

**LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY
MINUTES**

NOTE: Minutes are a DRAFT until approved and signed by the Board

REGULAR BOARD OF DIRECTORS MEETING

4:00 p.m. Wednesday, January 5, 2011 at the Vado Office, 325 Holguin Road

- I. **Sign in, establish quorum, call to order:** Present were Chairman Robert Nieto (Mesquite), Vice-chair John Holguin (Vado), Director Rosaura Pargas (Desert Sands), and Director Jim Pugh (La Mesa). Secretary Santos Ruis arrived at 4:07 p.m. Also present were General Manager Martin Lopez, Finance Manager Kathi Jackson, Operations Manager Mike Lopez, Projects Manager Karen Nichols, and Jose Villalobos from La Union MDWCA. With a quorum established, Mr. Nieto called the meeting to order at 4:02 p.m.
- II. **Approval of agenda:** Ms. Nichols noted that she left item VIII. B on the agenda in case it was ready for Board approval, but it is not. Mr. Pugh made a motion to approve the Agenda with VIII. B postponed, Ms. Pargas seconded, and it carried on a vote of 4-0.
- III. **Approval of Minutes of 12/15/10 (attached):** Mr. Pugh made a motion to approve the minutes as presented, Mr. Holguin seconded, and it carried on a vote of 4-0. {1:56}
- IV. **General Manager's action items & reports (Finance Report on 3rd Wed. Agenda)**
 - A. **Management Report:** The written report is attached, and Mr. Lopez discussed it with the Board. Mr. Pugh asked about when we can be able to collect consolidated data. Mr. Lopez replied that we need to get our intranet set up, and the first step is the antenna on the elevated tank that is not installed yet, although the contract with Southwestern Wireless is in place. There was some discussion, and Mr. Lopez made the clarification that the problem is not in accounting, it is disparate billing systems. {19:04} At this point (4:07 p.m.), Mr. Ruiz arrived.
 - B. **Operations Report:** The written report is attached, and Mike Lopez reviewed it with the Board. Mr. Pugh asked if it make sense for us to learn how to maintain our own SCADA systems. Martin Lope explained that the software is proprietary, and we will be looking at other units in the future. Mr. Pugh asked about the people who needed water service in Berino, and Martin Lopez explained there are some difficult issues with easements and rights-of-way, so this might need to be part of a funded project.
 - C. **Projects Report:** The written report is attached, and Ms. Nichols discussed it with the board. 54:53
- V. **Guest Presentations:** None
- VI. **Public Input – 15 minutes total allotted for this item, 3 minute time limit per person, may be continued after Item VIII by board action:** None
- VII. **Unfinished Business:**

- A. **Mesquite-Brazito Wastewater Project: Concurrence with Mesquite Board of Director's selection of Vencor Engineering (September 15, 2010):** Mr. Lopez discussed this item with the board, noting that the Mesquite Board issued the RFP and selected Vencor Engineering for this project, but did not enter into a contract because the Authority will be assuming the project. After some further discussion, Mr. Holguin made a motion to concur with Mesquite's selection of Vencor Engineering, Mr. Pugh seconded, and the motion carried on a vote of 5-0. {58:52}

VIII. New Business:

- A. **Management and O&M Contract w/La Union MDWCA:** The General Manager introduced Jose Villalobos, President of La Union MDWCA and discussed the proposed contract. Mr. Villalobos discussed their request for assistance, their arsenic problem and the potential Cielo Dorado interconnect. Mr. Pugh asked about scope of work, and Mr. Lopez discussed the attached letter and scope of work. Mr. Holguin made a motion to approve the contract, Ms. Pargas seconded, and it carried on a vote of 5-0. {1:06:30}
- B. **Desert Sands arsenic treatment plant retrofit for Well #3 – estimates from Highland/AdEdge for approval:** Postponed
- C. **Resolution #2011-05 Authorizing Grantee Representative and Signatory Authority for Grant #08-3099-STB La Mesa Building Project:** Mr. Lopez noted that he had listed Mr. Nieto as Executive Officer, himself as Authorizing Grantee Representative, and Mr. Holguin as Signatory Authority. Mr. Holguin made a motion to authorize, Ms. Pargas seconded, and it carried on a vote of 5-0.
- D. **Resolution #2011-06 Authorizing Grantee Representative and Signatory Authority for Grant #09-3356-GF Berino Water System Improvement Project:** Mr. Holguin made a motion to authorize Mr. Nieto as Executive Officer, Mr. Lopez as Authorizing Grantee Representative, and himself as Signatory Authority, Mr. Ruiz seconded, and it carried on a vote of 5-0.
- E. **Resolution #2011-07 Authorizing Grantee Representative and Signatory Authority for Grant #08-3845-GF Mesquite/Brazito Wastewater Project:** Mr. Holguin made a motion to authorize Mr. Nieto as Executive Officer, Mr. Lopez as Authorizing Grantee Representative, and himself as Signatory Authority, Mr. Pugh seconded, and it carried on a vote of 5-0. {1:12:23}
- IX. **Other discussion and agenda items for next meeting:** – Next meeting will be on 1/19/11 at 10:00 a.m. Agenda items to include Directors' reimbursable expenses, Per Diem, Use of Authority vehicles, PER for Surface Water Plant, Desert Sands Well #3 arsenic retrofit quote. Mr. Pugh asked if we are having trouble getting financial data from La Mesa, will they have trouble their audit, and Ms. Jackson replied that is likely. Mr. Lopez and Mr. Nieto will be meeting with the La Mesa board tomorrow. Mr. Lopez passed out the first Executive Order from new governor establishing a ninety day review period for all new state rules and regulations, and there was some discussion. He said that he would be assigning Ms. Nichols to monitor the legislative session, and trips to Santa Fe will be likely. He also mention the meeting with State Senators tomorrow at the Mesquite Fire Station.

- X. **Adjourn:** Mr. Holguin made a motion to adjourn, Mr. Pugh seconded, and it carried on a vote of 5-0. Mr. Nieto declared the meeting adjourned at 5:21 p.m.

