



Date: January 20, 21

Time: 9:30 a.m.

Places: Online Zoom meeting

Event: Regular Board Meeting

Name	Company Name	Contact Information Phone Number	Email Address
Karen Nichols	LRG- Projects Manager	575-233-5742 Ext1018	
Furman Smith	LRG- Board Vice Chair	575-382-5982	
Patricia Charles	LRG- Projects Specialist	575-233-5742 Ext1021	
Esperanza Holguin	LRG- Board Chair	575-644-9543	
Paul Smith	LRG- Board Director	505-710-4671	
John Schroder	LRG- Accounting Assistant	575-233-5742 Ext1006	
Martin Lopez	LRG- General Manager	575-233-5742 Ext1004	
Mike Lopez	LRG- Operations Manager	575-233-5742 Ext1011	
Kathi Jackson	LRG - Finance Manager	575-233-5742 Ext1005	
Henry Magallanez	LRG- Board Director	575-525-9683	
Joe Evaro	LRG-Board Director	575-618-0182	
Tyler Hopkins	Bohannon Huston	575-532-2670	
Lilla Reid	Souder Miller & Associates	575-647-0799	

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY

Draft Minutes —REGULAR BOARD OF DIRECTORS MEETING

9:30 a.m. Wednesday, January 20, 2021 via Online Zoom Meeting

Contact us at 575-233-5742 or board@LRGauthority.org for information, assistance, or to subscribe to email board meeting reminders. Email the board address or dial extension 1021 or 1018 and leave a message if requesting phone or log-in information for online meetings. Agendas are final 72 hours prior to the meeting and may be obtained at any LRGPWWA Office or at www.LRGauthority.org/noticesavisos.html

- I. **Call to Order, Roll Call to Establish Quorum:** Chair Mrs. Holguin called the meeting to order at 9:30 a.m., Mr. P. Smith representing District #1 was present, District #2 is vacant, Mr. Evaro representing District #3 was present, Mrs. Holguin representing District #4 was present, Mr. Magallanez representing # 5 was present, District #6 vacant, Mr. F. Smith representing District #7 was present. Staff members present were General Manager Martin Lopez, Projects Manager Karen Nichols, Projects Specialist Patricia Charles, Finance Manager Kathi Jackson, Accounting Assistant John Schroder, Operations Manager Mike Lopez. Guests present were Lilla Reid from Souder Miller & Associates and Tyler Hopkins from Bohannon Huston.
- II. **Pledge of Allegiance – postponed due to online meeting**
- III. **Motion to approve Agenda:** Mr. F. Smith made the motion to approve the agenda. Mr. Evaro seconded the motion, the motion passed with all in favor.
- IV. **Approval of Minutes:**
 - A. **Motion to approve the minutes of the December 9, 2020 Regular Board Meeting:** Mr. Magallanez made the motion to approve the minutes for the December 9, 2020 Regular Board Meeting. Mr. P. Smith seconded the motion, the motion passed with all in favor.
- V. **Presentations:** None
- VI. **Public Input**
 - A. **General Matters: 15 minutes are allotted for this item, 3 minutes per person:** None
- VII. **Managers' Reports**
 - A. **General Manager:** Mr. Lopez provided a written report and stood for questions. 5 of the Mesquite Office staff tested positive for COVID. They are all back at work. We are dealing with a check fraud situation in the amount of \$399.00. The Vendor, Sheriff's Dept and Bank are investigating. The new office location is going in front of the Planning and Zoning Commission on January 28th for a "Zone Change". The Annual Safety Inspection for the LRGPWWA facilities is underway. JJ Gutierrez is inspecting every facility to check for any safety issues. Renewed FCC License WQND926 (East Mesa SCADA) through January 4, 2031. Alto DE Las Flores O&M contract expires on April 20, 2021 we will need to get it on the agenda by March if Board and/or Alto want to continue. LRGPWWA needs to consider whether to make COVID vaccinations mandatory for employees when it becomes available and might have to add as an

agenda item. Mrs. Holguin would like to attend the Count meeting if it is also going to be on Zoom. Mr. Lopez said he will provide the Zoom- meeting link as soon as he gets the information. If more than three board members are going to attend, we will need to post a quorum notice.

