



# LOWER RIO GRANDE

Public Water Works Authority

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

www.LRGauthority.org

## Sign In Sheet

Page 1 of     

Date: 4-17-19

Time: 9:30

Places: East Mesa

Event: Regular Board mtg

SIGNATURE	Print Name, Title, Company	Contact Information Phone Number	Email Address
	Patty Charles	575-233-5742	patty.charles@lrgauthority.org
	Kathi Jackson FM	(505) 640-4330	Same
	MARTIN LOPEZ/LRG Authority	(505) 571-3025	
	MIKE MENGES	970-302-7532	
	FURMAN SMITH	382 5982	SAME
	Karen Nichols	915 203 2057	Karen.nichols@lrgauthority.org
	Phyllis J Smith	575-642-7474	smithk@zianet.com
	Espy Holguin	575 644-9543	Espy@Q-Com
	JOSE EVANS	575 618 0182	
	JOHN SCHRODER	575 233-5742	john.schroder@lrgauthority.org
	Matt Thompson, BHI	575-532-8670	Mthompson@bhinc.com
	Tyler Hopkins, BHI	575-532-8670	thopkins@bhinc.com

# LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY

## Draft Minutes — REGULAR BOARD OF DIRECTORS MEETING

9:30 a.m. Wednesday, April 17, 2019 at our Office, 9774 Butterfield Blvd, Butterfield Park, NM

Agendas are final 72 hours prior to the meeting and may be obtained at any LRGPWWA Office or at [www.LRGauthority.org/noticesavisos.html](http://www.LRGauthority.org/noticesavisos.html). Call 575-233-5742 or email [board@LRGauthority.org](mailto:board@LRGauthority.org) for information

- I. **Call to Order, Roll Call to Establish Quorum:** Chairman McMullen called the meeting to order at 9:30 a.m. and called roll. Mr. Sanchez representing District #1 was absent, District #2 is vacant, Mr. Evaro representing District #3 was present, Mrs. Holguin representing District #4 was present, Mr. Magallanez representing District # 5 was present, Mr. McMullen representing District #6 was present, Mr. Smith representing District #7 was present. Staff members present were General Manager Martin Lopez, Finance Manager Kathi Jackson, Projects Manager Karen Nichols, Projects Specialist Patricia Charles, Accounting Assistant John Schroder, Matt Thompson and Tyler Hopkins from Bohannon Houston and Guest Phyllis J. Smith.
- II. **Pledge of Allegiance:** Mr. McMullin led the pledge of Allegiance.
- III. **Motion to approve Agenda (VIII A. may be postponed):** Ms. Charles requested a correction to the agenda, the minutes to be approved are from March 21, 2019. Mr. Smith made the motion to approve the agenda with the stated correction. Mrs. Holguin seconded the motion, the motion passed with all in favor.
- IV. **Approval of Minutes – Motion to approve the minutes of the February 20, 2019 Regular Board Meeting:** Mrs. Holguin made the motion to approve the March 21, 2019 Regular Board Meeting minutes. Mr. Evaro seconded the motion, the motion passed with all in favor.
- V. **Presentations:** none
- VI. **Public Input:** none
- VII. **Managers' Reports**
  - A. **General Manager:** Mr. Lopez provided a written report and stood for questions. Mr. Lopez said he was notified by NM office of State Engineer that water was over pumped at Vado land by 3%, will be testing the meter first for accuracy to determine if over pumping occurred. Coordinating with Lessee to make up difference or cut back on pumping this year. Governor vetoed one Capital Outlay request (IT request \$39,000). Meeting scheduled with Vista Del Rey MDWCA to discuss options to Supplement Well for Water Rights. Two staff members attended the Tyler Connect Conference in Dallas, week of April 8<sup>th</sup>. Several staff members will be attending the Two Nations One Water Summit at the Farm & Ranch Heritage Museum on April 24-25. Two staff members have submitted registration to the NAD Bank UMI to be held in San Antonio over the next year. The minimum Wage Increase signed by the Governor should not impacted us until 2021. Board had authorized the acquisition of property located at NM Highway 192, but an EBID Special Use Permit was secured so there will be no need to acquire

the property. Ms. Nichols asked if Mr. Lopez had heard from the farmer leasing the 30 acres. Mr. Lopez said he had not but would let her know.

- B. Operations:** Mr. Mike Lopez was not able to attend the meeting but provided a written report. Mr. Martin Lopez stood for questions. There have been many main water line breaks in the Talavera area due to construction. Ms. Nichols asked who was doing the construction. Mr. Lopez said the City of Las Cruces is installing gas lines and the County is following with the paving. Mr. Lopez said he would like to add a discussion about the O&M contract with Talavera to next month's agenda. They are falling behind on payment. Mr. Schroder said they were 3 months behind.
- C. Finance:** Ms. Jackson provided a written report and stood for questions. She said third quarter income was \$260,435.39 and expenditures were \$296,004.46. The audit was paid for during this period. She is on track to meeting the revenue budget and also on track with the expenses. She will be working on budget adjustments in June and will start working on next year's budget soon.
- D. Projects:** Ms. Nichols provided a written report and stood for questions. Members of the Bohannon Huston group are present to provide the award recommendation for the Mesquite-Brazito Wastewater System Improvements. On the agenda today is the Award of Contract for Mesquite-Brazito Sewer Project I. The final walk through for Valle Del Rio Water System Project was held on April 11, 2019, the Valle Del Rio Phase II preliminary design is under way. She had to explain to Angela from NMFA that LRG was awarded more money than requested. If Colonia's funds us, then a request for reauthorization of the Capital Outlay funds will be needed. The website is functional and asked if any of the board members had viewed it yet. She said she is willing to show them where to find the Board of Directors page. She has finalized the Legislative report and can be viewed on the new website.

#### **VIII. Unfinished Business:**

- A. Appointment of Director for District 2 – this item may be postponed:** this item was postponed

#### **IX. New Business:**

- A. Motion to adopt Resolution FY2019-27 Rescinding Resolution FY2018-10 and Adopting Same Resolution with Revised Amounts for CDBG-PG application, Match & Leveraged Funds:** Mr. Lopez said we submitted an application to CDBG for \$100,000.00 for the Water Master Plan but was not accepted and reduced to \$50,000.00. The new resolution is for the reduced amount of \$50,000.00. Mrs. Holguin made the motion to adopt Resolution FY2019-27, Mr. Smith seconded the motion. The motion passed with all in favor.
- B. Motion to adopt Resolution FY2019-28 Adopting Third Quarter Budget Report:** Ms. Jackson gave the update on the third quarter budget during her report. Mrs. Holguin made motion to adopt Resolution FY2019-28, Mr. Evaro seconded the motion the motion passed with all in favor.
- C. Motion to adopt Resolution FY2019-29 Signatory Authority for Project Documents:** Mr. Lopez said it has become necessary to request signatory authority due to various funding agency requirements. Funding agencies require signatory authority for project and project funding

related documents. Mrs. Holguin made the motion to adopt Resolution FY2019-29, Mr. Evaro seconded the motion. The motion passed with all in favor.

- D. Motion to accept Engineer's Recommendation for Award for the Mesquite-Brazito Sewer Project 1 and approve the contract contingent upon USDA RD concurrence:** Ms. Nichols introduced Matt Thompson and Tyler Hopkins from Bohannon and Huston to speak about their recommendations for this project. File Construction, LLC was the lowest bidder for this project. This company is fairly new about 7 years. They have done multiple small jobs. The licensing has been verified and the reference checked. The only two concerns Bohannon Houston have are 1) Will they have adequate staffing thru the entire project. 2) according to the bid provided there will be a 6% contingency, they prefer 10% but believe they can work with 6%. Their recommendation is to award the project to File Construction, LLC. Mrs. Holguin made the motion to accept the Engineer's recommendation to award the Mesquite-Brazito Sewer Project I to File Construction, LLC. Mr. Smith seconded the motion, the motion passed with all in favor.
- E. Motion to rescind the \$144.00 Mesquite-Brazito Sewer Project connection fee for Project I customers not signed up prior to 3/1/19:** Ms. Nichols said Project I is about to begin. So, we need to stop any new customers signing up for that project because we need to know how many we are hooking up at the reduced rate. Mrs. Holguin made the motion to rescind the \$144.00 Mesquite-Brazito Sewer Project connection fee for Project I. Mr. Smith seconded the motion, the motion passed with all in favor.
- F. Motion to set connection fees during construction of Mesquite-Brazito Sewer Project I at \$144.00 minimum plus all project-related costs of the connection and less the prorated amount of construction contingency funds applied to the cost of new connections during the project.** Ms. Nichols said motion is to set the connection fee at \$144.00 for Project I. Mrs. Holguin made the motion to set connection fees for Mesquite-Brazito Sewer Project I to \$144.00 minimum plus all project-related costs of the connection and less the prorated amount of construction contingency funds applied to the cost of new connections during the project. Mr. Smith seconded the motion, the motion passed with all in favor.
- G. Motion to authorize staff to schedule and conduct two public hearings regarding rate adjustments:** Ms. Nichols said Mr. Lopez has done an analysis and looked at consumer price index and will have a recommendation for the board at a later date. All that is needed now, is the authorization to schedule and conduct two public hearings. Mrs. Holguin made the motion to authorize staff to schedule and conduct two public hearings regarding rate adjustments. Mr. Smith seconded the motion, the motion passed with all in favor.
- H. Motion to request SCCOG assistance with ICIP and authorize staff to conduct two ICIP public meetings:** Ms. Nichols said Tiffany from SCCOG has assisted us in the past with ICIP. She is familiar with the state's requirements and ICIP database. The due date for the ICIP has been moved from mid- June to early August. Mr. Smith made the motion to request assistance from SCCOG with ICIP and authorize staff to conduct two ICIP public meetings. Mrs. Holguin seconded the motion, the motion passed with all in favor.

- I. **Motion to authorize staff to apply for East Mesa Water System Improvements Project Phase I construction funds with USDA Rural Development, NM DWSRLF, or other funding agencies as appropriate:** Ms. Nichols said the planning documents are finished and she has started the RD application. She does not want to continue until we know what kind of funding is available. Would like to be authorized to pursue whatever funding works best for LRG. Mrs. Holguin made the motion to authorize staff to apply for East Mesa Water System Improvements Project Phase I funding with appropriate agencies. Mr. Evaro seconded the motion, the motion passed with all in favor.

X. **Other discussion and agenda items for next meeting at 9:30 a.m. Wednesday, May 15, 2019 at the La Mesa Office**

- A. **Have any Board Members participated in training? If so, please give us a copy of your certificate:** Ms. Nichols asked if any of the board members has had any training, no one had.
- B. **PM Legislative Report – Final for 2019 Regular Session**
- C. Review the Talavera O&M Contract
- D. Presentation from EBID staff regarding the gasoline pipeline leak
- E. June/July budget adjustments

- XI. **Motion to Adjourn:** Mrs. Holguin made the motion to adjourn the board meeting at 10:30 a.m. and Mr. Smith seconded the motion. The motion passed with all in favor.

**Minutes approved May 15, 2019**

\_\_\_\_\_  
Michael McMullen, Chairman (District 6)

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Furman Smith, Vice-Chairman (District 7)

\_\_\_\_\_  
Esperanza Holguin, Secretary (District 4)

ABSENT  
\_\_\_\_\_  
Raymundo Sanchez, Director (District 1)

\_\_\_\_\_  
Joe Evaro, Director (District 3)

ABSENT  
\_\_\_\_\_  
Henry Magallanez, Director (District 5)

VACANT  
\_\_\_\_\_  
Director (District 2)

# LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY

## Meeting Notice & Agenda—REGULAR BOARD OF DIRECTORS MEETING

9:30 a.m. Wednesday, April 17, 2019 at our Office, 9774 Butterfield Blvd, Butterfield Park, NM

Agendas are final 72 hours prior to the meeting and may be obtained at any LRGPWWA Office or at

[www.LRGauthority.org/noticesavisos.html](http://www.LRGauthority.org/noticesavisos.html). Call 575-233-5742 or email [board@LRGauthority.org](mailto:board@LRGauthority.org) for information

- I. Call to Order, Roll Call to Establish Quorum: District #1 (Mr. Sanchez) \_\_, #2 (Vacant) \_\_, #3 (Mr. Evaro) \_\_, #4 (Mrs. Holguin) \_\_, # 5 (Mr. Magallanez) \_\_, #6 (Mr. McMullen) \_\_, #7 (Mr. Smith) \_\_
- II. Pledge of Allegiance
- III. Motion to approve Agenda (VIII A. may be postponed)
- IV. Approval of Minutes – Motion to approve the minutes of the February 20, 2019 Regular Board Meeting.
- V. Presentations: none
- VI. Public Input—15 minutes are allotted for this item, 3 minutes per person
- VII. Managers’ Reports
  - A. General Manager
  - B. Operations
  - C. Finance
  - D. Projects
- VIII. Unfinished Business
  - A. Appointment of Director for District 2 – this item may be postponed
- IX. New Business
  - A. Motion to adopt Resolution FY2019-27 Rescinding Resolution FY2018-10 and Adopting Same Resolution With Revised Amounts for CDBG-PG application, Match & Leveraged Funds
  - B. Motion to adopt Resolution FY2019-28 Adopting Third Quarter Budget Report
  - C. Motion to adopt Resolution FY2019-29 Signatory Authority for Project Documents
  - D. Motion to accept Engineer’s Recommendation for Award for the Mesquite-Brazito Sewer Project 1 and approve the contract contingent upon USDA RD concurrence
  - E. Motion to rescind the \$144.00 Mesquite-Brazito Sewer Project connection fee for Project 1 customers not signed up prior to 3/1/19.
  - F. Motion to set connection fees during construction of Mesquite-Brazito Sewer Project 1 at \$144 minimum plus all project-related costs of the connection and less the prorated amount of construction contingency funds applied to the cost of new connections during the project.