Date Minutes Approved: _____

Chairman, Roberto M. Nieto

Vice- Chairman, John Holguin

Secretary, Santos Ruiz

Director, Rosaura Pargas

Director, Jim Pugh

Lower Rio Grande Public Waterworks Authority Sign In Sheet

Date: 11/5/11

Time: 4pm

Place: Valle Office

Meeting Type: Regular

Name, Title - Print Sign	Company or Agency Represented	Mailing Address	Telephone	Email
<u>JAMES RUCH</u> <u>Resource Manager</u>	<u>LD MESIA</u>			<u>JRUCH@LD-MESIA.COM</u>
<u>Resource Manager</u>	<u>Desert Sands</u>			
<u>John Hollette</u>	<u>Vado</u>	<u>385 Holston Rd</u> <u>Vado, NH</u>	<u>575-695-9007</u>	<u>John@vado.com</u>
<u>MARTIN LEPEZ</u>	<u>STPA</u>	<u>335 Holston Rd</u> <u>Vado, NH 08022</u>	<u>575-695-9007</u> <u>571-3628</u> <u>476</u>	<u>martin.lepez@stpa.org</u>
<u>Robert M. Nick</u>	<u>LRB</u>	<u>335 Holston Rd</u> <u>Vado, NH 08022</u>	<u>621-9657</u>	<u>mrnick@lrba.org</u>
<u>Mike Lopez</u>	<u>Leg Staff</u>	<u>335 Holston Rd</u> <u>Vado, NH 08022</u>	<u>(575) 695-3521</u>	<u>mlopez@lrba.org</u>
<u>KATHI JOHNSON</u> <u>Finance Manager</u>	<u>LEGSTAFF</u>	<u>PO Box 2046</u> <u>Anthony, NM 88021</u>	<u>(575) 233-8477</u>	<u>kathi.johnson@lrba.org</u>
<u>JOSE VILLARREAL</u>	<u>KADONIS M DULISHA</u>		<u>575-874-2786</u>	
<u>Karen Nichols</u>	<u>LRBAWA</u>			<u>karen@lrba.org</u>
<u>Barbara Ruiz</u>	<u>Barbara Ruiz</u>	<u>PO Box 106</u> <u>Barbara Ruiz</u>	<u>5825937</u>	

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY
MEETING NOTICE & AGENDA
REGULAR BOARD OF DIRECTORS MEETING
4:00 p.m. Wednesday, January 5, 2011 at the Vado Office, 325 Holguin Road

- I. Sign in, establish quorum, call to order
- II. Approval of agenda
- III. Approval of Minutes of 12/15/10
- IV. General Manager's action items & reports (Operations & Projects Report on 1st Wed. Agenda)
 - A. Management Report
 - B. Operations Report
 - C. Projects Report
- V. Guest Presentations –
- VI. Public Input – 15 minutes total allotted for this item, 3 minute time limit per person, may be continued after Item VIII by board action:
- VII. Unfinished Business:
 - A. Mesquite-Brazito Wastewater Project: Concurrence with Mesquite Board of Director's selection of Vencor Engineering (September 15, 2010)
- VIII. New Business:
 - A. Management and O&M Contract w/La Union MDWCA
 - B. Desert Sands arsenic treatment plant retrofit for Well #3 – estimates from Highland/AdEdge for approval
 - C. Resolution #2011-05 Authorizing Grantee Representative and Signatory Authority for Grant #08-3099-STB La Mesa Building Project
 - D. Resolution #2011-06 Authorizing Grantee Representative and Signatory Authority for Grant #09-3356-GF Berino Water System Improvement Project
 - E. Resolution #2011-07 Authorizing Grantee Representative and Signatory Authority for Grant #08-3845-GF Mesquite/Brazito Wastewater Project
- IX. Other discussion and agenda items for next meeting – Next meeting 1/19/11 at 10:00 a.m., Directors' reimbursable expenses, Per Diem, Use of Authority vehicles, PER for Surface Water Plant
- X. 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 LRG PWWA office at 575-233-3947, 325 Holguin Rd, Vado NM 88072 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 es un individuo con una incapacidad esta en necesidad de un lector, amplificador, lenguaje por senas, o cualquier otra forma de asistencia o servicio para atender o participar en las juntas, por favor lame ha la oficina LRG PWWA office at 575-233-3947, 325 Holguin Rd, Vado NM 88072 una semana antes de la junta o en cuanto posible. Documentos públicos, incluyendo la agenda y minutos, están disponibles en varios formatos. Por favor opóngase en contacto con la oficina LRGPWWA si un resumen o otro tipo de forma accesible es necesario

**LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY
MINUTES**

NOTE: Minutes are a DRAFT until approved and signed by the Board

REGULAR BOARD OF DIRECTORS MEETING

10:00 a.m. Wednesday, December 15, 2010 at the Vado Office, 325 Holguin Road

- I. **Sign in, establish quorum, call to order:** Sign-in sheet and Agenda are attached. Secretary Santos Ruiz (Berino) and Director Rosaura Pargas (Desert Sands) were absent. Present were Chairman Roberto “Marty” Nieto (Mesquite), Vice-chairman John Holguin (Vado), and Director Jim Pugh. Also present were General Manager Martin Lopez, Operations Manager Mike Lopez, Finance Manager Kathi Jackson, Projects Manager Karen Nichols, and Bertha Rizutti from Berino and Matt Dyer from La Mesa representing Parkhill, Smith & Cooper. Mr. Nieto called the meeting to order at 10:03 a.m. {**1:46**}

- II. **Approval of agenda:** Mr. Lopez noted that the PER is not completed, and Mr. Pugh made a motion to approve the Agenda with item VII. E. postponed. Mr. Holguin seconded the motion, and it carried on a vote of 3-0. {**1:39**}

- III. **Approval of Minutes of 12/1/10:** Mr. Pugh made a motion to approve the minutes as presented, Mr. Holguin seconded, and it carried on a vote of 3-0. {**2:16**}

- IV. **General Manager’s action items & reports (Operations & Projects Report on 1st Wed. Agenda)**
 - A. **Management Report:** Mr. Lopez handed out his written report (attached), noted that the date should read “December 15, 2010”, and reviewed it with the board. He also mentioned under Water Rights on his report that the LRGMDWA is out of funds, so the Authority will need to cover having the Return Flow Credit Plan done. He handed out a letter from the Department of Finance & Administration Local Government Division approving budget with a caution concerning careful monitoring of General Fund cash balances (letter is attached). Mr. Pugh said that the format of the RD form used for the budget is difficult to understand, and Mr. Lopez explained that it is basically just a projection used for funding applications, and we need to do more staff training and pull together actual financial information to generate an actual budget. Mr. Holguin asked about the solid waste coupons, and Mr. Lopez replied that we have turned in the agreement waiting for the county. Mike Lopez said that they are available at Del Cerro Community Center. Mr. Pugh asked about the audits for mutuals, and Mr. Lopez explained that the Authority will have their books audited as required. Ms. Nichols added that the auditor who provided a letter of commitment for the La Mesa Well Project and Mesquite Wastewater Project has provided letters extending that commitment to the Authority to update the USDA Rural Development Letter of Conditions notebooks for those projects. Mr. Lopez also briefly discussed the bids and funding for the La Mesa Office Building Project and said that we might be able to use some Colonias Initiative funds to install a central phone system there and new equipment in all the other offices in order to get them all on one system. He handed out the latest update from Molzen Corbin on that project (attached). {**22:39**}

- B. Finance Report:** Ms. Jackson handed out and reviewed her written report (attached). She said it contained preliminary numbers for October, and that she has not been able to obtain much data from Vado and La Mesa. She noted that all the mutual had different methods of listing assets, that some had actual financial statements compiled by an accountant and others did not, and that the billing programs used by Vado and La Mesa did not provide some of the data she needs like aged accounts receivables, so this is a beginning picture and it is taking time to pull it all together. {37:00}
- C. Operations Report (postponed from 12/1) –** Mike Lopez handed out his report (attached) and reviewed it with the Board. Mr. Pugh asked about GPS and system mapping. Martin Lopez said that we are working on getting our own system. Mr. Pugh asked about hazmat for chlorine and other chemicals, and Martin Lopez said that Mike Lopez is responsible for our safety & OSHA programs. Mr. Pugh said he has a business card from a state employee who assists with workplace safety recommendations.

