenever advantageous, the Authority shall take advantage of State Purchasing contracts. Authority purchases shall be made through and tracked by the Purchasing Specialist except when it is necessary or advantageous to make use of an Authority credit card.

10. TRAVEL POLICY

The Authority shall adhere to the requirement of the New Mexico Mileage & Per Diem Act NMSA 1978 10-8-4. Travel should be booked through the Purchasing Specialist with as much advanced notice as possible and must be authorized by the General Manager.

1113. CELL PHONE, OFFICE PHONE AND PERSONAL CALLS POLICY

1113.01 Cell Phone Safety:

Refraining from using cell phones in a hand-held position while operating Authority vehicles and equipment will lower the employee's risk of causing or becoming involved in an accident. If use of a cell phone is necessary while driving an Authority vehicle, hands-free cell phone accessories shall be used in areas where required by law.

Cell phones equipped with cameras shall not be used in situations where any individual may have an expectation of privacy. This includes but is not limited to restrooms, locker rooms and training rooms.

1113.02 Authority Issued Cell Phones:

The Authority recognizes that certain job functions require that an employee be accessible when away from the office or during times outside scheduled working hours. For this reason, the Authority will provide cell phones to select employees.

Authority cell phones may be assigned to employees provided at least one of the following two criteria is met:

1. The job function of the employee requires considerable time outside of their assigned office or work area and it is important to the Authority that they are accessible during those times,
2. The job function of the employee requires them to be accessible outside of scheduled or normal working hours.

Simple convenience is not a criterion for cell phone need. It is the responsibility of the General Manager to make the determination whether an Authority cell phone is warranted and the type of cell phone plan that is required.

Misuse or inappropriate use of Authority cell phones as determined by management shall be grounds for revocation of Authority cell phone privileges and other disciplinary action.

1113.03 Financial Responsibility For Cell Phone Equipment / Net Books / Wi-Fi Cards / Data plans:

Any release of financial responsibility is at the discretion of the General Manager, and will be considered dependent upon information provided by the employee and input from Department Managers.

1. Cell phones, net books, and Wi-Fi Cards which are the property of Lower Rio Grande are issued to employees for Authority use in an effort to make their jobs easier and more effective. It is the employee's responsibility to maintain such devices to be fully functional and ready for use at all times.
2. Employees will be held financially responsible for reimbursement to the Authority for any and all overage charges for personal use associated with Authority cell phones, smart phones, net books, Wi-Fi Cards, or data plans, including but is not limited to texting (both sending and receiving), 411 search, web surfing, roaming, international long distance, et cetera.
3. Should the need arise for restrictions to be placed on any device, the cost for such restrictions will be at the expense of the employee assigned the device.

4. Employees will be responsible for the first \$50.00 of the replacement cost of any cell phone equipment or accessories issued by the Authority or in their possession for Authority use due to theft, loss, damage, misuse or carelessness caused by them employee or any other person.
5. Employees will be responsible for the full replacement cost of any smart phone, net book, or Wi-Fi card or accessories issued by the Authority or in their possession for Authority use due to theft, loss, or damage, misuse or carelessness caused by the employee or any other person. This includes chargers, power supply cords, Ethernet cables, carrying cases, and any other items that have been purchased at Authority expense.
6. Phone covers, skins, cases, carrying bags, extended life batteries, car chargers, ear buds, blue tooth devices, and et cetera are not generally Authority issued items and are not reimbursable. If these items are desired, they may be purchased at the employee's expense.

1113.04 Use of Personal Cell Phones:

Personal cellular telephones may be used by employees during hours of work for essential personal calls, or for an occasional personal business call.

Essential personal calls are defined as calls of minimal duration and frequency that are urgent in nature and cannot be made at another time or from a different telephone. Examples of essential personal calls are calls to arrange for care of a child or other family emergency, to alert a family member of an unexpected delay due to a change in work schedule, or to arrange for transportation or service in the event of car trouble, etc.

To the extent possible, personal cellular telephone usage should be confined to rest and lunch breaks, and in locations such that the conversation is not disrupting to other employees or Authority business.

Misuse or inappropriate use of personal cell phones as determined by management shall be grounds for revocation of personal cell phone privileges at work and other disciplinary action.

1113.05 Personal Calls on Office Phones:

Office phones may be used by employees during hours of work for essential personal calls, or for an occasional personal business call.

Essential personal calls are defined as calls of minimal duration and frequency that are urgent in nature and cannot be made at another time or from a different telephone. Examples of essential personal calls are calls to arrange for care of a child or other family emergency, to alert a family member of an unexpected delay due to a change in work schedule, or to arrange for transportation or service in the event of car trouble, etc.