- G.** Motion to authorize staff to schedule and conduct two public hearings regarding rate adjustments.
  - H.** Motion to request SCCOG assistance with ICIP and authorize staff to conduct two ICIP public meetings
  - I.** Motion to authorize staff to apply for East Mesa Water System Improvements Project Phase I construction funds with USDA Rural Development, NM DWSRLF, or other funding agencies as appropriate.
- X.** Other discussion and agenda items for next meeting at 9:30 a.m. Wednesday, May 15, 2019 at the La Mesa Office.
- A.** Have any Board Members participated in training? If so, please give us a copy of your certificate
  - B.** PM Legislative Report – Final for 2019 Regular Session

**XI. Motion to 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 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. Thursday, March 21, 2019 at our Office, 325 Holguin Road, Vado, NM

Agendas are final 72 hours prior to the meeting and may be obtained at any LRGPWWA Office or at [www.LRGauthority.org/noticesavisos.html](http://www.LRGauthority.org/noticesavisos.html). Call 575-233-5742 or email [board@LRGauthority.org](mailto:board@LRGauthority.org) for information

- I. **Call to Order, Roll Call to Establish Quorum:** Vice Chairman Mr. Smith called the meeting to order at 9:31 a.m. and called roll. Mr. Sanchez representing District #1 was absent, District #2 is vacant, Mr. Evaro representing District #3 was present, Mrs. Holguin representing District #4 was present, Mr. Magallanez representing District # 5 was present, Mr. McMullen representing District #6 was absent, Mr. Smith representing District #7 was present. Staff members present were General Manager Martin Lopez, Projects Manager Karen Nichols, Finance Manager Kathi Jackson, Finance Assistant John Schroder, Operations Manager Mike Lopez, Projects Specialist Patricia Charles and Guest Phyllis J. Smith.
- II. **Pledge of Allegiance:** Mr. Smith led the pledge of Allegiance.
- III. **Motion to approve Agenda (VIII A. may be postponed):** Mr. Lopez requested that after IV we proceed to IX New Business items A, B, C & D. Mrs. Holguin made the motion to approve the agenda with the changes suggested by Mr. Lopez. Mr. Evaro seconded the motion, the motion passed with all in favor.
- IV. **Approval of Minutes – Motion to approve the minutes of the February 20, 2019 Regular Board Meeting:** Mrs. Holguin made the motion to approve the minutes for the February 20, 2019 Regular Board Meeting. Mr. Magallanez seconded the motion, the motion passed with all in favor.
- V. **Presentations:** none
- VI. **Public Input:** none
- VII. **Managers' Reports**
  - A. **General Manager:** Mr. Lopez provided a report and stood for questions. Mr. Lopez informed the board that the 4 new trucks were picked up in Los Lunas on March 14<sup>th</sup>. 2 were authorized on the general budget, 1 was purchased with proceeds from the equipment auction and 1 was purchased with a partial grant from USDA-RD. The \$144.00 connection fee for the Sewer Project Phase 1 will have to rescinded at the next Board meeting. The project is out for bid now and the connection fee will be at what ever cost the contractor provides. The \$144.00 connection fee will be available to customers for Phase 2.
  - B. **Operations:** Mr. Mike Lopez provided a report and stood for questions. Mr. Lopez mentioned that we used 2 million gallons more in February, 2019 over February 2018. This is mostly because of the addition of High Valley. Mr. Smith asked if Dona Ana County was still going to install a dam in the East Mesa area. Mr. Lopez said they will be installing a series of 3 dams/ponds in the East Mesa area.



- C. **Finance:** Ms. Jackson provided a report and stood for questions. Ms. Jackson said LRG took in \$333,000.00 and spent \$227,628.00. 130 meters were replaced in February. Same amount will be replaced this month. LRG will be replacing meters until all the old ones are replaced.
- D. **Projects:** Ms. Nichols provided a report and stood for questions. No one had any questions regarding the report. She mentioned that EBID would give this board an update on the Kinder Morgan Gas Spill presentation at the May meeting. The presentation is on the Board member website for review. Mr. Martin Lopez wanted to congratulate Ms. Nichols and her staff for the capital outlay requests. All Capital Outlay requests were funded, some for more funds than we requested.

## VIII. Unfinished Business

- A. **Appointment of Director for District 2 – this item may be postponed**

## IX. New Business

- A. **Motion to adopt Resolution FY2019-26 Authorizing Local Government Planning Grant Agreement 3804-PG:** Mr. Lopez said this resolution is for processing the reimbursement on the East Mesa Environmental Document. LRG will be receiving between \$47,000.00 - \$48,000.00 in reimbursements. Mrs. Holguin made the motion to adopt Resolution FY2019-26 authorizing Local Government Planning Grant Agreement 3804-PG. Mr. Magallanez seconded the motion, the motion passed with all in favor.
- B. **Motion to commit up to \$50,000 of LRGPWWA Operating Funds in conjunction with CDBG or NMFA Planning Grant to complete Water Master Plan:** Mr. Lopez reminded the board that LRG had applied for \$100,000.00 in funding from CDBG. But the most they could Award was \$50,000.00. Mrs. Holguin made the motion to commit up to \$50,000.00 of LRGPWWA operating funds in conjunction with CDBG or NMFA Planning Grant to complete Water Master Plan. Mr. Magallanez seconded the motion, the motion passed with all in favor.
- C. **Motion to authorize termination of membership for delinquent accounts:** Mr. Lopez told the board they were provided with a list of customers accounts that have gone thru the Collections process and have not paid the delinquent accounts. Termination of membership is the last step of the Collections process. Some accounts will have to be written off and some have had liens placed on customers properties. Mr. Magallanez made the motion to authorize termination of membership for delinquent accounts. Mrs. Holguin seconded the motion, the motion passed with all in favor.
- D. **Motion to convene in closed session pursuant to NMSA 1978 10-15-1 H.7-threatened or pending litigation, and NMSA 1978 10-15-1 H.8 regarding the acquisition of real property or water rights.** At 9:40 a.m. Mrs. Holguin made the motion to convene in closed session. Mr. Magallanez seconded the motion. Mr. Lopez requested that Staff and guests present at meeting be allowed to stay thru closed session. Vice Chair Smith granted the request. Mrs. Holguin amended the motion to include the presence of Staff and guests in closed session. Mr. Magallanez amended his motion. The motion passed with all in favor.

- i. **Roll Call Vote:** Vice Chair Mr. Smith called roll for closed session District #1, Mr. Sanchez was absent, District #2 is vacant, District #3, Mr. Evaro voted yes, District #4, Mrs. Holguin voted yes, District #5, Mr. Magallanez voted yes, District #6, Mr. McMullen was absent, District #7, Mr. Smith voted yes. Motion carried on a vote of 4-0.
  - ii. **Motion to reconvene in open session:** at 9:49 a.m. Mrs. Holguin made the motion to reconvene in open session. Mr. Evaro seconded the motion, the motion passed with all in favor.
  - iii. **Statement by the Chair:** Vice Chair Mr. Smith stated that the matters discussed in the closed meeting were limited only to those specified in the motion for closure.
  - iv. Mrs. Holguin made the motion to approve, based on the project engineer's recommendation, the acquisition of a portion of the property located on NM Highway 192 and owned by AGRI SUN, Inc. in the event that an EBID Special Use Permit cannot be obtained for their property along Hwy. 192 at Hess Spur Drain because the location of the property is necessary to the completion of the Mesquite-Brazito Wastewater System Improvements Project. *(NOTE: if an EBID Special Use Permit can be obtained, there will be no need for this property acquisition)*. Mr. Magallanez seconded the motion, the motion passed with all in favor.
- X. **Other discussion and agenda items for next meeting at 9:30 a.m. Wednesday, April 17, 2019 at the East Mesa Office.**
- A. **Have any Board Members participated in training? If so, please give us a copy of your certificate**
  - B. **PM Legislative Report as of end of session, report will be final after the Pocket Veto Date**
- XI. **Motion to Adjourn:** Mrs. Holguin made the motion to adjourn the board meeting at 10:00 a.m. Mr. Magallanez seconded the motion, the motion passed with all in favor.

ABSENT

Michael McMullen, Chairman (District 6)

Furman Smith, Vice-Chairman (District 7)

Esperanza Holguin, Secretary (District 4)

ABSENT

Raymundo Sanchez, Director (District 1)

Joe Evaro, Director (District 3)

Henry Magallanez, Director (District 5)

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Director (District 2)

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- A. **Appointment of Director for District 2 – this item may be postponed**

## IX. New Business

- A. **Motion to adopt Resolution FY2019-26 Authorizing Local Government Planning Grant Agreement 3804-PG:** Mr. Lopez said this resolution is for processing the reimbursement on the East Mesa Environmental Document. LRG will be receiving between \$47,000.00 - \$48,000.00 in reimbursements. Mrs. Holguin made the motion to adopt Resolution FY2019-26 authorizing Local Government Planning Grant Agreement 3804-PG. Mr. Magallanez seconded the motion, the motion passed with all in favor.
- B. **Motion to commit up to \$50,000 of LRGPWWA Operating Funds in conjunction with CDBG or NMFA Planning Grant to complete Water Master Plan:** Mr. Lopez reminded the board that LRG had applied for \$100,000.00 in funding from CDBG. But the most they could Award was \$50,000.00. Mrs. Holguin made the motion to commit up to \$50,000.00 of LRGPWWA operating funds in conjunction with CDBG or NMFA Planning Grant to complete Water Master Plan. Mr. Magallanez seconded the motion, the motion passed with all in favor.
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  - ii. **Motion to reconvene in open session:** at 9:49 a.m. Mrs. Holguin made the motion to reconvene in open session. Mr. Evaro seconded the motion, the motion passed with all in favor.
  - iii. **Statement by the Chair:** Vice Chair Mr. Smith stated that the matters discussed in the closed meeting were limited only to those specified in the motion for closure.
  - iv. Mrs. Holguin made the motion to approve, based on the project engineer's recommendation, the acquisition of a portion of the property located on NM Highway 192 and owned by AGRI SUN, Inc. in the event that an EBID Special Use Permit cannot be obtained for their property along Hwy. 192 at Hess Spur Drain because the location of the property is necessary to the completion of the Mesquite-Brazito Wastewater System Improvements Project. *(NOTE: if an EBID Special Use Permit can be obtained, there will be no need for this property acquisition)*. Mr. Magallanez seconded the motion, the motion passed with all in favor.
- X. Other discussion and agenda items for next meeting at 9:30 a.m. Wednesday, April 17, 2019 at the East Mesa Office.**
- A. Have any Board Members participated in training? If so, please give us a copy of your certificate**
  - B. PM Legislative Report as of end of session, report will be final after the Pocket Veto Date**
- XI. Motion to Adjourn:** Mrs. Holguin made the motion to adjourn the board meeting at 10:00 a.m. Mr. Magallanez seconded the motion, the motion passed with all in favor.

**Minutes approved April 17, 2019**

ABSENT

Michael McMullen, Chairman (District 6)

\_\_\_\_\_  
Furman Smith, Vice-Chairman (District 7)

\_\_\_\_\_  
Esperanza Holguin, Secretary (District 4)

ABSENT

Raymundo Sanchez, Director (District 1)

\_\_\_\_\_  
Joe Evaro, Director (District 3)

\_\_\_\_\_  
Henry Magallanez, Director (District 5)

VACANT

\_\_\_\_\_  
Director (District 2)

**LRGPWWA**  
**Manager's Report**  
**April 17, 2019**

- Notified by NM Office of the State Engineer that water was over pumped at Vado Land by 3%, testing the meter first for accuracy; determine if over pumping occurred to LRGPWWA obtaining ownership; coordinating with Lessee to make up difference or cut back on pumping this year
- New Website is operational
- Governor vetoed one Capital Request (IT request \$39,000)
- Meeting scheduled with Vista Del Rey MDWCA to discuss options to Supplement Well for Water Rights
- Several staff will attend the “Two Nations One Water” Summit at the Farm and Ranch Heritage Museum on April 24<sup>th</sup> and 25<sup>th</sup>
- Two staffers have submitted registration to the NAD Bank UMI to be held in San Antonio over the next year-most expenses covered by the UMI
- Two staffers attended the Tyler Connect Conference in Dallas the week of April 8<sup>th</sup>
- I will not be participating in the County's Census Committee
- I shut down the office on Wednesday, April 10<sup>th</sup> at 4 pm due to high wind conditions (safety concerns)
- Minimum Wage Increases signed by Governor:
  - January 1, 2020 \$ 9.00
  - January 1, 2021 \$10.50
  - January 1, 2020 \$11.50
  - January 1, 2021 \$12.00



# **Lower Rio Grande PWWA**

## **Operators Report**

**April 17, 2019**

### **System Problems and Repairs.**

- Backflow inspections are Current. (Mesquite District)
- For the month of February, we were issued 510 work and service orders.
- For the month of March, we were issued 422 work and service orders.
- For the month of March, we installed 5 new water and one new sewer connection.
- The two Gas Chlorine Units are in operation and working very well, we will save a lot of money by changing to Gas.
- We had one main line break at Alto De Los Flores.
- We had one small line breaks at the East Mesa.
- We have had a lot of main line water breaks in Talavera due to the construction.
- JJ and I have installed a brand new 4" ABB Mag meter at East Mesa well #2 and Timberline helped us intergrade it into the SCADA.

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

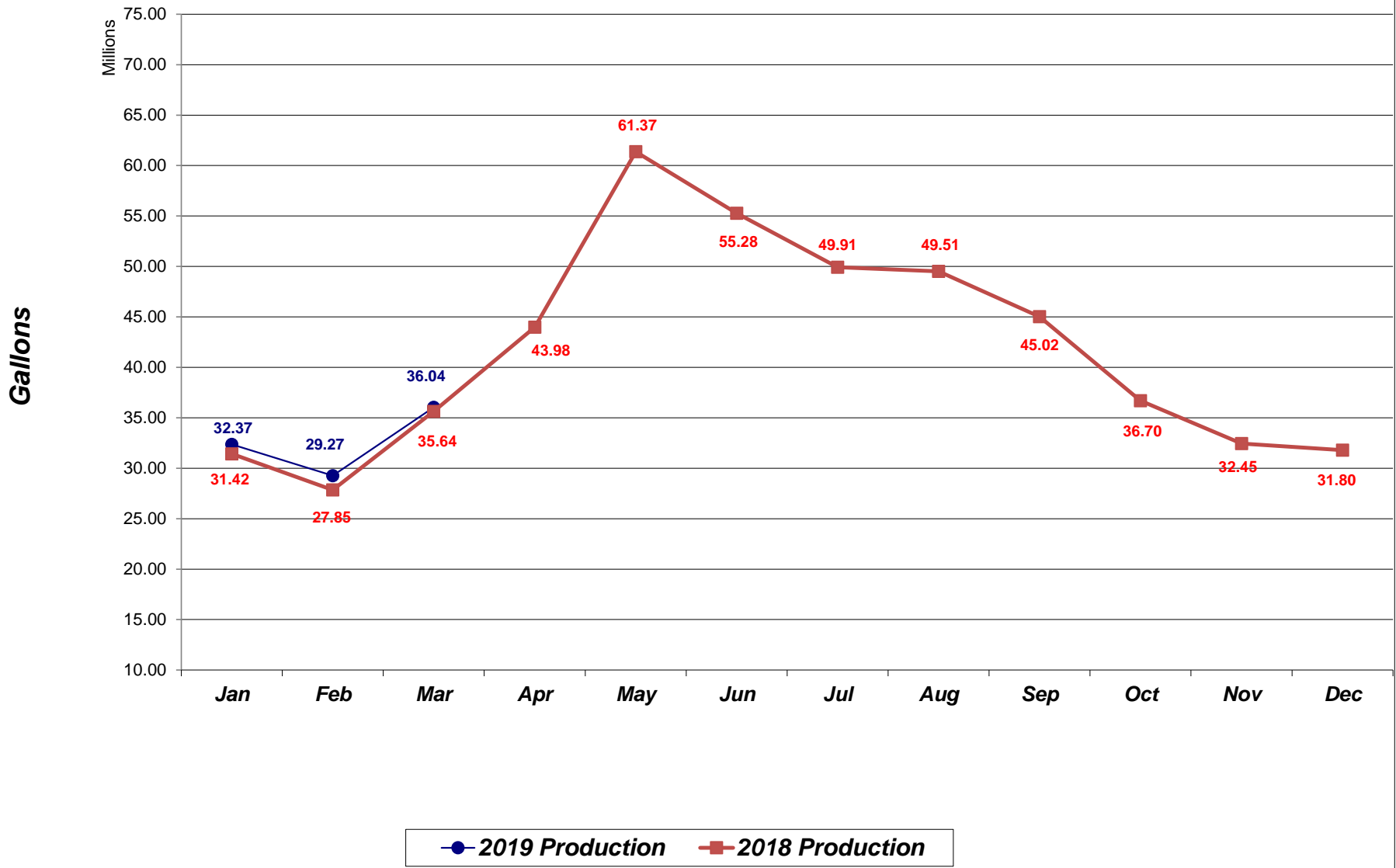
**Mesquite district Wetlands:** NMED is going to require us to drill 3 monitoring wells as the existing are dry.