Martin Lopez asked Mike Lopez and Ms. Jackson to report on the Asset Management training they attended. Ms. Jackson mentioned some of the methods presented for documenting assets including using a laptop in the field or a camera to take photos for the office to use in tracking assets. She said we need to establish cap on tracking, and our current Asset Management Plan is currently tracking down to \$500. Martin Lopez said we probably need to make it \$5000 based on an audit finding that Mesquite was tracking items of too small a value. He also noted that funding agencies require an Asset Management Plan and ,under accounting with GASB34, we need to report on that. He said it goes beyond operations & accounting, but is also part of reporting to higher levels of government. {1:00:52}

- V. Guest Presentations:** Matt Dyer said that he is citizen of La Mesa and that he works for Parkhill, Smith & Cooper. He discussed his firm’s capabilities, said they could help with things like integrating SCADA systems, ARC/GIS and Autocad implementation, as well as engineering. Mr. Dyer handed out a brochure about his firm (attached). {1:14:27}
- VI. Public Input –** 15 minutes total allotted for this item, 3 minute time limit per person, may be continued after Item VIII by board action: NONE
- VII. Unfinished Business:**
- A. Motion to go into closed session pursuant to NMSA 1978 10-15-1 (H)(2) – Discussion of hiring & assignment of the General Manager – ROLL CALL VOTE:** Mr. Pugh made the motion as stated in the Agenda, Mr. Holguin seconded, and Mr. Pugh voted yes, Mr. Holguin voted yes and Mr. Nieto voted yes. Motion carried on a vote of 3-0 and Mr. Nieto convened the closed session at 11:18 a.m. {1:15:34}
- B. Motion to resume the Open Meeting, statement by the Chairman that the matters discussed in the closed session were limited to those stated in the motion to the close:** Mr. Holguin made a motion to resume the open meeting, Mr. Pugh seconded, and it carried on a vote of 3-0. Mr. Nieto reconvened the open meeting at 11:39 a.m. and stated that the only matters discussed in the closed session were those stated in the motion to close the meeting. {1:16:10}

- C. **Final GM Employment Contract & GM Job Description – for adoption:** Mr. Lopez said that the attorney had forwarded the contract with the terms as discussed. Mr. Pugh asked Mr. Lopez if he was happy with it, and he replied in the affirmative. Mr. Holguin asked when the first performance review takes place, and Mr. Lopez replied in one year. Mr. Pugh said he thought it was July, and that factored in to the salary offered, so he requested beginning in July. Mr. Holguin made a motion to adopt the General Manager Job Description and authorize the contract. Mr. Pugh seconded, and the motion carried on a vote of 3-0. {1:19:26}
- D. **Adoption of 40-Year Water Plan & Water Conservation Plan:** Mr. Lopez reported that the LRGMDWA Board accepted this document as a contract item, and they sent to the Authority board for adoption. He said there is no point in editing it further until the NM Office of the State Engineer reviews it and possibly sends comments. Mr. Pugh asked if staff had reviewed it, and Mr. Lopez replied that he and Ms. Nichols had gone through it very thoroughly and Ms. Nichols went over a list of revisions to the engineer after the first draft that have all been incorporated in this one. Mr. Pugh made a motion to adopt the 40-Year Water Plan and Water Conservation Plan, Mr. Holguin seconded, and it carried on a vote of 3-0. {1:20:32}
- E. **PER – surface water plant – final draft: POSTPONED**

VIII. New Business:

- A. **Directors’ reimbursable expenses, Per Diem, Use of Authority vehicles:** Mr. Lopez said he had mileage reimbursement request from a Director, and we have no policy in place yet. Mr. Pugh asked about the mileage & per diem hand out in the Board Packet, and Ms. Nichols explained that it was a copy of the state statute governing payment of those expenses by public entities. Mr. Lopez handed out a proposed Policy for Board Member Reimbursement including cell phones, computers, etc. and a Proposed Policy adopting the NMAC Title 2; Chapter 42; Part 2 (2.42.2 NMSA) Regulations Governing the Per Diem & Mileage Act. There was some discussion. Mr. Lopez asked about the Director request for reimbursement, and Ms. Nichols pointed out that the Governance Document prohibits reimbursement for travel to Board meetings. Consensus was to adopt the state mileage & per diem policy and a separate policy for other types of reimbursable expenses, and this will be on the next agenda. {1:28:00}
- IX. **Other discussion and agenda items for next meeting – Next meeting 1/5/11 at 4:00 p.m.:** Mr. Holguin asked if we are going to send any on up to the legislature for Colonias Day. Mr. Lopez replied that we will be monitoring proposed legislation, and may also need to have staff travel to legislature during the session. Mr. Pugh said he had heard some complaints about employees having to clock in at a central location and said the thought that employee clock-in should be at each separate office. Mr. Lopez replied that the operators meet to clock in and get job assignments at the Mesquite or Desert Sands office, but there are time-clocks at each office already. Mr. Lopez said he had a call from Ms. Rizutti (who was here at the meeting but had to leave) on Monday morning asking why the Berino board was meeting Monday night at the local church. The next day he also got a call from Margie Bryant. A lot of misinformation is being presented claiming Berino is paying more, losing water rights, etc. He answered their questions and both ladies requested not changing the time for the evening Authority Board meeting. Next agenda: adopt state mileage & per diem policy, PER for surface water treatment plant. Mr.

Lopez handed out a board training announcement from RCAC and a notice from Doña Ana County about a public meeting in Berino regarding a master plan for the community. {1:40:08}

- X. Adjourn – Mr. Holguin made a motion to adjourn, Mr. Pugh seconded, and it carried on a vote of 3-0. Mr. Nieto adjourned the meeting at 12:03 p.m.