To the extent possible, personal telephone usage should be confined to rest and lunch breaks, and in locations such that the conversation is not disrupting to other employees or Authority business.

Misuse or inappropriate use of Authority office phones as determined by management shall be grounds for revocation of Authority office phone privileges for personal calls and other disciplinary action.

1214. Email, Internet, Computers and Passwords

Employees who violate any of the policies set forth may be subject to disciplinary action up to and including termination.

1214.01 Email:

Employees are provided with Authority E-mail accounts and shall regularly read and respond to e-mails. In general, E-mail correspondence should be short, concise and withstand the scrutiny of public disclosure.

1. All E-mail made or received by any employee from their Authority email account is subject to the public records laws.
 - A. All E-mail messages are the property of the Authority
 - B. Jokes, sent and/or forwarded, even to other Authority employees, are not considered Authority business.
 - C. Harassing or obscene messages are strictly prohibited and will result in discipline.
2. As a matter of general policy, the Authority will not regularly read employees' e-mail messages. However, the Authority reserves the right to access messages, and employees should be aware that there is no guarantee of privacy for their Authority e-mail account.

1214.02 Internet:

Employees have an obligation to use their Internet access in a responsible and informed way, conforming to network etiquette, customs and courtesies, and representing the Authority in a positive manner.

Employees shall use the Internet for business and work-related communication only. All other usage is prohibited.

Messages transferred via the Internet are public information. Employees are responsible and accountable for communications on the Internet.

It is prohibited to download anything from the internet except downloads which are work-related documents used in performance of work duties.

1214.03 Computers:

Computer equipment is to be used only for the purpose for which it is assigned and is not to be used for non-Authority business.

Users shall not install any applications onto an Authority computer without permission from the General Manager. The Authority adheres to all applicable software copyright policies and will not install software without a license.

All outside media received from third parties must be checked for viruses.

1214.04 Passwords:

Passwords and User IDs for access to Authority e-mail, website, computers, phones, door access, software and any other equipment will be assigned to employees and may not be changed by employees. Requests for change of password can be submitted to the employee's supervisor. Unauthorized use of other employees IDs or passwords is strictly prohibited. Employees are responsible to remember and safeguard their assigned passwords and IDs, and if an employee finds it necessary to record his/her passwords and/or IDs, they should be kept in a secure location.

1315. Training:

Authorized training is considered to be part of the employees' work week and attendance is mandatory. Employees with specialized licenses or certifications shall make arrangements with their supervisor for attendance and compensation for required training.

1315.01 Water & Wastewater Operators:

Certified Operators are responsible for maintaining their certification at the level required by their position with the Authority, and failure to do so may result in loss of position and/or termination of employment. The Authority will make every effort to ensure that certified operators attend training to maintain their current certification (at least 30 credit hours every 3 years).

Operators must submit a request sixty (60) days in advance to attend training to their supervisor in order to allow for scheduling and job coverage.

The Authority shall pay applicable fees for a maximum of two certification examinations per level or additional license for obtaining a higher level of certification or additional certification (i.e. Wastewater in addition to Water). A request and completed application form must be submitted at least forty-five (45) days prior to the exam.

1315.02 All Other Training:

The Authority encourages and shall authorize and provide opportunities for continuing education and training for its staff members related to their employment.

1416. Employee Benefits:

The Authority has chosen to provide Leave and Paid Holidays (Section 4), Health Insurance, and a Retirement Plan, and encourages employee participation. Insurance coverage and retirement contributions may vary from year to year, and other types of insurance may be made available at the employee's expense. Benefits to Authority employees are provided voluntarily by the Authority, and may be altered or terminated at the Authority's discretion.

Upon approval of the annual budget, benefits will be provided as follows:

A. Health Insurance: One hundred percent (100%) of the eligible employees' premiums will be covered by the Authority, and employees may elect to cover eligible dependents with the Authority paying fifty percent (50%) of that premium.

B. Retirement Plan: The Authority will match employee contributions up to four percent (4%) of each eligible employee's earned base pay. An additional contribution of up to ten percent (10%) of employees earned base pay may be made by the Authority to eligible employees who are employed on the last day of the plan year.

1517. Employee Evaluations:

Each employee shall receive an annual evaluation. Evaluations shall be performed toward the end of the calendar year, not based on length of employment. Evaluations shall be used for determination of continued employment and compensation. A standardized evaluation form will be utilized. The General Manager's evaluation will be performed by the Board of Directors; all others will be done by management.