- B. Projects:** Ms. Nichols provided a written report and stood for questions. Ms. Nichols asked Mr. Hopkins from Bohannon Huston to give the board members an update on the work they are providing. Mr. Hopkins said Mesquite-Brazito Sewer Project 1- construction is done, the final walk-thru will take place early next week. Last punch list items were minor, there will be no issue completing them. They received all the close out documents from the contractor, he will confirm this with Diana. They should be done in the next couple of weeks. Ms. Nichols said she thought the release of lien was not finalized. Mr. Hopkins said it has been resubmitted yesterday, hopefully there will be no additional issues. Mesquite-Brazito Sewer Project 2 requested an extension to close everything by the end of February. The last remaining item is the completion of the Right of Way Map, it will then be sent to Mr. Josh Smith for his opinion. Once they receive Mr. Smith's opinion they will resubmit to USDA for final approval and go to bid. Ms. Nichols said we will have to extend the RCAC Bridge Loan, which will cost us an extension fee. She hopes that by the time the Right of Way issue is resolved, that they will have sorted out the issue they had about our legal authority. Water Master Plan some operations things have been updated. Then they will look for some locations for additional water tanks. Once this is done, they want to meet with LRG to determine where the storage tanks will go. Ms. Nichols said DB Stephens is working on supplemental Well Siting Study and will provide Mr. Hopkins a copy of the study. He will then add to the Master Plan. Mesquite Wetlands Closure the dirt work has been completed. Waiting for approval from State Engineer's Office for the plugging of old wells and the new monitoring wells. Substantial completion is set for mid-April. A change order has been approved to haul additional soil to other LRG areas. Ms. Nichols said Central Office building the DAC P&Z hearing is set for Jan 28, 21, as soon as we get the meeting info. we will pass it along. Valle Del Rio Water system project is in suspension, we are working on a final change order that will be substantial. East Mesa Water Improvement project mostly complete waiting on the Well Siting Study. Project interest form has been submitted to NMED-DWB for DWSRLF funding after this we will begin the NMFA application process. Today on the agenda we have a resolution to apply for Colonia's funds for Phase II design. High Valley Phase I is pretty much complete. Will have a change order to use the remaining money on SCADA. Phase II Mrs. Reid said they are waiting on the Electrical Engineer to send some items; the package will then be ready before end of month. Ms. Nichols said there is a resolution to apply for Colonia's funds for Phase III on today's agenda. It will be for a Well house building, new booster pumps and some SCADA work. Stern Drive Extension Project it is complete and have submitted a Capital Outlay Request to extend the line further north by about 1850'. Legislative session started January 19th, and will be 60 days. The report on bills of interest is available at the Directors Only page. Representative Willie Madrid won re-election after the recount.
- C. Operations:** Mr. Lopez provided a written report and stood for questions. He reviewed the video for the Arroyo Well and will recommend it be acid washed, flushed and re-equipped. Waiting for a cost estimate. Well 6 near the Mesquite Office started pumping gravel. We will get 3 bids so we can pull the equipment and send a camera to see what is going on with it. This is one of our major wells so this work has to be done before the summer. Ms. Nichols said the

Well Siting Study has identified a better site for a new well in the East Mesa area. Mr. Lopez said LRG pumped 31.54 million gallons last year this year we pumped 31.46 million gallons.

- D. Finance:** Ms. Jackson provided a written report and stood for questions. Revenues for 2nd quarter we took in \$288,000.00 but spent \$349,000.00. Expenses are high because we paid off a couple of loans. LRG-4 Radio Read \$106,000 and Jacques Rd Water Extension Line \$8,848.00. As of the end of the 2nd Quarter we have exceeded revenue projections, we have taken in 64% of the projected revenue for the year. LRG has taken in 2.2 million for the year. LRG has spent about 55% of the budget, LRG is right in line with the budget.