Date Minutes Approved: _____

Chairman, Roberto M. Nieto

Vice- Chairman, John Holguin

Secretary, Santos Ruiz

Director, Rosaura Pargas

Director, Jim Pugh

**LRG PWWA
Manager's Report
January 5, 2011**

Tasks

- Procurement to configure office phone network
 - Justification to “sole-source”--agency awaiting response
- Implement adopted rates
 - Implemented December 31, 2010
- Establish election (district) boundaries
 - Meeting with RCAC set for January 6, 2011 after Legislators meetings
- Standardize Billing Program
 - CUSI researching links to existing programs at Berino, Mesquite, Vado
- Transfer of Assets (bank funds) from Associations
 - Pending Operating and Reserve accounts for La Mesa and Operating account Vado
 - Construction accounts pending for La Mesa, Mesquite and Berino-execute resolution and NMED approval
 - Mesquite Wetlands facility-transfer permit pending NMED GWQB approval
- Transfer long and short term debt
 - NMFA: Need loan information from USDA RD and NMED RIP for refinance
- Project Funding Applications
 - Project Scope for new project
 - LRGMDWA

- La Mesa Building (Bid award)
 - Castillo Road (bedding material)
- Property Taxes
 - Documentation submitted to DAC
- Water Rights
 - Offsets
 - Return flow credits
 - Combine/commingle-expected to be completed and filed with OSE next week
- EBID Emergency Mutual Aid Agreement
 - No response yet
- Budget Reports and Audits
 - Mutuels-(Audits): Desert Sands pending, Berino (agreed upon procedure) wait on IPA, La Mesa and Vado to be in January
- Solid Waste
 - No response yet
- Accusation of Fraud (Berino Disbursement Request)
- Possible legislation introduction to allow founding entities to leave Authority

Lower Rio Grande PWWA

Operators Report

January 05, 2010

System Problems and Repairs.

- (Berino Road project) Burns Construction is about 85% complete. The subdivision is about 50% Complete.
- Backflow inspections are current.(Mesquite System)
- Sewer tank inspections are current.(Mesquite System)
- We are still having some problems with the Seamen's SCADA I called Bob many times with no answer.
- We had 2 water breaks in the Berino Districts; all were on the customer's side.
- We had no water breaks in the Vado District.
- I received a response on that piece of pipe that failed in December. It was more than likely due to a hair line fracture.
- Mesquite district had 10 water breaks and 13 sewer problems.
- La Mesa district had 1 water leak and 1 broken meter box.
- The Desert Sands district had 2 water breaks.

NMED: Monthly Bac-T-Samples have not been taken yet, starting this month we will be sampling under the Lower Rio Grande PWWA.

Mesquite district Wetlands: Monitoring well samples will be taken this month.

Chlorine: We have been having problems with the miox system in La Mesa, I informed the well technicians not to waste any more time on the system, and start using sodium hypochlorite since will be installing the gas system next month.

Reports: Monthly well reports have been submitted to the State Engineers office.

New installs: The Mesquite system had 1 new service install this month.

Special Projects.

Justin from New Mexico One Call is reviewing our service areas for the Lower Rio Grande PWWA. And I have almost completed the new application.

NMED Mr. Ernest Valenzuela our over site at NMED has almost completed the sanitary survey, and I will visit with him on 1/5/2011 to present the new sample site plan.

**LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY
1/5/11 BOARD OF DIRECTORS MEETING
PROJECTS REPORT**

Authority Construction Projects:

Mesquite Wastewater Project – Gannet Fleming:

NMDOT permit received 12/9/10. Dona Ana County right-of-way permits are pending, and they want to review all the other permits and are requiring a geotechnical report. RD concurrence is pending for Engineering Services contract amendment for the geotechnical work. EBID & NM-OSE permits are pending. I have provided documents to update the Letter of Conditions notebook for USDA-RD closing under the Authority. Once the county permit is secured, the attorney will provide the right-of-way certification and we will be able to advertise the project.

La Mesa Water System Improvements – Molzen Corbin - Have provided the necessary documents to update the USDA-RD LOC notebook for USDA-RD closing with the Authority and engineer has provided our copy of the complete notebook that was submitted to RD. Plans & Specs are at 75% completion. Met with engineer and operations staff to review plans on 12/21/10, OM & staff made some requests for changes to the preliminary plans.

Mesquite/Brazito Sewer Project – Vencor – USDA-RD engineering services agreement in place, we are redoing the NMED one.

Authority PERs/EAs/40 Yr. Water Plan:

Met w/Vencor and LRG staff to discuss scoping for the **new PERs** on 12/7, Mr. Vasquez will meet with operators and PM/OM at each community in early January, GM will make a recommendation to the board. Mr. Vasquez will meet w/GM & management staff on Thursday to scope the Interconnect/pipeline looping PER.

Berino & Mesquite/Del Cerro combined PER/EA – RD approval obtained, re-submitted to NMED-DWB again on 12/9/10

Pre-Final Design: Del Cerro – Phase IV Water – Vencor: 90% completion of plans & specs, submittals to NMED, DAC, EBID & NMDOT anticipated by 2/1/1, Soils samples collected, report is pending. 98% completion of pipeline easements, remainder under negotiation w/property owners.

Preliminary Design: Berino – Phase I Water – Vencor: Plans & Specs at 55% completion, soil samples done & report is pending. Potential Capital Outlay Request.

Final Design: 12” Waterline from Stern Drive to Vargas Road – Vencor: 100% completion, approved by NMED-CPB & NMED-DWB, submitted to DAC w/review & approval pending.

Forty-Year Water Plan – CE&M – submitted to NM-OSE locally, they will forward to John Longworth in Santa Fe, currently pending comments/approval from them. Digital version has been provided to us and is stored on Mesquite network server and Desert Sands file server.

LRG MDWA Projects:

Castillo Rd - La Mesa/Mesquite Interconnect – CE&M: No update received from Ms. Perez. There have been delays to delivery issues w/hardware for bridge crossing and soil issues on Castillo Rd. Pipeline has been installed in side-streets and is progress along Hwy 192 to the bridge crossing. Minor issue w/fitting & valve and inadequate cover at 192/Smokey Rd was resolved. Contractor is requesting additional time due to delays. Update from Vencor: Project is 60% complete. CO 1 = \$67,584.79 (side streets), CO 2 = \$25,146.01 for soils issues was not approved and is pending credits due back to us for other items to see if Castillo Road can be completed within authorized budget.

CE&M PER for surface water plant should be final by now, goes to MDWA Board on Friday for acceptance, Authority Board will receive it next meeting. We have received a digital copy of the Environmental Documents.

La Mesa Building (jointly funded by La Mesa & LGRMDWA) – **Molzin Corbin:** Bid award to Duran Construction for \$443,570 is pending NMED-CPB approval. Received email approval to change scope of CI grant 09-3118 #12 to allow up to the entire \$400k to be spent on the building. Mr. Deal has provided a list of items he needs and engineer is addressing these and the fire-protection plan required by the county.

Individual MDWCA Projects under construction:

Desert Sands Phase II-III Water System Improvements
Project is complete, except for Well #3 (next item)

Desert Sands/NMSU Well #3 Arsenic Plant conversion
Subcontract w/NMSU extended to 6/30/10. Prof. Hanson reports an interesting failure of the ultrafiltration system they were piloting – probably due to inadequate run time in static mixer – they are re-running that one. Also, they are building another pilot column to run Tonka’s suggested media and the AdEdge media from our full-scale plants side-by-side. May go visit some other treatment plants like ours around the state to see what does/doesn’t work. Also will be taking a look at arsenic field test kits, OM gave them the brand of the one we are using that works better than most.