1618. Termination of Employment:

Upon termination of employment with the Authority for any reason, all Authority equipment, supplies and keys in the employee's possession must be returned to his/her supervisor, and the cost of any unreturned items may be deducted from the final pay. The final pay will be issued as a check, not an electronic deposit, and should be picked up at the office by the employee.

Lower Rio Grande Public Water Works Authority Employee Policy Manual

APPENDIX A

2011-02 Board Policy Regarding Use of Authority-Issued Credit Cards

The Authority will issue credit cards to certain employees/board members for use in their jobs; this policy sets out the acceptable and unacceptable uses of such credit cards. Use of Authority-issued credit cards is a privilege, which the Authority may withdraw in the event of serious or repeated abuse.

The board is responsible for granting credit card privileges to its members as necessary to carry out board duties. The General Manager is responsible for granting credit card privileges to staff and revoking the credit card privileges of any staff or board member who fails to comply with this policy.

Any credit card the Authority issues to an employee/board member must be used for business purposes only, in conjunction with their job duties and documented by receipts for each purchase. Receipts shall be promptly turned in to the General Manager or his/her designee. Repeated failure to provide receipts for purchases shall result in suspension or revocation of credit card privileges.

Employees/board members with such credit cards shall not use them for any non-business, non-essential purpose, i.e., for any personal purchase or any other transaction that is not authorized or needed to carry out their duties. Employees/board members must pay for personal purchases with their own funds or personal credit cards. The Authority will not regard expenses for one's own business-related use, such as lodging and meals while on authority-approved business trips, as personal purchases, so long as such expenses are consistent with the Authority's travel and expense reimbursement policy.

If any board member uses a credit card for personal purchases in violation of this policy, that person's credit card privileges shall be immediately suspended and may not be reinstated except by board action after the cost of such purchase(s) is repaid to the Authority.

If any employee uses a credit card for personal purchases in violation of this policy, the cost of such purchase(s) will be considered an advance of future wages payable to that employee, and will be recovered in full from the employee's next paycheck; any balance remaining will be deducted in full from subsequent paychecks until the wage advance is fully repaid.

In addition to financial responsibility and liability for wage deductions, any purchases an employee makes with an Authority credit card in violation of this policy will result in disciplinary action, up to and possibly including termination of employment, depending upon the severity and repeat nature of the offense.

2011-02 Policy Regarding Use of Authority-Issued Credit Cards

Agreement for Wage Deductions Associated with Improper Use of Authority-Issued Credit Cards

I, _____, hereby certify that I understand and agree to abide by the Authority's policy regarding use of Authority-issued credit cards, a copy of which I have received, and which has been explained to me. I agree that if I make any personal purchases in violation of that policy, the amount of such purchases is an advance of future wages payable to me, that the Authority may deduct that amount from my next paycheck(s).

Signature of Employee Date

Employees Name-Printed

Authority Representative Date

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Employee Policy Manual



LOWER RIO GRANDE
Public Water Works Authority

APPENDIX B

Request for Prior Approval to Engage in Outside LRGPWWA Employment or Enterprise

Instructions: Submit this form to the General Manager for approval/disapproval.

I have read and understand section 2.03 of the LRGPWWA Employee Policy Manual and submit the following information concerning my proposed outside LRRGPWWA employment or enterprise. ***Additionally, I am aware that if I change job position or duties with the LRGPWWA or the nature of my outside employment changes, I must request re-approval of this request for outside employment.***

Information on Proposed Outside Employer

Name of Proposed Employer: _____

Address of Proposed Employer: _____

Phone number: _____

Outside Employment Working Hours Proposed: _____

Describe nature of work or enterprise in which you will be engaged: _____

Check if Not Applicable

Employee Signature and Date _____

Print Name _____

Authorization

Approved Disapproved

Comments: _____

General Manager's Signature and Date

**Lower Rio Grande Public Water Works Authority
Employee Policy Manual**

APPENDIX C

Employee Evaluation Form

Appendix D: LEAVE REQUEST FORM

Date _____ Employee No. _____ Dept. _____

Name _____

Date(s) Requested Leave: _____

If half - day is it AM _____ or PM _____ From: _____ to _____

Hours Requested: _____ Return Date: _____

Check leave requested: ___ Annual (Vacation) ___ Sick ___ Personal Day
 ___ Maternity ___ Military ___ Leave without Pay

Brief explanation (IF NEEDED)