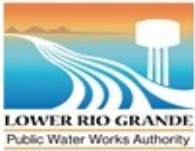
**Mesquite and Organ Sewer Reports.** The Organ Wastewater and the Mesquite wastewater reports were sent February 1, 2019.

**Chlorine:** No problems.

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

# Lower Rio Grande PWWA Water Production Report





Lower Rio Grande Public Water Works Authority

# Income Statement

## Group Summary

For Fiscal: FYE 2019 Quarter Ending: 03/31/2019

AcctNumber	Current Total Budget	MTD Activity	QTD Activity	YTD Activity	Budget Remaining	
<b>Revenue</b>						
40000 - Operating Revenue	2,861,000.00	191,649.00	581,991.47	2,275,439.72	585,560.28	
40001 - Activation & Connection Fees-Sewer	1,300.00	0.00	0.00	0.00	1,300.00	
40002 - Installation Fees	25,000.00	33,783.55	50,753.31	101,015.78	-76,015.78	
40003 - Activation & Connection Fees-Water	3,600.00	1,258.30	3,424.98	6,700.00	-3,100.00	
40004 - Meter Relocation	1,500.00	0.00	0.00	0.00	1,500.00	
40005 - Backflow Testing	3,500.00	0.00	250.00	3,950.00	-450.00	
40006 - Tampering Fee/Line Breaks	1,500.00	194.76	804.13	3,058.95	-1,558.95	
40007 - Delinquency Fee	20,000.00	6,950.00	20,600.00	66,800.00	-46,800.00	
40008 - Penalties-Water	50,000.00	5,914.00	18,521.20	74,114.11	-24,114.11	
40009 - Membership Fees	3,000.00	500.00	1,450.00	5,500.00	-2,500.00	
40010 - Impact Fees	20,000.00	9,688.31	15,471.65	43,113.30	-23,113.30	
40011 - Returned Check Fees	1,500.00	245.00	350.00	735.00	765.00	
40012 - Credit Card Fees	6,000.00	872.00	2,434.00	8,040.00	-2,040.00	
40013 - Miscellaneous Revenue	500.00	50.00	95.00	285.00	215.00	
40015 - Penalties-Sewer	5,200.00	438.91	1,467.31	5,073.69	126.31	
40016 - Meter Test Fee	500.00	0.00	0.00	-2,174.56	2,674.56	
40017 - Hydrant Meter Rental Fee	2,000.00	250.00	500.00	1,250.00	750.00	
40018 - Permit Fees	1,100.00	0.00	0.00	0.00	1,100.00	
40019 - DAC Trash Coupons	900.00	46.00	138.00	468.00	432.00	
40020 - Miscellaneous Revenue-Sewer	1,500.00	41.29	123.87	-948.91	2,448.91	
45000 - Tower Rent	15,000.00	250.00	750.00	2,250.00	12,750.00	
45001 - Billing Adjustments-Water	0.00	-1,963.04	-3,770.82	-15,757.80	15,757.80	
45005 - Fiscal Agent Fees	35,000.00	4,988.66	14,176.31	43,868.14	-8,868.14	
45010 - Interest	600.00	40.73	131.20	365.87	234.13	
45015 - Copy/Fax	400.00	23.00	86.00	189.75	210.25	
45020 - Other Income	10,000.00	87.73	1,329.67	50,209.47	-40,209.47	
45025 - Contract Services	50,000.00	5,027.19	13,292.87	42,738.24	7,261.76	
45030 - Transfers In	0.00	0.00	100,000.00	100,000.00	-100,000.00	
49000 - Recovered Bad Debts	0.00	100.00	200.00	350.00	-350.00	
	<b>Revenue Total:</b>	<b>3,120,600.00</b>	<b>260,435.39</b>	<b>824,570.15</b>	<b>2,816,633.75</b>	<b>303,966.25</b>
<b>Expense</b>						
60010 - Audit	15,000.00	5,256.25	5,256.25	13,666.25	1,333.75	
60016 - Adjustments	0.00	-300.00	-6,793.33	-17,155.83	17,155.83	
60020 - Bank Service Charges	15,000.00	1,804.47	4,037.52	12,198.97	2,801.03	
60025 - Cash Short/Over	300.00	-14.00	-14.00	21.23	278.77	
60030 - Dues and Subscriptions	5,000.00	0.00	730.69	3,444.55	1,555.45	
60035 - Engineering Fees	0.00	-3,552.88	519.99	5,989.77	-5,989.77	
60045 - Late Fees	1,000.00	0.00	28.11	28.11	971.89	
60050 - Legal Fees	0.00	1,999.37	2,303.19	4,208.59	-4,208.59	
60055 - Legal Notices	2,500.00	0.00	0.00	77.21	2,422.79	
60060 - Licenses & Fees	5,000.00	-4,273.00	-844.00	3,547.00	1,453.00	
60065 - Meals	2,500.00	81.63	215.29	1,303.25	1,196.75	
60075 - Permit Fees	0.00	0.00	3,307.81	6,015.62	-6,015.62	
60080 - Postage	30,500.00	344.42	640.03	2,169.06	28,330.94	

60090 - Professional Fees-Other	600.00	-379.09	-379.09	0.00	600.00
60100 - Project Development	0.00	0.00	6,889.31	6,889.31	-6,889.31
60115 - Talavera Expenses	0.00	7.07	7.07	896.64	-896.64
60116 - Alto De Las Flores Expenses	0.00	0.00	0.00	72.39	-72.39
60120 - Retirement Account Fees	2,500.00	0.00	1,041.80	4,325.07	-1,825.07
60130 - Training	5,000.00	150.00	425.00	3,314.85	1,685.15
60140 - Travel:Airfare Per Diem	0.00	308.96	308.96	815.83	-815.83
60150 - Travel:Lodging Per Diem	5,000.00	403.74	403.74	4,593.64	406.36
60155 - Travel:Meals Per Diem	5,000.00	79.87	79.87	806.98	4,193.02
60160 - Travel:Mileage/Parking Per Diem	0.00	0.00	0.00	620.11	-620.11
60165 - Travel:Vehicle Rental Per Diem	0.00	0.00	0.00	163.49	-163.49
60175 - Fixed Asset Disposal Fees	1,500.00	0.00	0.00	0.00	1,500.00
60600 - Debit Service	148,000.00	9,460.14	23,714.92	97,063.60	50,936.40
60625 - Interest paid to NMED	0.00	0.00	0.00	1,907.90	-1,907.90
60650 - Interest paid to NMFA	37,000.00	3,846.18	7,685.72	19,001.06	17,998.94
60675 - Interest paid to USDA	130,000.00	10,629.36	31,888.08	115,653.95	14,346.05
63000 - Regular Pay	885,000.00	125,112.56	266,853.14	744,180.74	140,819.26
63001 - Overtime	30,000.00	4,094.70	11,229.88	28,914.19	1,085.81
63006 - Holiday Pay	55,000.00	5,439.61	18,202.24	43,431.19	11,568.81
63007 - Sick Pay	60,000.00	4,920.64	16,044.80	33,343.91	26,656.09
63008 - Annual Leave Pay	80,000.00	2,472.74	15,368.14	44,883.55	35,116.45
63010 - 401K 10% Company Contribution	101,500.00	0.00	0.00	0.00	101,500.00
63030 - Accrued Leave	75,000.00	0.00	0.00	0.00	75,000.00
63060 - Contract Labor	10,000.00	0.00	0.00	2,412.58	7,587.42
63070 - Employee Benefits-401K Contrib	41,000.00	4,013.90	9,242.49	25,223.27	15,776.73
63090 - HISC-Blue Medicare Rx.	500.00	0.00	0.00	0.00	500.00
63100 - Insurance-Dental	15,000.00	1,161.80	3,449.28	9,626.00	5,374.00
63110 - Insurance-Health	175,000.00	22,957.46	68,341.42	204,328.80	-29,328.80
63115 - Salaries: Insurance - Work Comp	20,000.00	1,846.00	5,342.00	13,433.00	6,567.00
63125 - Insurance: Life & Disability	0.00	0.09	17.11	-32.60	32.60
63130 - Mileage	1,500.00	9.58	9.58	533.64	966.36
63135 - Drug Testing	1,500.00	0.00	0.00	0.00	1,500.00
63160 - Payroll Taxes-Medicare	18,500.00	2,059.59	4,751.63	12,974.12	5,525.88
63170 - Payroll Taxes-Social Security	73,000.00	8,806.50	20,317.26	55,474.73	17,525.27
63195 - Taxes, Liability, Insurance: Cobra Fee	1,000.00	0.00	0.00	0.00	1,000.00
63200 - Vision Insurance	5,000.00	338.44	1,029.94	2,912.91	2,087.09
64100 - Sewer:DAC Waste Water Flow Charge	40,000.00	6,798.84	19,649.38	31,238.42	8,761.58
64200 - Sewer:Electricity-Sewer	9,000.00	0.00	1,387.07	5,965.32	3,034.68
64300 - Sewer:Lab & Chemicals-Sewer	10,000.00	900.50	2,961.45	8,719.75	1,280.25
64500 - Sewer:Supplies & Materials	0.00	0.00	0.00	220.00	-220.00
65010 - Automobile Repairs & Maint.	40,000.00	5,047.58	14,182.69	44,572.09	-4,572.09
65230 - Computer Maintenance	58,000.00	5,245.37	14,195.50	54,157.07	3,842.93
65240 - Equipment Rental	2,500.00	0.00	395.57	1,006.18	1,493.82
65250 - Fuel	60,000.00	5,113.44	13,743.89	52,089.93	7,910.07
65270 - Lab Chemicals-Water	5,000.00	108.32	1,220.15	1,745.22	3,254.78
65275 - SCADA Maintenance Fee	2,000.00	0.00	0.00	0.00	2,000.00
65276 - Test Equipment Calibration	2,000.00	0.00	0.00	0.00	2,000.00
65277 - Generator Maintenance Contract	3,000.00	0.00	0.00	0.00	3,000.00
65278 - Meter Testing/Repair/Replacement	36,000.00	0.00	4,618.48	6,118.48	29,881.52
65280 - Lab Chemicals-Water:Chemicals	35,000.00	1,736.52	5,615.92	24,252.19	10,747.81
65300 - Locates	6,000.00	0.00	0.00	0.00	6,000.00
65310 - Maint. & Repairs-Infrastructure	84,000.00	4,644.21	5,944.69	17,489.61	66,510.39
65320 - Maint. & Repairs-Office	10,000.00	2,408.19	2,408.19	17,270.39	-7,270.39
65330 - Maintenance & Repairs-Other	120,500.00	5,453.42	41,110.58	166,308.46	-45,808.46
65340 - Materials & Supplies	45,000.00	14,539.08	22,300.42	61,720.73	-16,720.73

65345 - Non Inventory-Consumables	65,000.00	1,173.37	5,930.08	27,923.56	37,076.44
65350 - Office Supplies	5,000.00	2,680.94	3,728.74	9,582.18	-4,582.18
65360 - Printing and Copying	20,000.00	6,482.72	9,987.34	30,962.78	-10,962.78
65370 - Tool Furniture	5,000.00	689.58	926.88	5,983.93	-983.93
65390 - Uniforms-Employee	11,200.00	759.43	2,761.97	10,129.97	1,070.03
65490 - Cell Phone	20,000.00	0.00	0.00	7,849.85	12,150.15
65500 - Electricity-Lighting	6,000.00	270.56	1,164.82	4,494.63	1,505.37
65510 - Electricity-Offices	15,000.00	660.47	2,535.89	10,530.02	4,469.98
65520 - Electricity-Wells	211,000.00	9,811.95	41,268.67	148,936.74	62,063.26
65530 - Garbage Service	2,500.00	219.58	658.74	4,486.13	-1,986.13
65540 - Natural Gas	3,000.00	126.08	602.63	1,411.69	1,588.31
65550 - Security/Alarm	5,000.00	0.00	0.00	2,886.02	2,113.98
65560 - Telephone	20,000.00	1,307.95	19,900.09	30,030.60	-10,030.60
65561 - Telstar Maintenance Contract	7,000.00	0.00	0.00	0.00	7,000.00
65570 - Wastewater	2,000.00	90.56	452.80	1,534.80	465.20
66100 - Government Penalties & Interest	0.00	0.00	0.00	5.00	-5.00
66200 - Insurance-General Liability	75,000.00	0.00	16,136.00	52,697.00	22,303.00
66500 - Property Taxes	0.00	-228.28	-228.28	117.76	-117.76
66700 - Water Conservation Fee	20,000.00	877.98	2,803.04	10,904.52	9,095.48
00000 - To Reserves	0.00	10,000.00	30,000.00	197,243.95	-197,243.95
<b>Expense Total:</b>	<b>3,120,600.00</b>	<b>296,004.46</b>	<b>810,015.23</b>	<b>2,563,863.60</b>	<b>556,736.40</b>

**LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY  
PROJECTS REPORT – 4/17/19**

**LRG-11-02.2 – Mesquite-Brazito Sewer Project** – Bohannon Huston, Inc. – LOC-Design 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, Colonia’s Grants of \$6,356,474 & \$119,407 – File Construction was the low bidder out of 5 bids received. Engineer’s recommendation for award of contract is on today’s agenda. Bids were higher than the engineer’s estimate of probable cost, so current funding will only cover the base bid, and the additive alternates will be moved to Project 2.

**LRG-17-01 – Mesquite-Brazito Sewer Project 2** – Bohannon Huston, Inc. – Design Stage – USDA-RD LOC \$15,030,780 – Letter of Conditions was issued by USDA-RD on 3/5/18 for \$6,189,000 loan and \$8,030,000 Colonia’s Grant. 8th Request for Funds from RCAC bridge loan has been submitted and funds received. 95% submittal was scheduled for 4/12/19. BHI is revising the construction cost estimate in light of bids received on Project 1, and we should see the 95% plan & spec set this week.