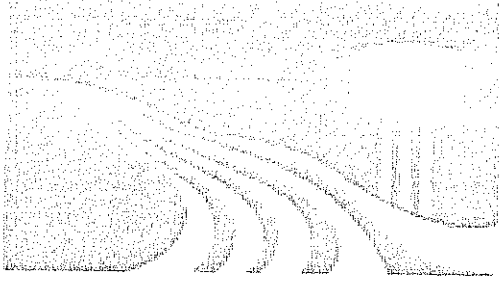
Bohannon Huston Inc. has supplied drawings to obtain price from the contractor (Highland) for construction of a sludge drying bed and loading media at Well #3. AdEdge has been slow to respond for contractor’s request for price quote, electrical sub-

contractor has been to the site. Left this on agenda in case quote was finalized, might need to move to next meeting.

Mesquite Water Project – Gannett Fleming: Still waiting for revised proposal from the contractor for additional work at the booster station before issuing the final adjusting change order and closing out the project.

Other projects

EBID Surface Water Treatment Plant – no update



LOWER RIO GRANDE
Public Water Works Authority

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

December 22, 2010

La Union MDS&WA
Board of Directors
1870 Alvarez Road
La Union, NM 88021

RE: Operation & Maintenance (Temporary)

Board of Directors:

This correspondence shall serve as notice the Lower Rio Grande Public Water Works Authority (Authority) shall provide Temporary Operation and Maintenance (O&M) service to the La Union MDS&WA for its Water System identified as NMED PWS#3500707. Service shall be provided in compliance with all applicable state and federal laws particularly the Safe Drinking Water Act.

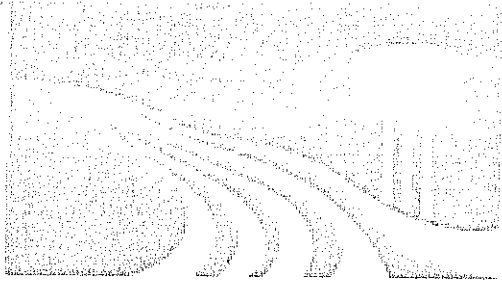
The service will be provided at \$25.00 per hour and \$50.00 per hour should Authority equipment be required excluding trucks, which will be charged at \$.055 per mile.

The Authority shall provide this service for 3 months beginning January 1, 2011 and ending April 2, 2011 or sooner if terminate is requesting by either Party.

Please free feel to contact me should you have any questions or concerns.

Regards,

Martin G. Lopez, GM
LRGPWWA



LOWER RIO GRANDE

Public Water Works Authority

Mileage at \$0.55 per mile. Estimated at _____ miles round-trip or \$_____ per day or \$_____ per month (30 days)

Services provided at \$_____.00 per hour:

- Any and all other required and/or requested operation and maintenance services to not outlined as routine including emergency responses in which no equipment (backhoe, trencher) is required.

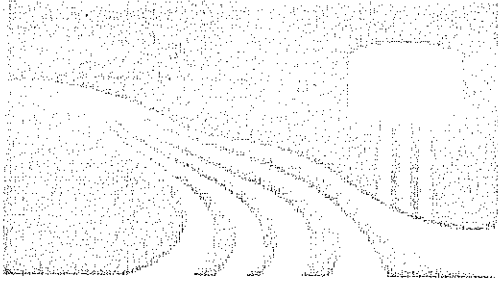
Services provided at \$_____ per hour (rental expense if equipment is rented):

- Any and all other required operation and maintenance services not outlined as routine including emergency responses in which equipment (backhoe, trencher) is required.

La Union MDS&WA is responsible for materials and supply cost for all aspects of operation and maintenance including the need for special equipment (Example-boring machine). Complete documentation will be provided for operation and maintenance cost reflecting the type of operation and maintenance performed; materials, supplies and equipment used (if any); including date, time and location.

Operation and maintenance which will need to be performed, but not considered routine:

- Monthly-Estimate 2 hours per month
 - Hydrant flushing
 - Flush-out flushing
- Quarterly-Estimate 2 hours per quarter

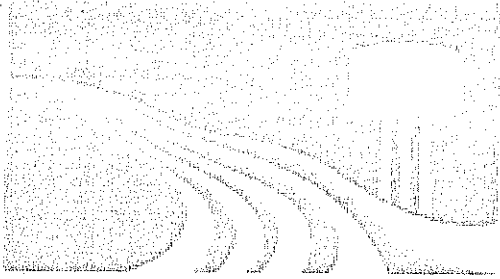


LOWER RIO GRANDE

Public Water Works Authority

- Storage tanks flushing
- Annual-Estimate 8 hours per year
 - Exercise isolation valves
- As-need or requested-Estimate 8 hours per quarter
 - Paint storage tanks Graffiti
 - Cut weeds at facility
 - Maintain facility free of debris
 - Installation and testing of back preventers for commercial meter site if not so equipped
 - Media change-out and waste disposal

Any and other operation and maintenance services will only be performed if needed in emergency situations (line breaks, etc.), if requested by La Union MDS&WA or if requested or needed by NMED to maintain compliance with state and federal drinking water regulations.



LOWER RIO GRANDE

Public Water Works Authority

325 Holguin Road

Vado, New Mexico 88072

(575) 571-3628

MANAGEMENT AND O&M CONTRACT (Temporary)

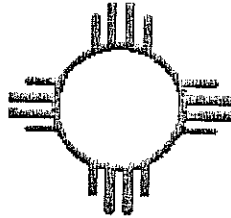
Services (routine) at \$_____ per month: (\$_____ based on \$_____ per hour, 1 hour per day, \$_____ x 30 hours = \$_____ for daily O & M; 4 hours per month @ \$_____ = \$_____ for reporting, attending board meeting and other routine services. \$_____ for management services.

- Daily inspection of facilities
- Use of On-call and Back-up staff and phone number
- Maintain daily log sheets
- Collect and submit monthly microbiological samples to lab
- Analyze and record daily chemical handling, dosages, recordkeeping, and residuals
- Ensure compliance with Arsenic Rule
- Operation of Treatment Facilities
- Prepare annual Consumer Confidence Report
- Prepare and submit chlorine residuals report to NMED when disinfection unit is in operation (Chlorine By Products Rule)
- Prepare and submit chlorine residuals report to NMED as part of compliance in with Chlorine By Products Rule (Near Future requirement by USEPA)
- Line Location and marking in compliance with New Mexico Excavation Law
- Read meters on or about the _____th of each month, but no later than the _____th of the month
- Association Management to maintain compliance with State and Federal drinking water regulations along with all other applicable state and federal statutes and regulations

**REQUEST FOR PROPOSALS
FOR
DESIGN PROFESSIONAL SERVICES**

RFP No. 2011-01

Packet No. _____



Project Name: Mesquite-Phase III Sewer Line Extension

Contracting Agency: Mesquite MDWC&MSWA and its
successor organization, the Lower Rio
Grande Public Water Works Authority

Address: PO Box 349 Mesquite, NM 88048
215 Bryant Street Mesquite, NM 88048

Telephone: 575 233-3947

Date: 8/8/2010

Funding Type: SAP, USDA RD, CDBG

This form was prepared by Mesquite MDWC&MSWA and its successor organization, the Lower Rio Grande Public Water Works Authority, and is endorsed by the Professional Technical Advisory Board [composed of the Consulting Engineers Council of New Mexico, New Mexico Society of Professional Engineers, the American Institute of Architects of New Mexico, the New Mexico Society of Surveyors and Mappers, and the New Mexico Society of Landscape Architects, Local Government Division, Department of Finance and Administration, Rural Utility Service, U. S. Department of Agriculture, New Mexico Environmental Department and the New Mexico Finance Authority.