Employee
Signature: _____ **Date** _____

Immediate
Supervisor: _____ **Date** _____

APPROVAL

_____ Date _____

Martin G. Lopez, General Manager

FOR PAYROLL USE

Effective Payroll Period Ending _____

Annual (Vacation) _____ Sick _____ Personal Day _____

LWOP _____ Military _____ Maternity (LWOP) _____

Posted: _____ Comments _____

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY
APPENDIX E: NOTICE TO EMPLOYEES REGARDING
Cell Phones / Net Books / Wi-Fi Cards / Data plans

Employee Name

Employee Number

All Employees and or holders of any Verizon issued equipment are hereby notified that:

- ❖ All Verizon Authority owned phones are on a shared minutes plan. Roaming and international calls are not included in the plan.
- ❖ All cell phones, net books, and Wi-Fi cards are the property of the Lower Rio Grande PWWA and have been issued to you for Authority use in an effort to make your job easier and more effective. Maintenance of all equipment is the employee's responsibility. Equipment and any accessories associated with your device should be kept fully functional and ready to use at all times.
- ❖ You will be held financially responsible for reimbursement to the Authority for any and all overage charges associated with your cell phone, smart phone, net book, Wi-Fi Cards, or data plans. This includes but is not limited to texting (both sending and receiving), 411 searches, web surfing, roaming, and international long distance.
- ❖ Should the need arise for restrictions to be placed on any device cost for such restrictions will be at the expense of the employee of said device.
- ❖ You will be responsible for the first \$50.00 of the replacement cost of any Authority owned cell phone issued to you or in your possession for Authority use due to theft, loss, damage, misuse or carelessness caused by yourself or any other person. This includes chargers and any other cell phone accessory items that have been purchased by the Authority.
- ❖ You will be responsible for the Full replacement cost of any smart phone, net book, or Wi-Fi card issued to you by the Authority or in your possession for Authority use due to theft, loss, damage, misuse or carelessness caused by yourself or any other person. This includes chargers, power supply cords, Ethernet cables, carrying cases, and any other accessory items that have been purchased by the Authorities for the device.
- ❖ Phone covers, skins, cases, carrying bags, extended life batteries, car chargers, ear buds, blue tooth devices, and et cetera are generally not Authority issued items and are not reimbursable. If these items are desired, they may be purchased at your expense.

Note: Any release of financial responsibility is at the discretion of the General Manager, and will be taken into consideration pending information provided and input from Department Managers.

Employee Signature

Date

Manager's Signature

Date



www.LRGauthority.org

LOWER RIO GRANDE

Public Water Works Authority

325 Holguin Rd. Box C Vado, New Mexico 88072 (575) 571-3628

Policy # 2014-01

Safety Policy

Your safety is the constant concern of the Lower Rio Grande Public Water Works A. Every precaution has been taken to provide a safe workplace. There will be regular inspections and safety meetings by the Safety Officer. The Safety Officer also meets with management to plan and implement further improvements in our safety program. Common sense and personal interest in safety are still the greatest guarantees of your safety at work, on the road, and at home. We take your safety seriously and any willful or habitual violation of safety rules will be considered cause for dismissal. Lower Rio Grande Public Water Works Authority is sincerely concerned for the health and well-being of each member of the team.

The cooperation of every employee is necessary to make this company a safe place in which to work. Help yourself and others by reporting unsafe conditions or hazards immediately to your supervisor or to a member of the safety committee. Give earnest consideration to the rules of safety presented to you by poster signs, discussions with your supervisor, posted department rules, and regulations published in the safety booklet. Begin right by always thinking of safety as you perform your job, or as you learn a new one.

Accident reporting. Any injury at work—no matter how small—must be reported immediately to your supervisor and receive first aid attention. Serious conditions often arise from small injuries if they are not cared for at once. A first report of injury form will be filled out and provided to the Human Resource Specialist.

Specific safety rules and guidelines. To ensure your safety, and that of your coworkers, please observe and obey the following rules and guidelines:

- Observe and practice the safety procedures established for the job.
- In case of sickness or injury, no matter how slight, report at once to your supervisor. In **no** case should an employee treat his own or someone else's injuries or attempt to remove foreign particles from the eye.
- In case of injury resulting in possible fracture to legs, back, or neck, or any accident resulting in an unconscious condition, or a severe head injury, the employee is not to be moved until medical attention has been given by authorized personnel.
- Do not wear loose clothing or jewelry around machinery. It may catch on moving equipment and cause a serious injury.
- Never distract the attention of another employee, as you might cause him or her to be injured. If necessary to get the attention of another employee, wait until it can be done safely.
- Where required, you must wear protective equipment, such as goggles, safety glasses, masks, gloves, hair nets, etc.
- Safety equipment such as restraints, pull backs, and two-hand devices are designed for your protection. Be sure such equipment is adjusted for you.