**LRG-11-03 – Interconnect & Looping Project** – see LRG-18-02 for current portion – Stern Drive Line Ext.

**LRG-11-05 – South Valley Water Supply & Treatment Project WTB #252**– Bohannon Huston - Design stage - \$750,000 WTB – 10% Loan 10% Match: USDA-RD format PER, and it has been submitted to USDA-RD, comments received and addressed and approval is pending, Environmental Report has been submitted, and a funding application is ongoing at their online application site. Ms. Alarcon sent over the 15-day letter, and those documents have been provided. She is working toward issuing an LOC as we are completing application documents.

**LRG-17-01 – Water Master Plan – WTB #252**: CDBG Public Hearing was held 1/9/18. Ms. Goolsby, SCCOG, has submitted the application for \$100k planning grant for this project. NM DFA-LGD staff denied our waiver request, and we will be editing the application to apply for \$50k. NMFA Local Planning would let us apply for \$50k to complete the needed funding for this plan in conjunction with a CDBG grant, but NM DFA-LGD considers that to be “double-dipping” and does not allow it. There is a Resolution on today’s agenda to commit LRGPWWA funds in addition to a planning grant to complete the plan.

**LRG-17-02 – Central Office Building – DW-4213 \$3,285,619**: Current work is in the Programming Phase of the project which is to be complete in Feb 2019. The final of 3 meetings identified for the Programming Phase of the project was held on 2/19/19. Architect is developing floor plans for 2 buildings to equal a total of roughly 8,715 sf on a single site to consolidate LRG’s services: Building 1 (approx. 5,835 sf) – Primary office functions; modular building construction and Building 2 (approx. 2,880 sf) – Operations; pre-engineered metal building. Engineering Agreement amendments for scope modification to address the two-building concept and to move on to the design phase are still in development as they are getting cost estimates for the utilities from Vencor.

**Forty-Year Water Plan – CE&M – complete – needs update for new mergers after Brazito combine & commingle**: pending NM-OSE comments/approval. Currently only includes the initial five systems.

**LRG-13-03 – Valle Del Rio Water System Project** – Construction Stage & Ph. II Design - \$1,197,708 DWSRLF funding - \$898,281 principal forgiveness – 299,427 loan repayment – Souder, Miller & Associates: The final walk through of the project was held on April 11, 2019. SMA is working with JCH to reprogram the PLC on the booster skid and with Morrow Ent. to completed the close out documents by

April 26, 2019. Valle Del Rio Ph. II Preliminary Design is under way, with the alignments of the new waterlines completed. SMA is currently working on the layout of the appurtenances and technical specifications.

**LRG-17-03 – Planning Documents for East Mesa Water System Improvements Project – NMFA 3803-PG & 3804-PG – Funding Application** –Application to USDA-RD for Phase I funding has been initiated and is on hold until we complete the S. Valley Water Supply & Treatment Project application. Authorization to apply for RD and other funding agencies for Phase I construction funds is on today’s agenda. Funding application for Ph. I design is pending at Colonia’s Infrastructure, and their board meets next week.

**LRG-18-01 – High Valley Water System Improvements Project – NMFA 4645-CIF18 – Design & Construction – Souder, Miller & Assoc.**– SMA is finalizing the well details and outlining the alternate options for rehab of the well. SMA will be providing a plan set for review to LRG this week.

**LRG-18-02 – Stern Drive Waterline Extension Project – Design/Build - \$150,000 SAP** – Owner comments have been incorporated into the design. SMA will be submitting the design package to NMED-CPB for review and comments this week as well as an NMDOT Utility Permit for Owner’s review and execution.

**LRG-18-03 – Jacquez Waterline Extension Project – Design/Build - \$50,000 SAP – Wilson & Co.** –Bid documents have been submitted NMED-CPB and are pending review & approval. NM Legislature approved \$139k in Capital Outlay funds for the project.

**LRG-19-09 – S. Valley Service Area Line Extensions** – The Legislature appropriated \$3 million to the Local Government Planning fund at NMFA, and that bill has been signed by the governor. We are considering applying for PER funding.

### **Other projects:**

**Documents Retention & Destruction** – Sorting of old association documents for storage or destruction is ongoing, and staff is implementing approved retention/destruction schedules for LRGPWWA documents. No bins been sent out for shredding in the past month, but have received some documents from Finance and expect to send a bin out this week or next.

**Website and Email** – New website is live, beautiful, and mobile-friendly! Sullivan Design continues to work on optimization and final tweaks. John, Delmy, Patty and I attended training on working with WordPress to keep it updated.

**Source Water Protection Plan Update** - NMED has authorized technical assistance from D.B. Stephens & Associates to update the plan to incorporate High Valley. I made some edits to the current plan at the beginning, Patty is coordinating this on our end. First draft of the updated plan was submitted back to us on 2/20/19, and JJ has provided some updated data. DBSA has completed the final draft and is reviewing, so we should see it soon.

**Training** – Patty and I attended a webinar on EPA’s Online Drinking Water Training System

**Lower Rio Grande Water Users Organization** – nothing new to report



**As Needed Engineering Services** - Currently we have two active Task Orders: One with BHI for securing the SLO Permit, and one with Vencor for GIS Ph. VII.

**Collection & Lien Procedures** - Third set of liens have been filed, certified letters have been sent out for a fourth set. 84 first notifications, 77 certified letters have been sent and 35 liens have been filed to date. Angie & Patty are working on the next set of liens.

**NM Legislature** – Session ended 3/16/19, Pocket Veto date was 4/5/19, and the Legislative Report is now final. The legislature funded all six of our Capital Outlay Requests, and the Governor line-item vetoed one of them, \$39k for Execu-Time software. We had actually requested \$19k for this one, so perhaps the discrepancy in the amount awarded by the Legislature was a factor in the veto.

**LRGPWWA 2019 Election** –Contractor at UNM working for the NM Secretary of State Office used the maps and data we provided to develop a voting district map for the upcoming election.

**Water Audits** – Water Audit data collection is ongoing. Water Audits for calendar 2018 will be scheduled soon.

Lower Rio Grande Public Water Works Authority  
Projects Manager's Report - 2016 NM Legislature

[https://www.nmlegis.gov/Legislation/Legislation\\_List](https://www.nmlegis.gov/Legislation/Legislation_List)

As of 4/5/19 FINAL

Red indicates DEAD - Green indicates passed

2019 Session Dates:

**December 17, 2018 - January 11, 2019** - Legislation may be pre-filed

**January 15** - Opening day (noon)

**February 14** - Deadline for introduction

**February 18 – Colonias Day**

**March 16** - Session ends (noon)

**April 5** - Legislation not acted upon by governor is pocket vetoed

**June 14** - Effective date of legislation not a general appropriation bill or a bill carrying an emergency clause or other specified date

2018 Bills of Interest:

**\*HB 17 WATER LEASES & USE OF LEASED WATER** **Christine Chandler, Peter Wirth**  
CLARIFYING THAT A LEASE OF A WATER RIGHT AND SUBSEQUENT USE OF THAT WATER SHALL NOT TAKE EFFECT UNTIL AFTER THE APPLICATION HAS BEEN APPROVED IN ACCORDANCE WITH LAW; DECLARING AN EMERGENCY  
[2] HAWC/HJC-HAWC [9] DP/a-HJC [12] DP - PASSED/H (58-0) [21] SCONC-SCONC [22] DP [23] PASSED/S (35-0) SGND BY GOV (Apr. 2) Ch.121.

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**HB 26 FEES FOR PUBLIC DOCUMENTS** **William "Bill" Pratt**  
ALLOWING A CUSTODIAN OF PUBLIC RECORDS TO CHARGE A REASONABLE FEE FOR ELECTRONIC DOCUMENTS  
[6] HSEIC-HSEIC [9] DP - PASSED/H (49-9) [17] SJC-SJC

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**\*HB 28 RESOURCE SUSTAINABILITY & SECURITY ACT** **Melanie A. Stansbury**  
RELATING TO CLIMATE; ENACTING THE RESOURCE SUSTAINABILITY AND SECURITY ACT; CREATING THE SUSTAINABILITY AND RESILIENCE COUNCIL; PROVIDING DUTIES; REQUIRING REPORTING; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY  
[7] HENRC/HSEIC-HENRC [9] DP/a-HSEIC [10] DP/a - PASSED/H (40-23) [19] SCONC/SFC-SCONC [21] DP-SFC

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**HB 31 PHASED-IN MINIMUM WAGE INCREASE** **Miguel P. Garcia**  
INCREASING THE MINIMUM WAGE IN PHASES; REMOVING THE MINIMUM WAGE EXCEPTION FOR TIPPED EMPLOYEES; PROVIDING FOR AN ANNUAL COST-OF-LIVING INCREASE IN THE STATE MINIMUM WAGE RATE BEGINNING IN 2022  
HPREF [2] HLVMC/HCEDC-HLVMC [3] DP-HCEDC [5] DP [6] fl/a- PASSED/H (44-26) [11] SPAC/SCORC-SPAC [14] DP/a-SCORC

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**HB 32 LEGAL SERVICES FOR LAND GRANTS Miguel P. Garcia**

ESTABLISHING A PROGRAM TO INCREASE LEGAL SERVICES FOR ACEQUIAS, LAND GRANTS-MERCEDES AND LOW-INCOME RESIDENTS OF COLONIAS; ESTABLISHING A WAIVER OF TUITION FOR SERVICE PROGRAM; CREATING A FUND; CREATING A COMMISSION  
HPREF [2] HLLC/HSEIC-HLLC [3] DP-HSEIC

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**HB 37 NO LEDA FUNDS FOR WATER RIGHTS PURCHASES Miguel P. Garcia**

EXCLUDING THE ACQUISITION OF WATER RIGHTS FROM THE PERMISSIBLE USES OF LOCAL ECONOMIC DEVELOPMENT ACT FUNDS  
HPREF [2] HAWC/HCEDC-HAWC [3] DP-HCEDC [7] DP/a [9] fl/a- PASSED/H (63-3) [15] SCONC/SCORC-SCONC [19] DP/a-SCORC [21] DP - PASSED/S (34-0) [13] h/cncrd SGND BY GOV (Apr. 3) Ch.208.

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**HB 38 ABQ-BERNALILLO WATER AUTHORITY WATER RIGHTS Miguel P. Garcia**

PRECLUDING THE ALBUQUERQUE-BERNALILLO COUNTY WATER UTILITY AUTHORITY FROM ACQUIRING WATER RIGHTS APPURTENANT TO IRRIGABLE LAND  
HPREF [2] HAWC/HJC-HAWC [5] DP/a-HJC

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**HB 46 INCREASE MINIMUM WAGE Patricia Roybal Caballero**

INCREASING THE MINIMUM WAGE; PROVIDING FOR AN ANNUAL COST-OF-LIVING INCREASE IN THE STATE MINIMUM WAGE RATE; ELIMINATING THE SEPARATE MINIMUM WAGE FOR EMPLOYEES WHO REGULARLY RECEIVE TIPS  
HPREF [2] HCEDC/HLVMC/HJC-HCEDC

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**HB 73 EXEMPT NM FROM DAYLIGHT SAVINGS TIME Roberto "Bobby" J. Gonzales**

EXEMPTING NEW MEXICO FROM THE FEDERAL LAW REQUIRING THE OBSERVANCE OF DAYLIGHT-SAVING TIME – would keep us on MST  
[3] SCONC/SFC-SCONC [7] DP-SFC [11] DP [12] PASSED/S (38-0) [7] HAFC-HAFC

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**HB 116 WASTEWATER SYSTEM FINANCING Randal S. Crowder**

APPROPRIATION.--One million five hundred thousand dollars (\$1,500,000) is appropriated from the public project revolving fund to the wastewater facility construction loan fund for expenditure in fiscal year 2020 and subsequent fiscal years to provide state matching funds for federal Clean Water Act of 1977 projects and to carry out the purposes of the Wastewater Facility Construction Loan Act.  
HPREF [2] HTPWC/HAFC-HTPWC [4] DP-HAFC

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**HB 153 EMPLOYEE SUICIDE IDENTIFICATION TRAINING Patricio Ruiloba**

REQUIRING THAT CERTAIN HEALTH CARE, EDUCATIONAL AND PUBLIC EMPLOYEES RECEIVE TRAINING IN SUICIDE RISK IDENTIFICATION, TREATMENT AND PREVENTION  
HPREF [2] HHHHC/HJC-HHHHC [4] DP-HJC [7] ref HSEIC-HSEIC [9] DP/a [10] PASSED/H (53-13) [19] SPAC-SPAC

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**HB 174 LOWER RIO GRANDE WATER MANAGEMENT & PLANNING Tomás E. Salazar**

DIRECTING THE OFFICE OF THE STATE ENGINEER TO COMPLETE ALL PREPARATIONS FOR PRIORITY ADMINISTRATION IN THE LOWER AND MIDDLE RIO GRANDE BASINS; DIRECTING THE INTERSTATE STREAM COMMISSION TO UNDERTAKE WATER PLANNING; MAKING AN APPROPRIATION  
HPREF [2] HAWC/HENRC/HAFC-HAWC

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**HB 175 REGIONAL WATER UTILITY AUTHORITY ACT Tomás E. Salazar**

ENACTING THE REGIONAL WATER UTILITY AUTHORITY ACT; PROVIDING FOR THE CREATION OF REGIONAL WATER UTILITY AUTHORITIES; PROVIDING POWERS AND DUTIES; PROVIDING BONDING AUTHORITY; ALLOWING REGULATION OF WATER USE AND DOMESTIC WELLS; AMENDING A SECTION OF THE NMSA 1978 PERTAINING TO DOMESTIC WELL PERMITS  
HPREF [2] HAWC/HJC-HAWC [6] DNP-CS/DP-HJC [12] DP/a

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**HB 186 REGIONAL WATER PLANNING ACT Tomás E. Salazar**

REFORMING THE GENERAL POWERS OF THE INTERSTATE STREAM COMMISSION TO INCLUDE WATER PLANNING; ENACTING THE REGIONAL WATER PLANNING ACT; PROVIDING CRITERIA AND DIRECTION FOR STATE AND REGIONAL WATER PLANNING; PROVIDING POWERS AND DUTIES; MAKING AN APPROPRIATION  
HPREF [2] HAWC/HENRC/HAFC-HAWC

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**HB 187 WATER LAW EVALUATION AND REVIEW Tomás E. Salazar**

TASKING THE UTTON TRANSBOUNDARY RESOURCES CENTER WITH EVALUATING AND MAKING RECOMMENDATIONS TO AMEND NEW MEXICO'S WATER LAWS; MAKING AN APPROPRIATION  
HPREF [2] HJC/HAFC-HJC [5] DP/a-HAFC

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**HB 196 PREGNANT WORKER ACCOMMODATION ACT Gail Chasey**

ENACTING THE PREGNANT WORKER ACCOMMODATION ACT; PROHIBITING DISCRIMINATION IN EMPLOYMENT ON THE BASIS OF A NEED ARISING FROM PREGNANCY OR CHILDBIRTH OR A RELATED CONDITION; REQUIRING THAT EMPLOYERS MAKE REASONABLE ACCOMMODATION OF AN EMPLOYEE'S OR JOB APPLICANT'S NEED ARISING FROM PREGNANCY OR CHILDBIRTH OR A RELATED CONDITION; PROHIBITING RETALIATION FOR AN EMPLOYEE'S OR JOB APPLICANT'S ASSERTION OF A CLAIM PURSUANT TO THE PREGNANT WORKER ACCOMMODATION ACT; PROVIDING FOR GRIEVANCE PROCEDURES AND PENALTIES  
HPREF [2] HLVMC/HJC-HLVMC [4] DP-HJC [7] DP/a [9] fl/sub adptd- PASSED/H (60-0) [15] SPAC/SJC-SPAC [21] DP-SJC

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**HB 202 CONSERVANCY DISTRICT ROADS & TORT IMMUNITY Nathan P. Small**

AMENDING A SECTION OF THE TORT CLAIMS ACT TO PROVIDE FOR AN EXCLUSION FROM THE WAIVER OF IMMUNITY FOR IRRIGATION AND CONSERVANCY DISTRICTS THAT AUTHORIZE PART OF THEIR PROPERTY FOR USE AS A ROADWAY BY THE PUBLIC OR A GOVERNMENTAL ENTITY  
HPREF [2] HAWC/HJC-HAWC [4] DP-HJC [7] DP [8] fl/a- PASSED/H (63-0) [14] SCONC/SJC-SCONC [19] DP-SJC [23] w/drn [24] PASSED/S (33-0) SGND BY GOV (Mar. 28) Ch.104.