VIII. Unfinished Business

- A. Appointment of Directors for Districts 2 & 6 - Postponed**

IX. New Business

- A. Motion to approve LRGPWWA FY2020 Audit:** the audit is still in review need to postponed for next meeting.
- B. Motion to adopt Resolution FY2021-12 CDBG Certifications & Commitments:** Mr. Lopez said these are the typical documents we need to adopt when we commit to receive funding from CDBG. It will pay for the Water Master Plan. Mr. F. Smith made the motion to adopt Resolution FY2021-12 CDBG Certifications & Commitments. Mr. P. Smith seconded the motion, the motion passed with all in favor.
- C. Motion to adopt Resolution FY2021-13 adopting FY2020 2nd Quarter Budget:** Ms. Jackson said this is the same information as reported during her Managers report, except that it is presented in the State Format. Mr. Magallanez made the motion to adopt Resolution FY2021-13 adopting FY2020 2nd quarter budget. Mr. Evaro seconded the motion, the motion passed with all in favor.
- D. Motion to adopt Resolution FY2021-14 authorizing High Valley Ph. III funding application:** Ms. Nichols said the application is for design and construction for a new booster pump, well building and new SCADA equipment. Mr. F. Smith made the motion to adopt Resolution FY2021-14 authorizing High Valley Ph. III funding application. Mr. Magallanez seconded the motion, the motion passed with all in favor.
- E. Motion to adopt Resolution FY2021-15 authorizing East Mesa Ph. II Design funding application:** Mr. Magallanez made the motion to adopt Resolution FY2021-15 authorizing East Mesa Ph. II Design funding. Mr. Evaro seconded the motion, the motion passed with all in favor.
- F. Motion to authorize staff and attorney to seek an amendment to NMSA 1978 73-26-1 to clarify the power of the LRGPWWA governing body to incur loans and execute mortgages and pledges of collateral:** Mr. Lopez submitted an amendment to LRG's statute to Senator

Cervantes and Representative Lara. This will specifically authorize LRG to incur loans, execute mortgages and pledge collateral. A question has come up about this so we wanted to add the new language to the statute. Mr. F. Smith made the motion to authorize staff and attorney to seek an amendment to NMSA 1978 73-26-1 to clarify the power of the LRGPWWA. Mr. P. Smith seconded the motion, the motion passed with all in favor.

G. Motion to authorize General Manager to sign the Petition to the Governor for funding to provide Broadband to our Rural Communities: <https://successdac.org/connectnm/>. Mr. Lopez said during a presentation provided by the SCCOG, Senator Hamblen requested the LRG sign a letter to Governor Lujan Grisham requesting funding be available for Broadband in the rural communities. Mr. P Smith made the motion to authorize General Manager to sign the Petition to the Governor for funding of Broadband to our rural communities. Mr. Evaro seconded the motion, the motion passed with a vote of 4-yes and 1-no. Vote went as follows: Mr. P. Smith yes, Mr. Evaro yes, Mrs. Holguin yes, Mr. Magallanez yes, Mr. F. Smith no.

X. Other discussion and agenda items for next meeting at 9:30 a.m. Wednesday, February 17, 2021 at the Vado Office.

A. Have any Board Members participated in training? If so, please give us a copy of your certificate. No board member participated in any training.

B. Reminder to Board Members whose terms are expiring this year, the elections will be November 2021.

XI. Motion to Adjourn: Mr. Smith made the motion to adjourn the board meeting at 10:36 a.m., Mr. Evaro seconded the motion, the motion passed with all in favor.

These minutes will be presented to the board for approval on the 17th Day of February, 2021 at a regular meeting of the Board of Directors:

SEAL:

Esperanza Holguin, Board Chair

Attest:

Joe Evaro, Secretary

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY

Meeting Notice & Agenda—REGULAR BOARD OF DIRECTORS MEETING

9:30 a.m. Wednesday, January 20, 2021 via Online Zoom Meeting

Contact us at 575-233-5742 or board@LRGauthority.org for information, assistance, or to subscribe to email board meeting reminders. Email the board address or dial extension 1021 or 1018 and leave a message if requesting phone or log-in information for online meetings. Agendas are final 72 hours prior to the meeting and may be obtained at any LRGPWVA Office or at www.LRGauthority.org/noticesavisos.html

- I. Call to Order, Roll Call to Establish Quorum: District #1 (Mr. P. Smith) __, #2 (Vacant) __, #3 (Mr. Evaro) __, #4 (Mrs. Holguin) __, # 5 (Mr. Magallanez) __, #6 (Vacant) __, #7 (Mr. F. Smith) __
- II. Pledge of Allegiance – postponed due to online meeting
- III. Motion to approve Agenda
- IV. Approval of Minutes
 - A. Motion to approve the minutes of the December 9, 2020 Regular Board Meeting
- V. Presentations: None
- VI. Public Input
 - A. General Matters: 15 minutes are allotted for this item, 3 minutes per person
- VII. Managers’ Reports
 - A. General Manager
 - B. Projects
 - C. Operations
 - D. Finance
- VIII. Unfinished Business
 - A. Appointment of Directors for Districts 2 & 6 - Postponed
- IX. New Business
 - A. Motion to approve LRGPWVA FY2020 Audit
 - B. Motion to adopt Resolution FY2021-12 CDBG Certifications & Commitments
 - C. Motion to adopt Resolution FY2021-13 adopting FY2020 2nd Quarter Budget
 - D. Motion to adopt Resolution FY2021-14 authorizing High Valley Ph. III funding application
 - E. Motion to adopt Resolution FY2021-15 authorizing East Mesa Ph. II Design funding application