LOWER RIO GRANDE

Public Water Works Authority

- Pile materials, skids, bins, boxes, or other equipment so as not to block aisles, exits, firefighting equipment, electric lighting or power panel, valves, etc. FIRE DOORS AND AISLES MUST BE KEPT CLEAR.
- Keep your work area clean.
- Use compressed air only for the job for which it is intended. Do not clean your clothes with it and do not fool with it.
- Observe smoking regulations.
- Shut down your machine before cleaning, repairing, or leaving.
- Heavy equipment will only be used by trained staff. When using the back hoe a spot person is required. Do not exceed a speed that is safe for existing conditions.
- Running and horseplay are strictly forbidden.
- Do not block access to fire extinguishers.
- Do not tamper with electric controls or switches.
- Do not operate machines or equipment until you have been properly instructed and authorized to do so by your supervisor.
- Do not engage in such other practices as may be inconsistent with ordinary and reasonable common sense safety rules.
- Report any UNSAFE condition or acts to your supervisor.
- HELP TO PREVENT ACCIDENTS.
- Use designated passages when moving from one place to another; never take hazardous shortcuts.
- Lift properly—use your legs, not your back. For heavier loads, ask for assistance.
- Do not adjust, clean, or oil moving machinery.
- Keep machine guards in their intended place.
- Do not throw objects.
- Clean up spilled liquid, oil, or grease immediately.
- Wear hard sole shoes and appropriate clothing.
- Place trash and paper in proper containers and not in cans provided for cigarette butts.

Safety checklist. It's every employee's responsibility to be on the lookout for possible hazards. If you spot one of the conditions on the following list—or any other possible hazardous situation—report it to your supervisor immediately.

- Slippery floors and walkways
- Tripping hazards, such as hose links, piping, etc.
- Missing (or inoperative) entrance and exit signs and lighting



LOWER RIO GRANDE

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- Poorly lighted stairs
- Loose handrails or guard rails
- Loose or broken windows
- Dangerously piled supplies or equipment
- Open or broken windows
- Unlocked doors and gates
- Electrical equipment left operating
- Open doors on electrical panels
- Leaks of steam, water, oil, etc.
- Blocked aisles
- Blocked fire extinguishers, hose sprinkler heads
- Blocked fire doors
- Evidence of any equipment running hot or overheating
- Oily rags
- Evidence of smoking in non-smoking areas
- Roof leaks
- Directional or warning signs not in place
- Safety devices not operating properly
- Machine, power transmission, or drive guards missing, damaged, loose, or improperly placed

Safety equipment. Your supervisor will see that you receive the protective clothing and equipment required for your job. Use them as instructed and take care of them. You will be charged for loss or destruction of these articles only when it occurs through negligence.

Safety shoes. The company will designate which jobs and work areas require safety shoes. Under no circumstances will an employee be permitted to work in sandals or open-toe shoes.

A reliable safety shoe vendor will visit the company periodically. Notices will be posted prior to the visits.

Safety glasses. The wearing of safety glasses by all shop employees is mandatory. Strict adherence to this policy can significantly reduce the risk of eye injuries.

Seat belts. All employees must use seat belts and shoulder restraints (if available) whenever they operate a vehicle on company business. The driver is responsible for seeing that all passengers in front and rear seats are buckled up.

Good housekeeping. Your work location should be kept clean and orderly. Keep machines and other objects (merchandise, boxes, shopping carts, etc.) out of the center of aisles. Clean up spills, drips, and leaks immediately to

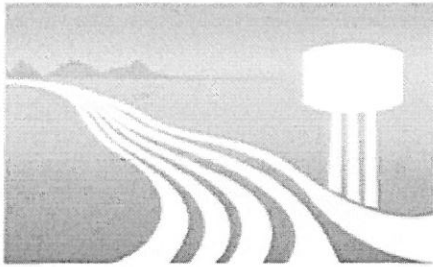


LOWER RIO GRANDE

Public Water Works Authority

avoid slips and falls.

Place trash in the proper receptacles. Stock shelves carefully so merchandise will not fall over upon customer contact.