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**HB 206 ENVIRONMENTAL REVIEW ACT Gail Chasey & Mimi Stewart**

ENACTING THE ENVIRONMENTAL REVIEW ACT; PROVIDING RULEMAKING AUTHORITY TO THE ENVIRONMENTAL IMPROVEMENT BOARD; ENUMERATING THE POWERS AND DUTIES OF LEAD AND COOPERATING AGENCIES; MAKING APPROPRIATIONS  
HPREF [2] HENRC/HSEIC/HAFC-HENRC [4] DNP-CS/w/o rec-HSEIC

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**HB 213 PAID FAMILY AND MEDICAL LEAVE ACT Patricia Roybal Caballero**

ENACTING THE PAID FAMILY AND MEDICAL LEAVE ACT; CREATING THE PAID LEAVE DIVISION IN THE WORKFORCE SOLUTIONS DEPARTMENT; PROVIDING FOR A PAID FAMILY AND MEDICAL LEAVE

PROGRAM; CREATING THE PAID FAMILY AND MEDICAL LEAVE INSURANCE FUND; ENACTING CIVIL PENALTIES; MAKING AN APPROPRIATION  
HPREF [2] HCEDC/HJC/HAFC-HCEDC

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**HB 220 DETERMINATION OF DISCHARGE EFFECT ON WATER** Matthew McQueen  
AMENDING THE WATER QUALITY ACT TO PROVIDE WHERE THE EFFECT OF A DISCHARGE ON GROUND OR SURFACE WATER IS TO BE DETERMINED  
HPREF [2] HENRC/HJC-HENRC [5] DNP-CS/DP-HJC

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**HB 246 PREVAILING WAGE COMPLAINT RESOLUTION** Christine Chandler  
PROVIDING A PROCESS TO RESOLVE PREVAILING WAGE COMPLAINTS; INCREASING PENALTIES  
[2] HLVMC/HJC-HLVMC [5] DP-HJC [8] DP/a - PASSED/H (43-24) [14] SPAC/SJC-SPAC [21] DP-SJC

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**\*HB 262 PUBLICATION OF CAPITAL OUTLAY INFO** Matthew McQueen  
REQUIRING PUBLICATION OF ALLOCATIONS BY LEGISLATORS AND THE GOVERNOR OF CAPITAL OUTLAY APPROPRIATIONS OR BOND AUTHORIZATIONS; DECLARING AN EMERGENCY  
[2] HJC-HJC [3] DP [4] PASSED/H (58-0) [5] SRC/SFC-SRC [22] DP/a-SFC [23] w/drn [24] fl/a

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**HB 264 PAID FAMILY MEDICAL LEAVE ACT** Christine Chandler  
ENACTING THE PAID FAMILY AND MEDICAL LEAVE ACT; CREATING THE PAID FAMILY AND MEDICAL LEAVE TRUST FUND; PROVIDING FOR THE PAID FAMILY AND MEDICAL LEAVE PROGRAM TO PAY AN ELIGIBLE EMPLOYEE A PERCENTAGE OF THE EMPLOYEE'S SALARY TO ALLOW THE EMPLOYEE TO BOND WITH A NEW CHILD OR TO CARE FOR A FAMILY MEMBER; LIMITING THE TIME ALLOWED FOR PAID FAMILY AND MEDICAL LEAVE; EXCEPTING CERTAIN EMPLOYEES; PROVIDING FOR ADMINISTRATION OF THE PROGRAM BY THE WORKFORCE SOLUTIONS DEPARTMENT; ENACTING ADMINISTRATIVE PENALTIES; CREATING A TEMPORARY ADVISORY COMMITTEE; MAKING AN APPROPRIATION  
[2] HCEDC/HJC/HAFC-HCEDC

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**HB 276 ESTABLISH ADVANCED MAPPING FUND** Candie G. Sweetser  
ESTABLISHING THE ADVANCED MAPPING FUND; PROVIDING FOR ADVANCED MAPPING BY THE STATE ENGINEER  
[2] HJC-HJC [3] DP - PASSED/H (64-0)- SFC-SFC [5] DP - PASSED/S (41-0) [4] SGND BY GOV (Feb. 4) Ch. 18.

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**HB 281 STRATEGIC WATER RESERVE** Nathan P. Small  
APPROPRIATION TO THE INTERSTATE STREAM COMMISSION FOR THE STRATEGIC WATER RESERVE \$5 million  
[2] HAWC/HAFC-HAWC [5] DP-HAFC

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**HB 286 PUBLIC-PRIVATE PARTNERSHIPS ACT** Patricia A. Lundstrom, Roberto "Bobby" J. Gonzales, Jim R. Trujillo, Jane E. Powdrell-Culbert, Clemente Sanchez  
ENACTING THE PUBLIC-PRIVATE PARTNERSHIPS ACT; CREATING THE PUBLIC-PRIVATE PARTNERSHIPS BOARD; CREATING THE PUBLIC-PRIVATE PARTNERSHIP PROJECT FUND; ALLOWING THE STATE AND LOCAL GOVERNMENTS TO ENTER INTO PARTNERSHIPS WITH PRIVATE SECTOR PARTNERS TO FACILITATE PUBLIC PROJECTS; PROVIDING POWERS AND DUTIES; REQUIRING REPORTS Section 2. F. "local government" means a municipality; a county; or a regional entity created by a joint powers agreement between one or more public agencies; Section 2. J. "public partner" means a local government, state agency, state institution or instrumentality of the state; SECTION 13. [NEW MATERIAL] UTILITY

CROSSINGS.--Subject to the requirements of federal and state laws, contractual agreements and land conveyance documents, a public or private partner and any utility whose facility is to be crossed or relocated shall cooperate fully in planning and arranging the manner of the crossing or relocation of the utility facility.

[2] HLVMC/HJC-HLVMC

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**HB 293 DUPLICATES FOR INSTRUMENTS OF WRITING** Greg Nibert

CHANGING THE REQUIREMENTS FOR FILING AND RECORDING DUPLICATES OF INSTRUMENTS OF WRITING

[2] HSEIC/HJC-HSEIC [5] DP-HJC [8] DP - PASSED/H (60-0) [14] SPAC/SJC-SPAC [21] DP-SJC [23] DP/a [24] fl/a- PASSED/S (22-10) [15] h/cncrd SGND BY GOV (Apr. 2) Ch.130.

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**HB 295 HEALTH SECURITY ACT** Deborah A. Armstrong, Roberto "Bobby" J. Gonzales, Gail Chasey, Patricia Roybal Caballero, Joanne J. Ferrary

ENACTING THE HEALTH SECURITY ACT TO PROVIDE FOR COMPREHENSIVE STATEWIDE HEALTH CARE; PROVIDING FOR HEALTH CARE PLANNING; ESTABLISHING PROCEDURES TO CONTAIN HEALTH CARE COSTS; CREATING A COMMISSION; PROVIDING FOR ITS POWERS AND DUTIES; PROVIDING FOR HEALTH CARE DELIVERY REGIONS AND REGIONAL COUNCILS; DIRECTING AND AUTHORIZING THE DEVELOPMENT OF A HEALTH SECURITY PLAN; PROVIDING PENALTIES; AMENDING A SECTION OF THE TORT CLAIMS ACT; ENACTING A NEW SECTION OF THE UNFAIR PRACTICES ACT TO BAN THE SALE OF REDUNDANT HEALTH COVERAGE; ENACTING TEMPORARY PROVISIONS OF LAW TO REQUIRE A FISCAL ANALYSIS OF THE HEALTH SECURITY PLAN BEFORE ENACTMENT OF THE HEALTH SECURITY ACT; PROVIDING FOR DELAYED REPEAL; MAKING AN APPROPRIATION

[2] HHHHC/HSEIC/HAFC-HHHHC [5] DP-HSEIC [9] DP/a-HAFC- w/drn-T

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**HB 304 DIGITAL PROOF OF CAR REGISTRATION & INSURANCE** Kelly K. Fajardo, Patricio Ruiloba

PERMITTING EVIDENCE OF MOTOR VEHICLE REGISTRATION AND PROOF OF FINANCIAL RESPONSIBILITY TO BE GIVEN ELECTRONICALLY

[3] HTPWC/HJC-HTPWC

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**HB 334 RURAL WATER SYSTEM CLEAN WATER PILOT PROJECT** Susan K. Herrera, Roberto "Bobby" J. Gonzales

*MAKING AN APPROPRIATION FOR A THREE-YEAR CLEAN DRINKING WATER PILOT PROJECT TO PROVIDE TECHNICAL ASSISTANCE TO RURAL, DOMESTIC WATER SYSTEMS - \$900k pilot project in northern New Mexico*

[3] HENRC/HAFC-HENRC [5] DP/a-HAFC

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**HB 368 UTILITY OPERATOR TRAINING** Nathan P. Small

APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENT FOR CERTIFIED UTILITY OPERATOR TRAINING AND GUIDANCE - \$275k

[3] HENRC/HAFC-HENRC [7] DP-HAFC

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**HB 369 STATE AGENCY ONLY FOR MULTI SOURCE CONTRACTS** David M. Gallegos, Sheryl Williams Stapleton, Pete Campos

STRIKING LOCAL PUBLIC BODIES FROM PROVISIONS RELATING TO MULTIPLE SOURCE CONTRACTS

[3] HLLC/HSEIC-HLLC [8] DNP-CS/DP-HSEIC [10] DP [11] PASSED/H (66-1) [19] SJC-SJC

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**HB 374 UNDERGROUND WATER END USER IDENTIFICATION**     **Gail Armstrong**

REQUIRING THE IDENTIFICATION OF END USERS IN APPLICATIONS FOR THE APPROPRIATION OF UNDERGROUND WATER; ESTABLISHING PRIOR DECISIONS AS LEGAL PRECEDENT IF NOT CLEARLY INCORRECT OR DISTINGUISHED; PROVIDING GROUNDS TO REJECT AN APPLICATION

[3] HAWC/HJC-HAWC [11] DNP-CS/DP-HJC

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**HB 378 EMPLOYEE PREFERENCE ACT**     **Larry R. Scott, David M. Gallegos, Candy Spence Ezzell, James G. Townsend**

PROVIDING FOR ENFORCEMENT OF AND PENALTIES FOR VIOLATION OF THE EMPLOYEE PREFERENCE ACT; AMENDING SECTIONS OF THE PUBLIC EMPLOYEE BARGAINING ACT; PROHIBITING MANDATORY LABOR ORGANIZATION MEMBERSHIP OR PAYMENT TO A LABOR ORGANIZATION AS A CONDITION OF PUBLIC EMPLOYMENT; PROVIDING FOR SEVERABILITY

[3] HLVMC/HJC-HLVMC

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**HB 382 USE OF CRIMINAL RECORDS FOR EMPLOYMENT**     **Andrea Romero**

EXPANDING THE LIST OF CRIMINAL RECORDS THAT SHALL NOT BE CONSIDERED IN APPLICATION FOR ANY PUBLIC EMPLOYMENT, LICENSE OR OTHER AUTHORITY; CREATING A PROCESS TO ALLOW A PERSON TO PETITION A BOARD AT ANY TIME FOR A DECISION ON WHETHER THE PERSON'S CRIMINAL RECORD WOULD DISQUALIFY THE PERSON FROM LICENSURE

[3] HLVMC/HJC-HLVMC [9] DNP-CS/DP-HJC

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**HB 391 ACCEPTANCE OF DIGITAL PROOF OF INSURANCE**     **Cathrynn N. Brown**

REQUIRING THE ACCEPTANCE AS EVIDENCE OF FINANCIAL RESPONSIBILITY THAT EVIDENCE DISPLAYED ON A SOFTWARE APPLICATION ON A MOBILE COMMUNICATION DEVICE

[3] HTPWC/HJC-HTPWC [9] DNP-CS/DP-HJC

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**\*HB 407**     **ELECTION LAWS 50-YEAR TUNE-UP**     **Linda M. Trujillo, Daniel A. Ivey-Soto**

AMENDING THE ELECTION CODE; PROVIDING DEFINITIONS OF TERMS FOR THE ELECTION CODE; PROVIDING A STANDARD DEFINITION FOR "QUALIFIED ELECTOR" FOR ALL ELECTIONS HELD PURSUANT TO THE ELECTION CODE; CHANGING THE NAME OF "PRECINCT BOARD" TO "ELECTION BOARD"; PROVIDING FOR ELECTION BOARD APPOINTMENT AND TRAINING; PROVIDING FOR MESSENGER COMPENSATION AND QUALIFICATIONS; CHANGING PROVISIONS GOVERNING CHALLENGERS, WATCHERS AND COUNTY AND STATE CANVASS OBSERVERS; AMENDING THE PRECINCT BOUNDARY ADJUSTMENT ACT AND PROVISIONS RELATED TO PRECINCTS; PROVIDING FOR VOTER CONVENIENCE CENTERS; PROVIDING FOR REGISTRATION OF QUALIFIED RESIDENTS AND QUALIFIED ELECTORS; PROVIDING PROVISIONS GOVERNING BOARDS OF REGISTRATION; ALLOWING MUNICIPALITIES AND LOCAL GOVERNMENTS TO ENTER INTO AGREEMENTS WITH THE SECRETARY OF STATE FOR ACCESS TO THE VOTER REGISTRATION ELECTRONIC MANAGEMENT SYSTEM; CHANGING PROCEDURES RELATING TO ABSENTEE VOTING AND OVERSEAS MILITARY VOTING; CREATING A REGULAR LOCAL ELECTION MAILED BALLOT PILOT PROGRAM; ENACTING THE RECALL ACT TO GOVERN RECALL ELECTIONS; ENACTING THE NONPARTISAN JUDICIAL RETENTION ACT; SYNCHRONIZING POLITICAL SUBDIVISION ELECTION PROCEDURES WITH THE PROVISIONS OF THE LOCAL ELECTION ACT; REQUIRING THE SECRETARY OF STATE TO ISSUE PROCLAMATIONS FOR CERTAIN ELECTIONS; CHANGING PROVISIONS RELATED TO PRIMARY ELECTIONS AND NOMINATING PETITIONS; REMOVING ANNUAL ASSESSMENTS ON LOCAL GOVERNMENTS FOR ADMINISTERING REGULAR LOCAL ELECTIONS; REVISING WRITE-IN CANDIDATE PROCEDURES; CREATING A MAILED BALLOT AND A PROVISIONAL BALLOT REGISTER; ALLOWING A VOTER TO COMMUNICATE THE VOTER'S BALLOT INFORMATION TO OTHERS; PROHIBITING A PERSON