LAS CRUCES SUN-NEWS

PROOF OF PUBLICATION

I, being duly sworn, David Adams deposes and says that he is the Controller of the Las Cruces Sun -News, a newspaper published daily in the county of Dona Ana, State of New Mexico; that the notice 45-401 is an exact duplicate of the notice that was published once a week/day in regular and entire issue of said newspaper and not in any supplement thereof for 3 consecutive week(s)/day(s), the first publication was in the issue dated August 13, 2010 and the last publication was August 15, 2010

Despondent further states this newspaper is duly qualified to publish legal notice or advertisements within the meaning of Sec. Chapter 167, Laws of 1937.

Signed

Controller
Official Position

STATE OF NEW MEXICO

ss.

County of Dona Ana

Subscribed and sworn before me this

17th day of August 2010

Notary Public in and for
Dona Ana County, New Mexico

March 29, 2011

My Term Expires



OFFICIAL SEAL
JUDY M. LUNA
NOTARY PUBLIC - STATE OF NEW MEXICO

My commission expires: 3/29/2011

REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES

Mesquite MDWC&MSWA
215 Bryant Street
Mesquite, NM 88048

The Mesquite MDWC&MWSA and its successor organization, the Lower Rio Grande Public Water Works Authority in partnership with the Brazito MDWCA and Dona Ana County is requesting, competitive proposals from qualified firms to provide consulting engineering services. The scope of project for which the engineering services are required shall include, but not limited to the following:

The proposed project consist of sewer collection line extensions to Brazito MDWCA service area and within the Mesquite MDWC&MSWA service area from the Mesquite MDWC&MSWA collection system for conveyance and treatment at the Dona Ana County South Central Regional Wastewater Treatment Facility near Vado, New Mexico and includes lift station(s), and related appurtenances. Consultant shall be required to provide Basic Design and Contract/Construction Administration services for the proposed project. The Preliminary Engineering Report shall be completed in accordance with USDA, RUS Bulletin 1780-2 guidelines and an Environmental Report in accordance with USDA, RUS Regulation 1794 and RUS Bulletin 1794A-602.

INVITATION FOR PROPOSALS

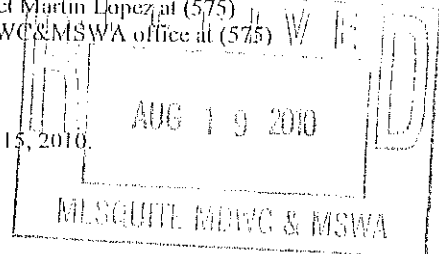
You are invited to hand-deliver a sealed proposal to be received by Mesquite MDWC&MSWA at 215 Bryant Street, no later than September 2, 2010 at 3:00 p.m. The Mesquite MDWC&MSWA and its successor organization, the Lower Rio Grande Public Water Works Authority.

The Mesquite MDWC&MSWA its successor organization, the Lower Rio Grande Public Water Works Authority could seek funding from any and all available sources including, but not limited to; US Environmental Protection Agency, US Congressional Appropriations, NM Water Trust Board, US Community Development Block Grant, NM Finance Authority, NM Environment Department, and State Legislative Appropriations.

PROPOSAL CONTENTS

Copies of the Request for Proposal (PTAB), page 10 of RFP intentionally left blank, are available at 215 Bryant Street in Mesquite, NM. Contact Martin Lopez at (575) 571-3628 or the Mesquite MDWC&MSWA office at (575) 233-3947.

Publication # 45401
Publication Dates: Aug 13, 14, 15, 2010.



Tecopa #1

CFE #2

Summit Eng. #3

Larkin Group #4

MCI Consulting Engineers #5

Smith Engineering Company #6

Engineers Inc. #7

Harwood #8

Bohannon Huston #9

Don Pashins
CARDAC TBE #10

Wilken Corbin #11

Architectural Reporter
Construction Reporter #12

EVALUATION CRITERIA

MESQUITE
 MOWC to M-504
 Phase III Sewer
 Line Extension

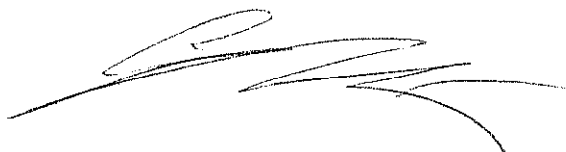
CRITERIA AND POINT VALUES

OFFERORS:

Proposal must address each of the following criteria. Each proposal may be awarded points up to the amount listed.

RATING SHEET FOR:		
Applicant <u>Vencor Engineering</u>		
ITEM	POSSIBLE POINTS (Example)	SCORE
PLANNING & DESIGN SERVICES		
1. Specialized Planning & Design and Technical Competence*	$\frac{30}{(30)}$	30
2. Capacity and Capability*	$\frac{30}{(30)}$	30
3. Past Record of Performance*	$\frac{20}{(20)}$	20
4. Familiarity with the Contracting Agency *	$\frac{10}{(10)}$	20
5. Current volume of work with the Contracting Agency that is less than 75% complete*	$\frac{5}{(5)}$	5
6. The amount of design work to be done in New Mexico*	$\frac{5}{(5)}$	5
7. Other	---	
8. Other	---	
SUBTOTAL PLANNING & DESIGN SERVICES	$\frac{100}{(100)}$	100


*Items required by statute (13-1-120.B NMSA 1978)


 MARTIN G. LOPEZ, CM

Vencor Engineering

MSWRF to MDC &
MSWRF
Phase III Sewer line
Expansion

ITEM	POSSIBLE POINTS (Example)	SCORE
CONSTRUCTION SERVICES		
1. Specialized construction management experience.	<u>20</u> (20)	20
2. Specialized experience with start up assistance to the Owner of new facilities.	<u>15</u> (15)	15
3. Capacity and capability of the consultant to perform the work within the Owner's timeframe.	<u>15</u> (15)	15
4. History of past performance on the three similar projects itemized in PLANNING & DESIGN SERVICES in Item Number 1, including the record of bid amount versus final close out contract amount.	<u>10</u> (10)	10
5. History of claims on three similar construction projects and their resolution. The consultant should detail their claims avoidance approach and construction management philosophy.	<u>10</u> (10)	10
6. Other	---	
7. Other	---	
SUBTOTAL CONSTRUCTION SERVICES	<u>70</u> (70)	70
TOTAL SCORE	<u>170</u> (170)	170