LOWER RIO GRANDE Public Water Works Authority

PO Box 2646 Anthony, New Mexico 88021 (575) 233-5742

www.LRGauthority.org

BID FORM

(Hand Deliver Only) 521 St. Valentine, La Mesa NM 88044 (Mail Only) PO Box 2646, Anthony NM 88021
Bidder MUST complete, sign and return this form in order for Bid to be valid

#2016-02 LRGPWWA Surplus Water Meters Offered For Sale By Sealed Bid
Formal Sealed Bid Opening
Place: LRGPWWA La Mesa Office
Conference Room
521 St. Valentine, La Mesa NM
Date: Wed., April 13, 2016
Time: 3:00 pm

Location of Meters Offered By Sealed Bid:
Lower Rio Grande PWWA Vado storage bldg..
325 Holguin Road, Vado NM 88072
To arrange for inspection, contact Karen Nichols, Projects Manager at 575-233-5742 ext. 1018
Successful bidder will make payment by certified check or money order to:
Lower Rio Grande Public Water Works Authority

For questions regarding this Sale By Sealed Bid, please contact:

Karen Nichols, Projects Manager phone: 575-233-5742 ext. 1018 mobile: 915-203-2057
Email: karen.nichols@LRGauthority.org Bids may **NOT** be submitted electronically

IMPORTANT: Bids must be submitted in a sealed envelope addressed to Karen Nichols, Projects Manager with "Bid: #2016-02 LRGPWWA Surplus Meters – Opening Date 4/13/16" clearly marked on the bottom left front of the envelope. Bids received after 3:00 pm on March 9, 2016 will be rejected.

AMOUNT BID: \$ 6800 plus NTTC: NMGR @ 5.125%: BID TOTAL: 6800

All Bidders must notify the LRGPWWA's Chief Procurement Officer or authorized designee if any employee(s) or Directors of the LRGPWWA have a financial interest in the Bidder:

No financial interest Yes, financial interest - specify by name: _____

Bids must be signed by the bidder or a duly authorized representative of the bidder. By signature, Bidder confirms Bid Total and acknowledges receipt and acceptance of Terms and Conditions.

Company Name: <u>United Meter Buyers</u>	Mailing Address: <u>216 E Aurora Rd</u>
Telephone Number(s): <u>877-809-1211</u>	<u>Northfield OH 44067</u>
Federal Tax ID Number: <u>111-66-4562</u>	Street Address: <u>Unitedmeterbuyers@yahoo.com</u>
Title: <u>Owner</u>	Email Address: <u>[Signature]</u>
Print or Type Name: <u>George Stevenson</u>	Signature: <u>[Signature]</u>

Lower Rio Grande Public Water Works Authority

Board Resolution #FY2014-13 Adopted at Regular Board Meeting on 3/19/14 was approved by Tom Dixon, NM Department of Finance & Administration Local Government Division on 3/20/14.

Invitation to Bid #2016-02 Sale of Surplus Meters by Sealed Bid was published 3/27/16 in the Las Cruces Sun News legal classified ads and posted on the LRGPWWA website with a deadline to receive bids of 3:00 pm on 3/13/16.

Bids were opened at 3:00 pm at the LRGPWWA La Mesa Office with Martin Lopez, Mike Lopez, Angie Meza and Liza Lopez present.

A total of two bids were received before the deadline and two more bids were received after the deadline:

US Surplus Company bid \$5,500 by mail received 4/8/16

United Meter Buyers bid \$6,800 by UPS received 4/12/16

Nationwide Surplus bid \$6,700 by fax (not a sealed bid) received 4/13/16 at 3:03 pm

S and L Surplus bid \$9,700 by mail received 4/14/16

Bid Award to the highest qualified bidder is on the April 20, 2016 Board Agenda. The highest bidder who met the deadline and terms of the ITB is United Meter Buyers at \$6,800.

The Terms & Conditions of this ITB require the Awardee to pick up and remove the meters within 15 days of the Bid Award.



Karen Nichols, Projects Manager
Procurement Manager for ITB #2016-02



www.LRGauthority.org

LOWER RIO GRANDE

Public Water Works Authority

PO Box 2646 Anthony, New Mexico 88021 (575) 233-5742

BID AWARD

#2016-02 LRGPWWA Surplus Water Meters Offered For Sale by Sealed Bid

Date: April 20, 2016

To:

Contact/Title: George Stevenson, Owner

Company: United Meter Buyers

The Lower Rio Grande Public Water Works Authority Board of Directors took action to award this bid to your company at its Regular Meeting on April 20, 2016 at 9:30 am at the Lower Rio Grande PWWA La Mesa Office, 521 St. Valentine, La Mesa NM. This Bid Award together with the signed Bid Form and all Terms and Conditions, specifications, amendments, etc. which are incorporated herein by reference now constitutes a binding contract. The contract period is thirty (30) days from the award date and may be extended by mutual agreement.