FROM SOLICITING A VOTER TO REVEAL THE VOTER'S BALLOT INFORMATION; PRESCRIBING PROCEDURES FOR THE HANDLING OF NON-TABULATED PAPER BALLOTS AND CERTIFICATES OF RETURN AND THE CANVASSING OF RETURNS; CHANGING AUTOMATIC RECOUNT PROVISIONS; REVISING PROCEDURES FOR FILLING UNITED STATES REPRESENTATIVE VACANCIES; CHANGING PROVISIONS REGARDING ANALYSIS AND PUBLICATION OF PROPOSED CONSTITUTIONAL AMENDMENTS; CHANGING DEFINITIONS IN THE CAMPAIGN REPORTING ACT; REVISING DEFINITIONS IN THE LOCAL ELECTION ACT; REVISING MUNICIPAL OFFICER ELECTION PROCEDURES; REVISING SPECIAL ELECTION PROCEDURES; CHANGING USE OF THE TERM "QUALIFIED ELECTOR" IN CERTAIN STATUTES; MAKING LEGISLATIVE FINDINGS CONCERNING THE PROVISIONS OF ARTICLE 9, SECTION 12 OF THE CONSTITUTION OF NEW MEXICO AND ITS EFFECT ON THE VOTING RIGHTS OF CERTAIN PROPERTY OWNERS; REMOVING THE RIGHT OF NONRESIDENT MUNICIPAL ELECTORS TO VOTE IN MUNICIPAL BOND ELECTIONS; CHANGING REQUIREMENTS FOR THE FORMATION OF AND ELECTIONS FOR PUBLIC IMPROVEMENT DISTRICTS AND TAX INCREMENT DEVELOPMENT DISTRICTS; REQUIRING A STANDARD FORM FOR A PUBLIC REGULATION COMMISSION CANDIDATE QUALIFICATIONS AFFIDAVIT; AMENDING CIRCUMSTANCES CAUSING A VACANCY IN LOCAL OFFICE; AWARDED PUBLIC EMPLOYEES RETIREMENT SERVICE CREDIT TO OFFICERS WHOSE TERMS ARE SHORTENED; CHANGING PROVISIONS IN THE FINANCIAL DISCLOSURE ACT; PROVIDING FOR A DELAY IN MAILING OF PROPERTY TAX BILLS FOR CERTAIN COUNTIES; CHANGING PROVISIONS RELATED TO LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY ELECTIONS; MAKING TECHNICAL AND CONFORMING CHANGES TO LAWS RELATED TO ELECTIONS; AMENDING, REPEALING, ENACTING AND RECOMPILING SECTIONS OF THE NMSA 1978; DECLARING AN EMERGENCY

[3] HSEIC/HJC-HSEIC [7] DP-HJC [10] DP/a [11] fl/a- PASSED/H (57-8) [21] SRC-SRC- DP [22] PASSED/S (35-2) SGND BY GOV (Apr. 3) Ch.212.)

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**HB 417 SOUTHWEST NM WATER PROJECTS**      **Matthew McQueen, Rodolpho "Rudy" S. Martinez**  
APPROPRIATIONS - \$12,000,000 to fully implement the Grant county regional water supply project providing bulk drinking water supplies to the communities of Hurley, North Hurley, Hanover, Bayard, Santa Clara, Silver City and intervening public drinking water systems; \$30,000,000 to implement water utilization projects in the southwest New Mexico water planning region that meet a water supply demand and comply with water trust board criteria for state funding and that are included in the approved infrastructure capital improvements plans for fiscal years 2020 through 2024; \$12,000,000) to implement water utilization projects that will provide a new source of drinking water not derived from the Gila river for the city of Deming or other public water supply systems in Luna county

[3] HSEIC/HJC-HSEIC [7] DP-HJC [10] DP/a [11] fl/a- PASSED/H (57-8)

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**HB 451 DISTRICT WATER COURTS**      **Paul C. Bandy, Steven P. Neville**  
CREATING DISTRICT WATER COURTS; PROVIDING FOR ADDITIONAL JUDGESHIPS IN THE THIRD AND ELEVENTH JUDICIAL DISTRICTS; PROVIDING FOR THE ESTABLISHMENT OF ADDITIONAL DISTRICT WATER COURTS, IN THE DISCRETION OF THE SUPREME COURT; MAKING APPROPRIATIONS

[4] HAWC/HJC/HAFC-HAWC [7] DP-HJC

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**HB 470 APPEARANCES FOR ELECTRONIC NOTARY ACTS**      **Linda M. Trujillo**  
REQUIRING PERSONAL APPEARANCE FOR NOTARIAL ACTS PERFORMED ELECTRONICALLY UPON RECORDABLE INSTRUMENTS OF WRITING; REMOVING THE IN-PERSON REQUIREMENT FOR CERTAIN NOTARIAL ACTS PERFORMED ELECTRONICALLY; REQUIRING SECURE STORAGE OF ELECTRONICALLY AUTHENTICATED DOCUMENTS

[4] HSEIC/HJC-HSEIC [8] DP/a-HJC [11] DNP-CS/DP [12] TBLD INDEF.

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**HB 534 PUBLIC-PRIVATE PARTNERSHIP ACT** Patricia A. Lundstrom  
Roberto "Bobby" J. Gonzales, Clemente Sanchez, Michael Padilla

ENACTING THE PUBLIC-PRIVATE PARTNERSHIP ACT; ALLOWING PUBLIC PARTNERS TO ENTER INTO PUBLIC-PRIVATE PARTNERSHIP AGREEMENTS TO FACILITATE PUBLIC PROJECTS; CREATING THE PUBLIC-PRIVATE PARTNERSHIP BOARD; CREATING THE PUBLIC-PRIVATE PARTNERSHIP PROJECT FUND; AUTHORIZING GRANTS, LOANS AND BONDS; PROVIDING POWERS AND DUTIES; REQUIRING REPORTS [6] HLVMC/HJC-HLVMC [7] DP/a-HJC [9] DP [10] fl/a- PASSED/H (64-0) [17] SJC-SJC [21] DP/a [24] fl/a- FAILED/S (16-25)

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**HB 576 UNDERGROUND WATER END USER IDENTIFICATION** Gregg Schmedes

REQUIRING THE IDENTIFICATION OF END USERS IN APPLICATIONS FOR THE APPROPRIATION OF UNDERGROUND WATER; ESTABLISHING PRIOR UNDERGROUND WATER APPROPRIATION DECISIONS AS LEGAL PRECEDENT IF NOT CLEARLY INCORRECT OR DISTINGUISHED; PROVIDING GROUNDS TO REJECT AN APPLICATION  
[6] HAWC/HJC-HAWC

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**HB 595 REMITTANCE OF GOV'T GROSS RECEIPTS** Patricio Ruiloba

PROVIDING FOR A REMITTANCE OF A PORTION OF GOVERNMENTAL GROSS RECEIPTS TAX TO AGENCIES, INSTITUTIONS, INSTRUMENTALITIES AND POLITICAL SUBDIVISIONS; AMENDING SECTION 6-21-6.1 NMSA 1978 (BEING LAWS 1994, CHAPTER 145, SECTION 2, AS AMENDED) AND SECTION 7-1-6.38 NMSA 1978 (BEING LAWS 1994, CHAPTER 145, SECTION 1, AS AMENDED)  
[7] HSEIC/HTRC-HSEIC

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**HB 633 UTILITY OPERATORS CERTIFICATION ACT** Abbas Akhil

AMENDING THE UTILITY OPERATORS CERTIFICATION ACT; PROVIDING THAT THE DEPARTMENT OF ENVIRONMENT HAS DIRECT CONTROL OVER UTILITY OPERATORS  
[7] HENRC/HSEIC-HENRC

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**HB 651 WATER DATA ACT** Melanie A. Stansbury, Gail Armstrong

ENACTING THE WATER DATA ACT; CREATING THE WATER DATA COUNCIL TO IDENTIFY AND INTEGRATE KEY WATER DATA SETS; PROVIDING DUTIES; DIRECTING THE ESTABLISHMENT OF A WATER DATA ACCOUNT; MAKING AN APPROPRIATION  
[7] HENRC/HAFC-HENRC [9] DP-HAFC [12] DP/a - PASSED/H (62-0) [21] SCONC-SCONC [23] DP/a [24] fl/a- FAILED/S (18-21)- m/rcnsr adptd- fl/a- PASSED/S (37-0) [15] h/cncrd SGND BY GOV (Apr. 2) Ch.147.

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**SB 5 INTERSTATE STREAM COMMISSION MEMBERSHIP** Peter Wirth

CHANGING THE MEMBERSHIP OF THE INTERSTATE STREAM COMMISSION; PROVIDING OTHER TERMS OF HOLDING OFFICE ON THE COMMISSION  
SPREF [1] SRC/SCONC-SRC [5] DP/a-SCONC [7] DP/a [8] PASSED/S (30-10) [5] HENRC/HJC-HENRC [10] DP-HJC [13] DP/a - PASSED/H (46-16) [23] s/cncrd POCKET VETO.

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**SB 12 WATER RIGHTS NOTIFICATIONS ONLINE** Carlos R. Cisneros

REQUIRING THE OFFICE OF THE STATE ENGINEER TO POST NOTICES ONLINE  
SPREF [1] SCONC/SJC-SCONC [9] DNP-CS/DP-SJC [15] DNP-CS/DP [17] PASSED/S (40-0) [10] HENRC/HJC-HENRC [12] DP-HJC [14] DP [15] PASSED/H (61-0) SGND BY GOV (Mar. 28) Ch. 88.

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**SB 18 LOCAL GOVERNMENT PLANNING FUND** Jacob Candelaria

APPROPRIATION TO THE LOCAL GOVERNMENT PLANNING FUND - \$3 million  
SPREF [1] SFC-SFC [3] DP - PASSED/S (37-0)- HLLC-HLLC [4] DP - PASSED/H (65-0) [5] SGND BY GOV (Feb 4) Ch. 20

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**SB 43 DRINKING WATER SYSTEM FINANCING Richard C. Martinez**

APPROPRIATION.--Two million five hundred thousand dollars (\$2,500,000) is appropriated from the public project revolving fund to the drinking water state revolving loan fund for expenditure in fiscal year 2020 and subsequent fiscal years to provide state matching funds for federal Safe Drinking Water Act of 1974 projects and to carry out the purposes of the Drinking Water State Revolving Loan Fund Act.  
SPREF [1] SCONC/SFC-SCONC [3] DP-SFC [9] DP - PASSED/S (42-0) [7] HENRC/HAFC-HENRC [10] DP-HAFC [12] DP - PASSED/H (62-0) SGND BY GOV (Mar. 27) Ch. 70

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**SB 93 MUNICIPAL LIEN STATUTE OF LIMITATIONS Bill Tallman**

REMOVING THE STATUTE OF LIMITATIONS ON CAUSES OF ACTION REGARDING MUNICIPAL LIENS  
SPREF [1] SPAC/SJC-SPAC

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**SB 96 CONVICTION INFO ON JOB APPLICATIONS Bill B. O'Neill**

PROHIBITING PRIVATE EMPLOYERS FROM INQUIRING ABOUT AN APPLICANT'S CONVICTION ON AN INITIAL EMPLOYMENT APPLICATION  
SPREF [1] SPAC/SJC-SPAC [4] DP-SJC [11] DNP-CS/DP [14] fl/sub adptd- fl/a- PASSED/S (28-11) [8] HLVMC/HSEIC-HLVMC [11] DP-HSEIC [12] DP - PASSED/H (45-15) SGND BY GOV (Apr. 3) Ch.176.

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**SB 107 FINANCIAL RESPONSIBILITY ELECTRONIC EVIDENCE John M. Sapien**

ALLOWING FOR THE CARRYING OF ELECTRONIC EVIDENCE OF FINANCIAL RESPONSIBILITY UNDER THE MANDATORY FINANCIAL RESPONSIBILITY ACT  
SPREF [1] SCORC/SJC-SCORC [5] DP/a-SJC [9] DNP-CS/DP - PASSED/S (39-0) [7] HTPWC/HJC-HTPWC [11] DP-HJC [13] DP [14] PASSED/H (64-0) SGND BY GOV (Apr. 2) Ch.154.

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**SB 117 WASTEWATER SYSTEM FINANCING Richard C. Martinez**

APPROPRIATION.--One million five hundred thousand dollars (\$1,500,000) is appropriated from the public project revolving fund to the wastewater facility construction loan fund for expenditure in fiscal year 2020 and subsequent fiscal years to provide state matching funds for federal Clean Water Act of 1977 projects and to carry out the purposes of the Wastewater Facility Construction Loan Act.  
SPREF [1] SFC-SFC [3] DP - PASSED/S (39-0)- HTPWC-HTPWC [4] DP - PASSED/H (67-0) [5] SGND BY GOV (Feb. 4) Ch. 26.

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**SB 122 PRIVATE CONSTRUCTION INSPECTIONS Pat Woods**

LICENSING PRIVATE INSPECTION COMPANIES; ALLOWING COMPANIES TO PROVIDE PRIVATE INSPECTORS FOR GOVERNMENTS AND FOR CONTRACTORS AND HOMEOWNERS; REQUIRING THE EMPLOYMENT OF CERTIFIED BUILDING OFFICIALS; LIMITING EMPLOYMENT OF INSPECTORS; CLARIFYING PROVISIONS OF THE CONSTRUCTION INDUSTRIES LICENSING ACT; MAKING TECHNICAL AMENDMENTS  
SPREF [1] SCORC/SJC-SCORC

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**SB 123 PUBLIC & PRIVATE CAREGIVER LEAVE ACTS Michael Padilla**

ENACTING THE CAREGIVER LEAVE ACT TO PROVIDE EMPLOYEES OF PRIVATE ENTITIES WHO HAVE ACCRUED PAID SICK LEAVE WITH THE OPPORTUNITY TO USE SICK LEAVE FOR FAMILY CAREGIVING;

ENACTING THE PUBLIC EMPLOYEE CAREGIVER LEAVE ACT TO PROVIDE PUBLIC EMPLOYEES THE RIGHT TO USE ACCRUED SICK LEAVE FOR FAMILY CAREGIVING  
SPREF [1] SPAC/SJC-SPAC [5] DP-SJC [12] DP - PASSED/S (26-14) [8] HHC/HLVMC-HHC [11] DP-HLVMC [12] DP/a - PASSED/H (50-15) [21] s/cncrd SGND BY GOV (Apr. 3) Ch.177.