 MARTIN G. LOPEZ, GM

Mesquite Mutual Domestic Water Consumers and Mutual Sewage Works Association

P.O. Box 349 • 215 Bryant St. • Mesquite, NM 88048
(575) 233-3947 • Fax (575) 233-3961 • E-mail: msqtwtr@zianet.com

BOARD OF DIRECTORS MONTHLY MEETING MINUTES

Wednesday, September 15, 2010
ASSOCIATION OFFICE, 6:00 P.M.
215 BRYANT ST.
MESQUITE, NM 88048

1. **Call meeting to order**
President Roberto M. Nieto call meeting to order at 6:04 p.m.
2. **Proof of quorum**
Proof of quorum is established with Board of Directors present as follows: Roberto M. Nieto Roberto Nava, Ernesto Cenicerros, Henry Magallanez and America Terrazas.
3. **Proof of notice of meeting**
Proof of notice of meeting is met.
4. **Reading and approval of agenda**
Henry Magallanez motions to postpone 6A, second part. Operator's Report, Ernesto Cenicerros seconds, motion carried none apposed 5-0.
5. **Reading and approval of May 19, 2010; June 23, 2010 and August 18, 2010minutes.**
America Terrazas motions to approve the minutes for May 19, 2010, Roberto Nava seconds, motion carried, none apposed 4-0; Henry Magallanez was absent. Henry Magallanez motions to approve minutes for June 23, 2010, Ernesto Cenicerros seconds, motion carried, none apposed 3-0; Roberto Nava and America Terrazas were absent. Henry Magallanez motions to approve minutes for August 18, 2010, Roberto Nava seconds, motion carried, none apposed 3-0; Ernesto Cenicerros and America Terrazas were absent.
6. **Manager's Report**
 - A. **Manager's/Operator's Report**
Manager's Report presented by Martin G. Lopez, please see corresponding report.
 - B. **Office (Financial) Report**
Office (Financial) Report Presented by Martin G. Lopez, please see corresponding report.
7. **New business**
 - A. Henry Magallanez motions to select Vencor Engineering for Mesquite Wastewater Project Phase III (Minter, Baca Chile, and Brazito), America Terrazas seconds, motion carried, none opposed 5 - 0.
 - B. Approve turning over all Board functions to Lower Rio Grande Public Water Works Authority Board-**Postponed**
 - C. Henry Magallanez motions to approve FY10 Actual Budget Roberto Nava seconds, motion carried, none opposed 5 - 0.

8. **Old Business- None**

9. **Other**

Roberto Nava mentioned that a fact sheet would be a great help for customers with the most common asked questions, for example water heaters, smelly water etc.

10. **Closed Session -None**

11. **Adjournment**

Motion to adjourn made by Roberto Nava and second by Henry Magallanez at 6:58 p.m.

Minutes of September 15, 2010 approved by Board of Directors, October 20, 2010.

Minutes recorded by: _____
Angie Meza

President Roberto M. Nieto

Vice President, Roberto Nava

Secretary/Treasurer, Ernesto Cenicerros

Director, Henry Magallanez

Director, America Terrazas



United States Department of Agriculture
Rural Development
State of New Mexico

January 13, 2009

Mr. Martin G. Lopez, General Manager
Mesquite MDWC & MSWA
P.O. Box 349
Mesquite, NM 88048

Re: Rural Development Approval of the EJCDC E-510, "Standard Form of Agreement Between Owner and Engineer for Professional Services, Funding Agency Edition" Mesquite MDWC & MSWA – Wastewater System Improvements

Dear Mr. Lopez:

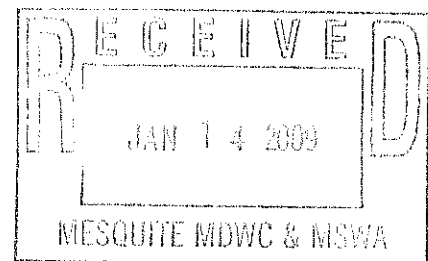
USDA, Rural Development (RD) has reviewed and approved the enclosed EJCDC, "Standard Form of Agreement Between Owner and Engineer for Professional Services, Funding Agency Edition" between Mesquite MDWC & MSWA and Vencor Engineering for the above referenced project. RD approval of the Agreement is contingent upon the following items:

- All additional engineering services must be approved in writing by the Owner **and** submitted to RD for written approval **prior** to the work being completed for consideration on a case by case basis.
- Please be advised that services performed by the principal of the firm are an ineligible expense for RD funds unless complete written justification has been submitted and approved by the Owner and RD **prior** to the work being completed.

By copy of this letter, an approved copy will be provided to your consulting engineer for their records. We have retained a copy for our records. If you have any questions, please contact me at (575) 522-8775 Ext. 6.

Sincerely,

CLYDE F. HUDSON
Area Director
USDA, Rural Development



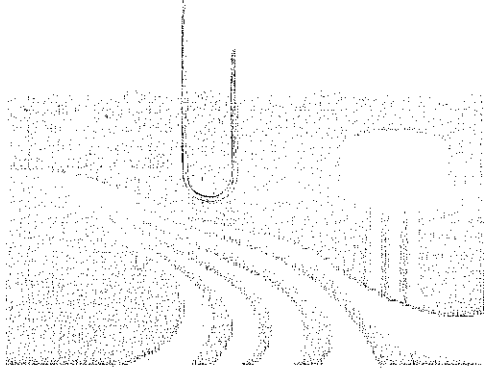
Enclosure

cc: Vencor Engineering, LLC, P.O. Box 13485, Las Cruces, NM 88013 w/Enclosure
Community Programs, RD, Albuquerque, NM
File

2510 N. Telshor • Las Cruces, NM 88011
575-522-8775 Ext. 6 • Fax - 575-521-8354 • TDD - 505-761-4938

Committed to the future of rural communities

"USDA is an equal opportunity provider, employer and lender."
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LOWER RIO GRANDE
Public Water Works Authority

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

Resolution # 2011-05 for Fiscal Year 2011

Whereas, the Lower Rio Grande Public Water Works Authority Board of Directors, Dona Ana County of the State of New Mexico shall enter into a Grant Agreement with the State of New Mexico Environment Department, and

Whereas, the Lower Rio Grande Public Water Works Authority authorized by House Bill 185 (2009 Legislation) assumes all functions for its founding entities: Berino MDWC&MSWA; Desert Sands MDWCA; La Mesa MDWCA; Mesquite MDWC&MSWA; and Vado MDWCA, as their successor and

Whereas, the Agreement is identified as SAP 09-3099-STB Grant Agreement.