Awarded this 20th day of April, 2016

Seal:

Attest:

Alma Boothe, Secretary

Roberto Nieto, Board Chairman

Terms and Conditions

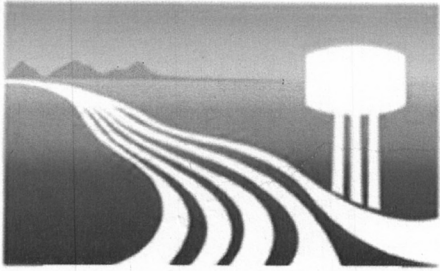
1. **General:** The formal Bid Opening will take place one week prior to the Lower Rio Grande Public Water Works Authority (LRGPWWA) Board of Directors meeting. When the LRGPWWA Board of Directors takes action to award the bid, a binding contract is created. The LRGPWWA Board of Directors reserves the right to withdraw the property for sale at any time, the right to waive minor technicalities when it is deemed to be in the LRGPWWA's best interest, and the right to reject any and all bids.
2. **List of Meters Offered for Sale by Sealed Bid:** The LRGPWWA advises all bidder is has made its best effort to provide information on the items offered for sale, but does not warrant or guarantee the accuracy or completeness of this list with regard to quantity of meters, meter sizes, brand names, age, length of time in service or serial numbers. Bidders are strongly advised to make their own inspection of the meters offered for sale.
3. **Condition of the Meters – "AS IS":** The LRGPWWA makes no warranty or guarantee of any kind with regard to the condition or usability of the meters. In most cases, the meters have been removed from service as the LRGPWWA has initiated a program of replacing all of its water meters with radio-read type meters. The meters have not been tested for accuracy or functionality.
4. **Single Bid Lot:** The meters are offered in one (1) single Bid Lot with the successful bidder required to pick up and removed the entire Bid Lot. Partial bids will not be considered.
5. **Inspection:** Bidders should contact with LRGPWWA Projects Manager, Karen Nichols, to obtain access to the premises to inspect the meters offered for sale. Inspections must be carried out between 8:00 am and 5:00 pm on a weekday in the presence of LRGPWWA staff.
6. **Sealed Bids:** Bids must be submitted in a sealed envelope with the bid number and opening date clearly indicated on the bottom left hand side of the front of the envelope and returned to the LRGPWWA. Failure to properly label the bid envelope will necessitate the premature opening of the bid in order to identify the bid number. All bids must be made on the LRGPWWA bid form and duly signed by the bidder or bidder's duly authorized representative and submitted by the stipulated bid opening date and time in order to be considered. To preclude any possible errors and/or misinterpretations, bid prices must be affixed legibly in ink or typewritten. Bids may be withdrawn upon receipt of written request prior to scheduled bid opening, and may be resubmitted prior to the scheduled bid opening. Changes or corrections to bids must be properly identified and signed or initialed by the Bidder when resubmitted. Failure of the Bidder to complete bidding documents in accordance with all instructions provided is cause for rejection of the bid by the LRGPWWA. After bid opening, no modifications on bid prices or other provisions of the bid shall be permitted. A high Bidder alleging a material mistake of fact after bids have been opened may be permitted to withdraw the bid upon written request prior to the award at the discretion of the LRGPWWA Chief Procurement Officer or authorized designee.
7. **Bid Opening, Tabulation, Determination of High Bidder and Award:** Bids will be opened publicly and read aloud at the time and place stated on the Bid Form. All bids become property of the LRGPWWA and will become a matter of public record. Bids will be tabulated, and the Bid Tabulation will be made available on the LRGPWWA web site within two weeks of the Bid Opening. Bids will be evaluated to determine which Bidder offers the highest price to the LRGPWWA in accordance with the Terms & Conditions set forth in the Invitation to Bid. As stated in #1 above, the LRGPWWA Board of Directors will award the Bid to the highest responsible Bidder.
8. **Bid Award:** Upon receipt of the executed Bid Award form, the successful Bidder shall convey payment in full in the form of a certified check or money order and a certificate of liability insurance to the LRGPWWA within three (3) business days and shall arrange to pick up and removed the surplus meters purchased.
9. **Pick Up and Removal of Meters:** Meters must be picked up and removed from LRGPWWA premises within fifteen (15) days. It shall be the responsibility of the successful Bidder to provide all transportation and labor to remove the meters. Successful Bidder shall coordinate with LRGPWWA Projects Manager for access and LRGPWWA staff shall be present during pick up and removal of meters.
10. **Default:** The LRGPWWA reserves the right to cancel all or any part of this contract without cost to the LRGPWWA if the Bidder fails to meet the terms and conditions of the contract and, except as otherwise provided herein, to hold the Bidder liable for any excess cost occasioned by the LRGPWWA due to the Bidder's default. The Bidder shall not be liable for any excess costs if failure to perform the order arises out of causes beyond the control and without fault or negligence of the Bidder. Such causes could include