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**\*SB 144 CAPITAL OUTLAY PROJECT FUNDING PUBLICATION Sander Rue**  
REQUIRING PUBLICATION OF CAPITAL OUTLAY PROJECT AUTHORIZATIONS, APPROPRIATIONS AND VETOES; DECLARING AN EMERGENCY  
SPREF [1] SRC/SFC-SRC

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**SB 154 PUBLIC PROPERTY DISPOSITION ACT Mary Kay Papen**  
ENACTING THE PUBLIC PROPERTY DISPOSITION ACT; PROVIDING POWERS AND DUTIES; REQUIRING APPROVALS FOR CERTAIN DISPOSITIONS; REQUIRING LEGISLATIVE ACTION FOR CERTAIN DISPOSITIONS; REPEALING SECTIONS OF THE NMSA 1978 PERTAINING TO THE DISPOSITION OF PUBLIC PROPERTY  
SPREF [1] SRC/SPAC-SRC [7] DP/a-SPAC [15] DP/a - fl/a- PASSED/S (39-0) [10] HJC-HJC [13] DP [14] fl/a- PASSED/H (66-0) [23] s/cncrd POCKET VETO.

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**SB 217 EMINENT DOMAIN PROPERTY APPRAISALS Elizabeth "Liz" Stefanics**  
REQUIRING A CONDEMNOR AND CONDEMNEE TO OBTAIN PROPERTY APPRAISALS IF SETTLEMENT NEGOTIATIONS FAIL  
SPREF [1] SCNC/SJC-SCNC

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**SB 219 HISTORIC PRESERVATION & STATE LAND PROJECTS Peter Wirth, Brian Egolf**  
PROVIDING PROCEDURES FOR THE APPLICATION OF THE HISTORIC DISTRICT AND LANDMARK ACT TO ALL PROJECTS INVOLVING STATE LAND OR LAND HELD IN TRUST BY THE STATE  
SPREF [1] SPAC/SJC-SPAC [8] DNP-CS/DP-SJC [12] DNP-CS/DP [14] PASSED/S (21-20) [9] HLLC/HSEIC-HLLC [12] DP-HSEIC- DP [13] PASSED/H (62-1) SGND BY GOV (Mar. 28) Ch. 93.

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**SB 226 PERMANENT DAY LIGHT SAVINGS TIME Cliff R. Pirtle**  
EXEMPTING THE STATE OF NEW MEXICO FROM THE REVERSION TO STANDARD TIME FROM DAYLIGHT SAVING TIME WHEN THAT FEDERAL LAW IS AMENDED TO AUTHORIZE A STATE TO EXEMPT ITSELF FROM REVERTING TO STANDARD TIME  
SPREF [1] SPAC/SJC-SPAC [7] DP-SJC [12] DP [13] PASSED/S (25-17) [8] HSEIC/HJC-HSEIC

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**SB 227 ADDITIONAL UNLAWFUL DISCRIMINATION PRACTICES Elizabeth "Liz" Stefanics**  
MENDING A SECTION OF THE HUMAN RIGHTS ACT TO INCLUDE SEXUAL ORIENTATION AND GENDER IDENTITY AMONG CLASSES PROTECTED FROM UNLAWFUL DISCRIMINATION BY ALL EMPLOYERS  
SPREF [1] SCORC/SJC-SCORC [11] DP-SJC [14] DP [15] PASSED/S (36-0) [10] HLVMC/HSEIC-HLVMC [12] DP-HSEIC- DP [13] PASSED/H (59-0) SGND BY GOV (Mar. 28) Ch. 96.

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**SB 232 PUBLIC RECORD REQUESTS COSTS AND PROCEDURES Pat Woods**  
ALLOWING A PUBLIC BODY TO CHARGE ADDITIONAL COSTS AND FEES FOR PUBLIC RECORDS REQUESTS THAT REQUIRE EXCESSIVE USE OF TECHNOLOGY OR PERSONNEL; ALLOWING A PUBLIC BODY TO RECOVER COSTS AND ATTORNEY FEES IN A PUBLIC RECORDS ACT LAWSUIT; PROSCRIBING PROCEDURES AND FEES FOR REQUESTS FOR A COMMERCIAL PURPOSE; ALLOWING FOR INJUNCTIONS  
SPREF [1] SPAC/SJC-SPAC [9] DNP-CS/DP-SJC

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**SB 244 LEGAL SERVICES FOR LAND GRANTS & ACEQUIAS**

ESTABLISHING A PROGRAM TO INCREASE LEGAL SERVICES FOR ACEQUIAS, LAND GRANTS-MERCEDES AND LOW-INCOME RESIDENTS OF COLONIAS; ESTABLISHING A WAIVER OF TUITION FOR SERVICE PROGRAM; CREATING A FUND; CREATING A COMMISSION  
SPREF [1] SJC-SJC [3] DP - PASSED/S (39-0)- HLLC-HLLC [4] DP - PASSED/H (66-1) [5] SGND BY GOV (Feb. 4) Ch. 43.

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**\*SB 261 COMPILATION COMMISSION CHANGES William H. Payne**

RELATING TO THE NEW MEXICO COMPILATION COMMISSION; CHANGING THE OPERATIONAL MODEL FOR DISTRIBUTIONS OF STATUTORY AND LEGAL PUBLICATIONS TO PROVIDE FOR FREE ONLINE ACCESS TO STATE AND LOCAL AGENCIES, PUBLIC OFFICIALS AND COURTS AND THE GENERAL PUBLIC; PROVIDING FOR THE PUBLICATION OF PRINT VERSIONS OF CERTAIN PUBLICATIONS BY LICENSING AGREEMENTS; REQUIRING THE ATTORNEY GENERAL TO PROVIDE ALL OPINIONS AND ADVISORY LETTERS TO THE COMMISSION; CHANGING THE MEMBERSHIP OF THE COMMISSION; REPEALING SECTIONS OF THE NMSA 1978;DECLARING AN EMERGENCY.  
[1] SPAC/SJC-SPAC [7] ref SJC/SFC-SJC [9] DP/a-SFC [11] DP [12] PASSED/S (34-0) [7] HCPAC/HSEIC-HCPAC [10] DP-HSEIC [12] DP - PASSED/H (58-0) SGND BY GOV (Mar. 27) Ch. 74.

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**SB 277 STRATEGIC WATER RESERVE Steven P. Neville, Mimi Stewart**

APPROPRIATION TO THE INTERSTATE STREAM COMMISSION FOR THE STRATEGIC WATER RESERVE \$5 million  
[1] SCONC/SFC-SCONC [4] DP-SFC

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**\*SB 280 CAPITAL OUTLAY EXPENDITURES Carlos R. Cisneros, Jim R. Trujillo**

MAKING APPROPRIATIONS FROM THE GENERAL FUND AND OTHER STATE FUNDS; AUTHORIZING EXPENDITURES FROM CERTAIN FUNDS AND BALANCES; ESTABLISHING CONDITIONS FOR THE REVERSION OF UNEXPENDED BALANCES; DECLARING AN EMERGENCY  
4874 LOWER RIO GRANDE PWWA DUMP TRUCK PURCHASE \$100,000  
4875 LOWER RIO GRANDE PWWA INFO TECH \$39,000 - VETOED  
4871 LOWER RIO GRANDE PWWA JAQUEZ RD WATER LINE \$139,000  
4872 LOWER RIO GRANDE PWWA MESQUITE WETLANDS CLOSURE \$250,000  
4873 LOWER RIO GRANDE PWWA MINI-EXCAVATOR PURCHASE \$120,000  
4870 LOWER RIO GRANDE PWWA WATER METER SYS IMPROVE \$50,000  
[1] SFC-SFC [22] DNP-CS/DP [23] PASSED/S (37-2) [13] HTRC-HTRC [14] DP - PASSED/H (68-0) SGND BY GOV (Apr. 5) Ch.277 (partial veto).

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**SB 285 IPRA FAILURE TO PERMIT INSPECTIONS Jacob Candelaria**

CLARIFYING THAT A FAILURE TO PERMIT INSPECTION OF NONEXEMPT RESPONSIVE RECORDS IS A VIOLATION OF THE INSPECTION OF PUBLIC RECORDS ACT AND SUBJECT TO STATUTORY DAMAGES  
[1] SPAC/SJC-SPAC [9] DP-SJC

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**SB 291 CERTIFIED UTILITY OPERATOR TRAINING Mary Kay Papen**

APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENT FOR CERTIFIED UTILITY OPERATOR TRAINING AND GUIDANCE \$275k  
[3] SCONC/SFC-SCONC [4] DP-SFC

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**SB 302 PER DIEM RATE TO FEDERALLY SET SANTA FE RATE Nancy Rodriguez**

SETTING THE PER DIEM RATE FOR PUBLIC OFFICERS AND EMPLOYEES TO THE RATE ESTABLISHED BY THE FEDERAL GOVERNMENT FOR THE CITY OF SANTA FE; EXPANDING AGENCIES AUTHORIZED TO PROMULGATE RULES PURSUANT TO THE PER DIEM AND MILEAGE ACT  
[3] SPAC/SFC-SPAC

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**SB 305 PUBLIC SURPLUS VEHICLE SALES & DONATIONS** Mimi Stewart

PROHIBITING THE SALE OF PUBLIC SURPLUS MOTOR VEHICLES TO PRIVATE PERSONS; PROHIBITING THE DONATION OF PUBLIC SURPLUS MOTOR VEHICLES TO NONPROFIT ORGANIZATIONS  
[3] SCORC/SJC-SCORC

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**SB 324 LEGISLATIVE PUBLIC WORKS COMMITTEE** Joseph Cervantes, Bill Tallman

PROVIDING POWERS AND DUTIES; CREATING THE LEGISLATIVE PUBLIC WORKS COMMITTEE; REQUIRING THAT THE COMMITTEE ANNUALLY HEAR PROPOSALS FOR AND REVIEW CAPITAL OUTLAY-FUNDED PROJECTS  
[3] SRC/SFC-SRC

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**\*SB 326 WATER PROJECT FUND PROJECTS** Joseph Cervantes

AUTHORIZING THE NEW MEXICO FINANCE AUTHORITY TO MAKE LOANS OR GRANTS FROM THE WATER PROJECT FUND FOR CERTAIN WATER PROJECTS; DECLARING AN EMERGENCY  
[3] SCONC/SFC-SCONC [7] DP-SFC [11] DP [12] PASSED/S (38-0) [7] HAFC-HAFC [12] DP - PASSED/H (61-0) SGND BY GOV (Mar. 27) Ch. 76

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**SB 369 WATER TRUST BOARD MEMBER APPOINTMENT** Joseph Cervantes

CHANGING THE APPOINTING AUTHORITY OF CERTAIN MEMBERS OF THE WATER TRUST BOARD; CHANGING MEMBERSHIP OF THE WATER TRUST BOARD  
[4] SRC/SCONC-SRC [19] DP/a-SCONC

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**SB 372 PUBLIC CONTRACTS ETHICS ACT** Sander Rue

ENACTING THE PUBLIC CONTRACTS ETHICS ACT; CREATING A PUBLIC CONTRACTS ETHICS ADVISORY OPINION COMMITTEE; ENACTING PENALTIES; REPEALING AND ENACTING SECTIONS OF THE NMSA 1978  
[4] SPAC/SJC/SFC-SPAC [11] DP/a-SJC

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**SB 381 ADD PUBLIC RECORD PROTECTED PERSONAL ID INFO** Pete Campos

INCLUDING EMAILS AND OTHER UNIQUE IDENTIFIERS IN THE DEFINITION OF "PROTECTED PERSONAL IDENTIFIER INFORMATION"  
[4] SPAC/SJC-SPAC

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**SB 435 GROUNDWATER APPLICATIONS & PRIOR DECISIONS** Antoinette Sedillo Lopez, James P. White

REQUIRING THE IDENTIFICATION OF END USERS IN APPLICATIONS FOR THE APPROPRIATION OF UNDERGROUND WATER; ESTABLISHING PRIOR UNDERGROUND WATER APPROPRIATION DECISIONS AS LEGAL PRECEDENT IF NOT CLEARLY INCORRECT OR DISTINGUISHED; PROVIDING GROUNDS TO REJECT AN APPLICATION  
[5] SCONC/SJC-SCONC

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**SB 437 RAISE MINIMUM WAGE & CREATE SEPARATE ONE** Clemente Sanchez

RAISING THE MINIMUM WAGE; PROVIDING A SEPARATE MINIMUM WAGE FOR EMPLOYED SECONDARY SCHOOL STUDENTS

[5] SPAC/SCORC-SPAC [14] DP-SCORC [19] DNP-CS/w/o rec [21] PASSED/S (27-15) [12] HLVMC-HLVMC [13] DP/a - fl/a- PASSED/H (43-21) [23] s/fld cncr [14] h/fld recede- CC- [23] s/rpt adptd [14] h/rpt adptd SGND BY GOV (Apr. 1) Ch.114.