NOW THEREFORE, BE IT RESOLVED, by the successor applicant that:

Roberto M. Nieto, Board Chair is authorized to sign the agreement or any amendments for this project, and

Martin G. Lopez, General Manager or his successor is the GRANTEE REPRESENTATIVE who is authorized to submit documents pertaining to the project and act as the single point of contract,

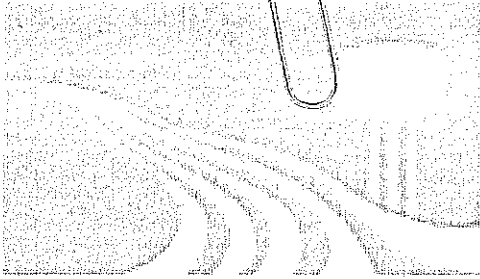
John Holguin, Board Vice-Chair or his successor is the SIGNATORY AUTHORITY who is authorized to sign reimbursement requests and other documents requiring a signature for submittal to the New Mexico Environment Department

PASSED, APPROVED, AND ADOPTED: January 5, 2011.

ATTEST

Roberto M. Nieto, Chairman

Santos Ruiz, Secretary



LOWER RIO GRANDE
Public Water Works Authority

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

Resolution # 2011-06 for Fiscal Year 2011

Whereas, the Lower Rio Grande Public Water Works Authority Board of Directors, Dona Ana County of the State of New Mexico shall enter into a Grant Agreement with the State of New Mexico Environment Department, and

Whereas, the Lower Rio Grande Public Water Works Authority authorized by House Bill 185 (2009 Legislation) assumes all functions for its founding entities: Berino MDWC&MSWA; Desert Sands MDWCA; La Mesa MDWCA; Mesquite MDWC&MSWA; and Vado MDWCA, as their successor and

Whereas, the Agreement is identified as SAP 09-3356-GF Grant Agreement.

NOW THEREFORE, BE IT RESOLVED, by the successor applicant that:

Roberto M. Nieto, Board Chair is authorized to sign the agreement or any amendments for this project, and

Martin G. Lopez, General Manager or his successor is the GRANTEE REPRESENTATIVE who is authorized to submit documents pertaining to the project and act as the single point of contract,

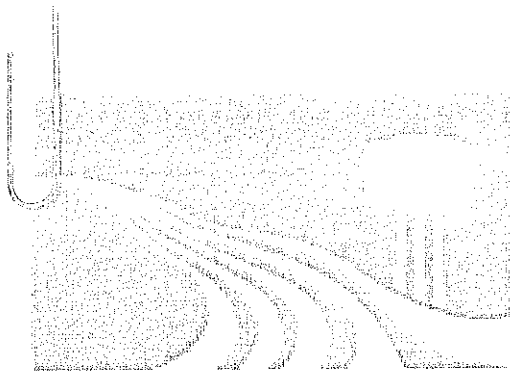
John Holguin, Board Vice-Chair or his successor is the SIGNATORY AUTHORITY who is authorized to sign reimbursement requests and other documents requiring a signature for submittal to the New Mexico Environment Department

PASSED, APPROVED, AND ADOPTED: January 5, 2011.

ATTEST

Roberto M. Nieto, Chairman

Santos Ruiz, Secretary



LOWER RIO GRANDE
Public Water Works Authority

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

Resolution # 2011-07 for Fiscal Year 2011

Whereas, the Lower Rio Grande Public Water Works Authority Board of Directors, Dona Ana County of the State of New Mexico shall enter into a Grant Agreement with the State of New Mexico Environment Department, and

Whereas, the Lower Rio Grande Public Water Works Authority authorized by House Bill 185 (2009 Legislation) assumes all functions for its founding entities: Berino MDWC&MSWA; Desert Sands MDWCA; La Mesa MDWCA; Mesquite MDWC&MSWA; and Vado MDWCA, as their successor and

Whereas, the Agreement is identified as SAP 08-3845-GF Grant Agreement.

NOW THEREFORE, BE IT RESOLVED, by the successor applicant that:

Roberto M. Nieto, Board Chair is authorized to sign the agreement or any amendments for this project, and

Martin G. Lopez, General Manager or his successor is the GRANTEE REPRESENTATIVE who is authorized to submit documents pertaining to the project and act as the single point of contract,

John Holguin, Board Vice-Chair or his successor is the SIGNATORY AUTHORITY who is authorized to sign reimbursement requests and other documents requiring a signature for submittal to the New Mexico Environment Department

PASSED, APPROVED, AND ADOPTED: January 5, 2011.

ATTEST

Roberto M. Nieto, Chairman

Santos Ruiz, Secretary

EXECUTIVE ORDER 2011-001
FORMATION OF A SMALL BUSINESS-FRIENDLY TASK FORCE;
ESTABLISHING A 90-DAY REVIEW PERIOD FOR ALL PROPOSED AND PENDING RULES
AND REGULATIONS

WHEREAS, New Mexico's citizens, their government, and all persons doing business in this State have a mutual interest in the proper administration of government and business, requiring common sense administrative rules and regulations that are comprehensible, reasonable, consistent, predictable, responsive, and without undue redundancy;

WHEREAS, one of the priorities of the Governor of New Mexico is establishing a common sense approach to executive rules and regulations, in accordance with the constitutional authority to direct the departments and agencies of the State of New Mexico, by establishing a "Small Business-Friendly Task Force" chaired by the Secretary of Economic Development;

WHEREAS, most proposed and pending rules and regulations can be temporarily suspended without detriment to the health or welfare of the citizens of New Mexico;

WHEREAS, ninety days is a reasonable time to review such proposed and pending rules and regulations, to examine them from various perspectives as to their workability, reasonableness, and determine whether they are proper and necessary;

WHEREAS, such an effort is timely given current unemployment levels and state budget difficulties, in order to create economic opportunity for each and every New Mexican, while protecting and preserving the health, safety and welfare of our community.

THEREFORE, I, Susana Martinez, Governor of the State of New Mexico, by the authority vested in me by the Constitution of the State of New Mexico and by its statutes, do hereby ORDER and DIRECT:

1. All proposed and pending rules and regulations, excluding those not under the authority of the Governor, are suspended for a period of review of 90 days unless excepted as set forth below.
 2. Proposed and pending regulations shall not be suspended if doing so would:
 - a. Adversely impact public health;
 - b. Adversely impact public safety or security;
 - c. Fail to comply with a judicial order or deadline;
 - d. Prevent the respective department or agency from carrying out its essential functions and duties; or
 - e. Prevent qualification for any federal funds or certifications.
3. Each department or agency shall submit to the Office of the Governor a comprehensive listing of proposed and pending rules and regulations, for review not later than January 14, 2011.
4. Any proposed or pending rules and regulations to which this Order applies and the department or agency believes should be treated as an exception pursuant to paragraph 2, shall be separately identified as such, with a statement as to the basis for the exception and how it applies.
5. The Office of the Governor may, with the advice of the head of the department or agency affected, determine whether any rule or regulation initially excepted under paragraph 2 shall remain excepted. The Office of the Governor may, with the advice of the head of the department or agency affected, determine whether any rule or regulation not initially excepted under paragraph 2 shall also be excepted.

**LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY
BOARD OF DIRECTORS QUORUM NOTICE**

On Thursday, January 6, 2011, a quorum of the Board of Directors was present a community meeting with NM Legislators at the Mesquite Fire Station. No Board meeting was convened, and there was no discussion of LRGPWWA Board business.