but are not limited to acts of god or the public enemy, ,acts of the state or federal government, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, unusually severe weather and defaults of subcontractors due to any of the above, unless the LRGPWWA shall determine that the services to be furnished by the subcontractor were obtainable from other sources in sufficient time to permit the Bidder to meet the required pick up and removal scheduled. The rights of the LRGPWWA provided in this paragraph shall not be exclusive and are in addition to any other rights now being provided by law or under this contract.

11. **Non-Collusion:** In signing this bid, the Bidder certifies he/she has not, either directly or indirectly, entered into action in restraint of free competitive bidding in connection with this offer submitted to the LRGPWWA or its designee.

If you are an individual with a disability and you require accommodations such as a hearing interpreter to attend our bid openings, please contact the LRGPWWA Chief Procurement Officer at 575-233-5742 ext. 1005 at least five (5) working days prior to the scheduled bid opening.

Those planning to respond to this Invitation to Bid are advised to indicate their interest by contacting Karen Nichols, Projects Manager by email at karen.nichols@LRGauthority.org. Questions regarding this ITB should be submitted by email, and replies to questions will be provided by email to all who have indicated interest.



www.LRGauthority.org

LOWER RIO GRANDE

Public Water Works Authority

PO Box 2646

Anthony, New Mexico 88021

(575) 233-5742

BID AWARD

#2016-02 LRGPWWA Surplus Water Meters Offered For Sale by Sealed Bid

Date: April 20, 2016

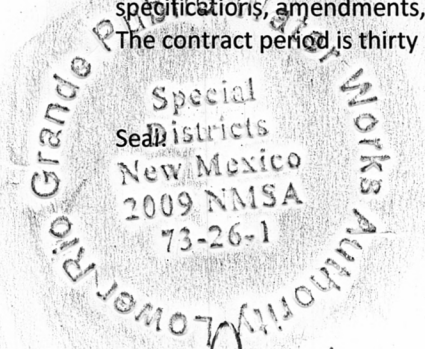
To:

Contact/Title: George Stevenson, Owner

Company: United Meter Buyers

The Lower Rio Grande Public Water Works Authority Board of Directors took action to award this bid to your company at its Regular Meeting on April 20, 2016 at 9:30 am at the Lower Rio Grande PWWA La Mesa Office, 521 St. Valentine, La Mesa NM. This Bid Award together with the signed Bid Form and all Terms and Conditions, specifications, amendments, etc. which are incorporated herein by reference now constitutes a binding contract. The contract period is thirty (30) days from the award date and may be extended by mutual agreement.

Awarded this 20th day of April, 2016



Attest:

John Holguin, Acting Secretary

Roberto Nieto, Board Chairman

Terms and Conditions

- 1. General:** The formal Bid Opening will take place one week prior to the Lower Rio Grande Public Water Works Authority (LRGPWWA) Board of Directors meeting. When the LRGPWWA Board of Directors takes action to award the bid, a binding contract is created. The LRGPWWA Board of Directors reserves the right to withdraw the property for sale at any time, the right to waive minor technicalities when it is deemed to be in the LRGPWWA's best interest, and the right to reject any and all bids.
- 2. List of Meters Offered for Sale by Sealed Bid:** The LRGPWWA advises all bidder is has made its best effort to provide information on the items offered for sale, but does not warrant or guarantee the accuracy or completeness of this list with regard to quantity of meters, meter sizes, brand names, age, length of time in service or serial numbers. Bidders are strongly advised to make their own inspection of the meters offered for sale.
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Lower Rio Grande Public Water Works Authority

Bid Award #LRG-FY2016-02 – Surplus Water Meters Offered For Sale by Sealed Bid

but are not limited to acts of god or the public enemy, ,acts of the state or federal government, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, unusually severe weather and defaults of subcontractors due to any of the above, unless the LRGPWWA shall determine that the services to be furnished by the subcontractor were obtainable from other sources in sufficient time to permit the Bidder to meet the required pick up and removal scheduled. The rights of the LRGPWWA provided in this paragraph shall not be exclusive and are in addition to any other rights now being provided by law or under this contract.

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