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**SB 442 FEE FOR ELECTRONIC PUBLIC RECORDS John M. Sapien**

ALLOWING A CUSTODIAN OF PUBLIC RECORDS TO CHARGE A REASONABLE FEE FOR ELECTRONIC DOCUMENTS

[5] SPAC/SJC-SPAC

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**SB 455 CAPITAL OUTLAY REFORM ACT Pete Campos**

ENACTING THE CAPITAL OUTLAY REFORM ACT; CREATING THE CAPITAL OUTLAY COMMITTEE; CREATING THE CAPITAL PROJECTS TASK FORCE; CREATING THE CAPITAL PLANNING AND ASSISTANCE DIVISION OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; PROVIDING FOR AN ANNUAL CAPITAL OUTLAY EXPENDITURE PROPOSAL; PROVIDING FOR AN ANNUAL STATE CAPITAL IMPROVEMENTS PLAN; MAKING AN APPROPRIATION

[5] SRC/SFC-SRC

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**SB 464 DEDUCTION FOR WATER CONSERVATION PRODUCTS Carlos R. Cisneros**

PROVIDING A GROSS RECEIPTS TAX DEDUCTION FOR OUTDOOR WATER CONSERVATION PRODUCTS THAT ARE PURCHASED DURING A SPECIFIC TIME PERIOD

[7] SCORC/SFC-SCORC

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**SB 465 REPLACE TIMBERON WATER DISTRIBUTION LINES Ron Griggs**

MAKING AN APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENT FOR THE REPLACEMENT OF WATER DISTRIBUTION LINES IN THE VILLAGE OF TIMBERON IN OTERO COUNTY - \$500k

[7] SCONC/SFC-SCONC

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**SB 502 STATE AGENCY FUND REVERSION DATE Jacob Candelaria**

ACCELERATING THE DATE REVERSIONS ARE DUE TO THE FINANCIAL CONTROL DIVISION OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; ALLOWING THE DIRECTOR OF THE FINANCIAL CONTROL DIVISION OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CORRECT OVER-REVERSIONS FROM PRIOR YEARS IN LIMITED AMOUNTS

[8] SPAC/SFC-SPAC [21] DP-SFC

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**SB 509 REGIONAL WATER UTILITY AUTHORITY ACT Peter Wirth, Tomás E. Salazar**

ENACTING THE REGIONAL WATER UTILITY AUTHORITY ACT; PROVIDING FOR THE CREATION OF REGIONAL WATER UTILITY AUTHORITIES; PROVIDING POWERS AND DUTIES; PROVIDING REGIONAL WATER UTILITY AUTHORITIES WITH A FORTY-YEAR WATER PLANNING PERIOD

[8] SCONC/SJC-SCONC

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**SB 543 ABQ/BERNALILLO WATER AUTHORITY BOARD ELECTION Linda M. Lopez**

PROVIDING FOR AN ELECTED BOARD OF DIRECTORS; ESTABLISHING PROCEDURES FOR THE ELECTION OF THE BOARD OF DIRECTORS

[9] SRC/SJC-SRC

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**SB 558 MIDDLE RIO GRANDE WATER MANAGEMENT Antoinette Sedillo Lopez**

PROVIDING DIRECTION TO THE OFFICE OF THE STATE ENGINEER AND THE INTERSTATE STREAM COMMISSION; PROVIDING FOR THE CREATION OF A MIDDLE RIO GRANDE REGION WATER PLAN TO MAINTAIN CONTINUED COMPLIANCE WITH THE RIO GRANDE COMPACT AND ENSURE A WATER FUTURE WITH GREATER CERTAINTY FOR THE MIDDLE RIO GRANDE REGION; MAKING AN APPROPRIATION  
[11] SCONC/SFC-SCONC

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**SB 560 INTERSTATE STREAM COMMISSION WATER PLANNING Antoinette Sedillo Lopez**

REFORMING THE GENERAL POWERS OF THE INTERSTATE STREAM COMMISSION TO INCLUDE WATER PLANNING; ENACTING THE REGIONAL WATER PLANNING ACT; PROVIDING CRITERIA AND DIRECTION FOR STATE AND REGIONAL WATER PLANNING; PROVIDING POWERS AND DUTIES; MAKING AN APPROPRIATION  
[11] SCONC/SFC-SCONC

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**SM 11 NEW MEXICO 2020 CENSUS Richard C. Martinez**

RECOGNIZING THAT NEW MEXICO IS AT SERIOUS RISK OF AN UNDERCOUNT IN THE 2020 CENSUS AND REQUESTING SUPPORT TO CARRY OUT THE NECESSARY STEPS TO ENSURE A COMPLETE AND ACCURATE COUNT OF ALL NEW MEXICO RESIDENTS FOR THE UPCOMING 2020 CENSUS  
SPREF [1] SRC/SPAC-SRC

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**SM 100 STUDY INCREASING STATE PER DIEM RATE Nancy Rodriguez**

REQUESTING THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CONVENE A TASK FORCE TO STUDY THE FEASIBILITY OF INCREASING THE PER DIEM RATE FOR PUBLIC OFFICERS AND EMPLOYEES  
[15] SRC/SPAC-SRC [21] DP-SPAC [22] DP [23] PASSED/S (33-0)

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**SJR 14 42-DAY LEGISLATIVE SESSIONS, CA Joseph Cervantes**

PROPOSING AN AMENDMENT TO ARTICLE 4, SECTION 5 OF THE CONSTITUTION OF NEW MEXICO TO PROVIDE FOR FORTY-TWO-DAY LEGISLATIVE SESSIONS AND CHANGING THE RESTRICTIONS ON BILLS THAT MAY BE CONSIDERED IN EVEN-NUMBERED YEARS  
[4] SRC/SJC/SFC-SRC

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# LOWER RIO GRANDE

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## Public Water Works Authority

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325 Holguin Road

Vado, New Mexico 88072

(575) 233-5742

### RESOLUTION NUMBER FY2019-27

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY (PWWA), NEW MEXICO, RESCINDING RESOLUTION NUMBER FY2018-10 AND AUTHORIZING THE SUBMISSION OF A NEW MEXICO COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION/LOCAL GOVERNMENT DIVISION; AND AUTHORIZING THE BOARD PRESIDENT TO ACT AS THE LOWER RIO GRANDE PWWA'S CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE LOWER RIO GRANDE PWWA'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

**WHEREAS**, the need exists within the service areas of the Lower Rio Grande PWWA for neighborhood improvement projects in several low and moderate income neighborhoods, and the Lower Rio Grande PWWA desires to apply to the Housing and Urban Development's Community Development Block Grant Program to obtain funding for neighborhood improvement projects; and

**WHEREAS**, the Board of Directors has held 2 public hearings for public input and comment during the 2018 application process; and

**WHEREAS**, the Board of Directors finds that there is a significant need to undertake a Water Master Plan to provide adequate services to the LRG PWWA communities; and

**WHEREAS**, the Lower Rio Grande PWWA Board of Directors determines that the Water Master Plan meets the requirements of the Community Development Block Grant Program; and

**WHEREAS**, the Lower Rio Grande PWWA Board of Directors adopted RESOLUTION NUMBER FY2018-10 on January 17, 2018 to apply for \$100,000 of grant funds, and now needs to revise the amounts of the grant application, match, and leveraged funds to complete the plan in compliance with CDBG rules;

**NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE LOWER RIO GRANDE PWWA, NEW MEXICO, that:**



1. Lower Rio Grande Public Water Works Authority Resolution FY2018-10 is hereby rescinded; and
2. The Lower Rio Grande PWWA is hereby authorized to prepare and submit a Community Development Block Grant application to the New Mexico Department of Finance and Administration Local Government Division for a Water Master Plan;
3. That the Board of Directors directs and designates the Board President as the Lower Rio Grande PWWA's Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and the Lower Rio Grande PWWA's participation in the New Mexico Community Development Block Grant Program.
4. The Lower Rio Grande PWWA officials and staff are directed to do any and all acts necessary to carry out the intent of this Resolution.
5. That the application be for \$50,000 of grant funds to carry out a Water Master Plan;
6. That it further be stated that the Lower Rio Grande PWWA is committing \$5,000 as matching funds and \$55,000 as leveraged funds toward the activities of developing a Water Master Plan and South Central Council of Governments grant administration.

**PASSED, ADOPTED, AND APPROVED** this 17<sup>th</sup> day of April, 2019.

Seal:

\_\_\_\_\_  
Mike McMullen, Board Chairman

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Esperanza Holguin, Secretary



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# LOWER RIO GRANDE

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## Public Water Works Authority

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### **Resolution #FY2019-28**

### **Approving Third Quarter Budget for Fiscal Year 2019**

**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 FY2019 Third Quarter Budget on April 17, 2019.

**Therefore**, be it resolved, the Board of Directors adopts and passes this resolution to approve the FY2019 Third Quarter Budget officially approved on April 17, 2019.

PASSED, APPROVED, AND ADOPTED: April 17, 2019.

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Mike McMullen, Chairman

Seal:

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Esperanza Holguin, Secretary



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# LOWER RIO GRANDE

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## Public Water Works Authority

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325 Holguin Road

Vado, New Mexico 88072

(575) 233-5742

### **Resolution FY2019-29**

### **Signatory Authority for Project Documents**

**WHEREAS**, the Lower Rio Grande Public Water Works Authority is a political subdivision of the State of New Mexico established under NMSA 1978 73-26-1; and

**WHEREAS**, the Lower Rio Grande Public Water Works Authority is empowered to enter into agreements and contracts under NMSA 1978 73-26-1(F); and

**WHEREAS**, the Lower Rio Grande Public Water Works Authority Board of Directors has delegated signatory authority for agreements and contracts to the board chair or vice-chair under Resolution FY2012-11; and

**WHEREAS**, it has become necessary due to various funding agency requirements to delegate signatory authority for other project and project funding related document;

**NOW THEREFORE BE IT RESOLVED** by the Lower Rio Grande Public Water Works Authority Board of Directors that signatory authority is delegated and granted to the General Manager, Projects Manager, or Finance Manager for project and project funding related documents other than contracts and agreements, including but not limited to funding applications and related documents; requisitions, requests for funds, disbursement requests, or estimates of funds needed; project reports to funding or oversight agencies; and project close-out documents.

**PASSED, APPROVED, AND ADOPTED THIS 17<sup>TH</sup> DAY OF APRIL, 2019:**

**Seal:**

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Mike McMullen, Board Chair

**Attest:**

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Esperanza Holguin, Secretary

April 8, 2019

Karen Nichols, Project Manager  
Lower Rio Grande Public water Works Authority (LRGPWWA)  
325 Holguin Road  
Vado, NM 88072

Re: Mesquite-Brazito Wastewater System Improvements  
Award Recommendation  
BHI Project No. 20160280

Dear Mrs. Nichols,

Bids were opened for the above-referenced project on Thursday, March 28, 2019 at 2:00 p.m. at the LRGPWWA – La Mesa Office. The Project consists of a base bid and 3 bid alternates. The Base Bid is the installation of 2 lift stations with SCADA, 28,000 LF of 8" and 10" gravity sewer mains, 108 epoxy coated concrete manholes, 17,000 LF of 4" and 6" sewer forcemains, and associated infrastructure. Approximately 200 sewer services will be installed and septic tanks decommissioned. The Bid Alternates will consist of an additional 2 lift stations with SCADA, 12,500 LF of gravity sewer mains, 45 epoxy coated concrete manholes, 2,300 LF of 4" and 6" sewer forcemains, and associated infrastructure. The Bid Alternates also include the installation of SCADA equipment and programming at 10 existing lift stations. Both the Base Bid and Bid Alternates include resurfacing of paved and unpaved roadways.

The project was bid on a lump sum cost basis and unit price bid schedule. Final quantities may vary from those estimated in the Bid Schedule. A total of five bids were received before the scheduled Bid Opening. The bid from File Construction and Smithco contain mathematical errors which had no impact to the bid results as shown in the attached bid tabulation. A tabulation of the bids and the engineer's estimate of probable cost are attached. A summary of the three lowest bids is shown below:

	Total Base Bid	Bid Alternate #1	Bid Alternate #2	Bid Alternate #3
File Construction, LLC Albuquerque, New Mexico	\$6,231,976.50	\$260,850.00	\$2,205,428.60	\$1,029,310.40
Smithco Construction, Inc. Caballo, New Mexico	\$8,129,365.00	\$265,000.00	\$2,841,870.00	\$1,319,160.00
AUI, Inc. Albuquerque, New Mexico	\$8,724,908.00	\$407,010.00	\$3,178,560.00	\$1,503,391.00
<i>Engineer Estimate</i>	<i>\$6,101,583.50</i>	<i>\$250,000.00</i>	<i>\$1,831,680.00</i>	<i>\$1,497,591.00</i>

These figures DO NOT include New Mexico Gross Receipts Tax at the Remainder of Doña Ana County rate of 6.750% or contingency.

Engineering 

Spatial Data 

Advanced Technologies 

Karen Nichols, Project Manager  
LRGPWWA  
April 8, 2019  
Page 2

The apparent low bidder is:

File Construction, LLC  
109 Industrial Ave.  
Albuquerque, NM 87107  
505.554.1780

License No. 379720  
EE98, GA98, GB98, GF02, GF05,  
GF07, GF09, MM01  
Expires: September 30, 2019

The apparent low bidder's licenses, as well as their subcontractors, have been verified with NM Licensing Services, are valid for the type of work to be accomplished and are in active status. We have worked with File Construction LLC on previous water and wastewater projects in the past and all were completed within the authorized construction period and with satisfactory results.

As part of the bidding documents submitted by File Construction LLC a list of recent projects completed and current on-going projects with references was provided. None of the projects listed were of similar cost and scale, but a number of them did have related scopes of work, and those references were contacted to discuss the performance exhibited by File Construction LLC in each of those projects.

- Robert Trujillo, an engineer for Indian Health Services (IHS), was contacted regarding a \$900,000 wastewater collection project that consisted of sewer main replacement and manhole rehabilitation. The project engineer had an overall positive opinion of File Construction. Mr. Trujillo specifically mentioned they were prompt to make corrections for any inadequate installations and change orders that did come were fair and not excessive. This project was for the Pueblo of Cochiti.
- Ed Dubois, an engineer from HDR Engineering, was contacted regarding a \$1,800,000 wastewater treatment project and a \$500,000 wastewater collection project. Mr. Dubois had an overall positive opinion on the performance exhibited by File Construction for both projects and would recommend them for this project. These projects were for the City of Deming and City of Santa Rosa, respectively.

File Construction also listed two wastewater projects with BHI as references.

- Dave Perko, an engineer with BHI, was contacted regarding a \$360,000 collection system improvement that included septic tank replacement and a lift station rehabilitation. Mr. Perko had an overall positive opinion and specifically mentioned their willingness to work through unforeseen circumstances without requesting a change order unless the scope or amount of work changed. This project was for the Village of Willard.
- Rob Richardson, an engineer for BHI, was contacted regarding a \$770,000 wastewater collection project that included sewer pipe replacement, manhole rehabilitation, and roadway replacement. Overall the project was successful but mentioned that File Construction was disorganized at times and will require the construction inspector to be on top of them at all times. This project was for the Pueblo of Laguna.

Karen Nichols, Project Manager  
LRGPWWA  
April 8, 2019  
Page 3

The contract documents require that bidders hold the bid prices for a period of sixty (60) days after the bid opening to allow the Owner to evaluate the bid proposals.

The attached funding analysis provides a detailed summary of all budgeted expenditures on the project as well as all funding sources available for the project. The analysis shows that the Base Bid of the project (Items BB-G1 through BB-G7 and BB-C1 through BB-C40) can be completed within the funding available. However, the projected contingencies budget is only 6%, which is of concern in case large issues arise. We don't anticipate this to occur but deep construction in these rural roads can reveal many unforeseen aspects. A contingency of 10% is preferred.

File Construction has not performed a project of this scale and it is a concern this contractor may struggle to perform on a timely basis within the contract period, we will have a competent full-time inspector on this project to ensure they perform properly. On the basis of the above discussion, I recommend that LRGPWWA award construction of the base bid project to File Construction LLC in the amount of \$6,231,976.50.

The Authority should take action to accept or revise this recommendation in accordance with the Authority's objectives for award of the construction contract contingent upon USDA approval. It is my understanding that consideration of the award will take place at an Authority's board meeting on April 17, 2019. Once the recommendation has been accepted and the minutes of the meeting are formalized, we will request concurrence to award from USDA-RD on your behalf. Please do not hesitate to contact me if you have any questions or need further assistance with this prior to that time.

Sincerely,



Tyler Hopkins, PE  
Project Manager

TH/dg  
Enclosure(s)

cc: File Construction LLC  
Sandra Alarcon, USDA  
Robert Garcia, USDA