- F.** Motion to authorize staff and attorney to seek an amendment to NMSA 1978 73-26-1 to clarify the power of the LRGPWWA governing body to incur loans and execute mortgages and pledges of collateral
- G.** Motion to authorize General Manager to sign the Petition to the Governor for funding to provide Broadband to our Rural Communities. <https://successdac.org/connectnm/>
- X.** Other discussion and agenda items for next meeting at 9:30 a.m. Wednesday, February 17, 2021 at the Vado Office.
 - A.** Have any Board Members participated in training? If so, please give us a copy of your certificate
 - B.** Reminder to Board Members whose terms are expiring this year, the elections will be November 2021.
- 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. Wednesday, December 9, 2020 via Online Zoom Meeting

Contact us at 575-233-5742 or board@LRGauthority.org for information, assistance, or to subscribe to email board meeting reminders. Email the board address or dial extension 1021 or 1018 and leave a message if requesting phone or log-in information for online meetings. Agendas are final 72 hours prior to the meeting and may be obtained at any LRGPWVA Office or at www.LRGauthority.org/noticesavisos.html

- I. **Call to Order, Roll Call to Establish Quorum:** Chair Mrs. Holguin called the meeting to order at 9:30 a.m., Mr. P. Smith representing District #1 was present, District #2 is vacant, Mr. Evaro representing District #3 was present, Mrs. Holguin representing District #4 was present, Mr. Magallanez representing District # 5 was absent, District #6 is vacant, Mr. F. Smith representing District #7 was present. Staff members present were General Manager Martin Lopez, Projects Manager Karen Nichols, Projects Specialist Patricia Charles, Finance Manager Kathi Jackson, Accounting Assistant John Schroder, Operations Manager Mike Lopez. Guests present were Marty Howell & Lilla Reid from Souder Miller & Associates and Tyler Hopkins from Bohannon Huston.
- II. **Pledge of Allegiance – postponed due to online meeting**
- III. **Motion to approve Agenda:** Mr. F. Smith made the motion to approve the agenda. Mr. Evaro seconded the motion, the motion passed with all in favor.
- IV. **Approval of Minutes**
 - A. **Motion to approve the minutes of the November 18, 2020 Regular Board Meeting:** Mr. F Smith made the motion to approve the minutes of the November 18, 2020 regular board meeting. Mr. Evaro seconded the motion, the motion passed with all in favor.
- V. **Presentations:** None
- VI. **Public Input**
 - A. **General Matters: 15 minutes are allotted for this item, 3 minutes per person:** none
- VII. **Managers' Reports**
 - A. **General Manager:** Mr. Lopez provided a written report and stood for questions. Due to the Pandemic, he decided to close the Berino Office for the lack of customer traffic. Most customers are calling in or using the on-line payment method or drop box. Unfortunately, he had to lay off the part-time billing/collections clerk. A well tech trainee resigned his position and we hired an operations trainee. We did not do disconnections during the state shut-down, instead we gave customers (delinquent accounts) a 5-day grace period to make payment arrangements. Disconnections started on December 1st for customers that did not make payment arrangements, most did make arrangements. We probably will have limited operations on December 24th and 31st due to staff using their leave.

- B. Projects:** Ms. Nichols provided a written report and stood for questions. Mesquite-Brazito Sewer Project I- the final walk-thru is set for 11:00 a.m. today right after the board meeting. Sewer Project II- we have obtained the final easement and Bohannon Huston is finishing up the right of way map. They will deliver the las few documents needed to RD, before we get the closing documents and go to bid. South Valley Water Supply Project in Berino- we are waiting for closing instructions from RD they were submitted in early September. High Valley Water System Project is basically completed. We received the first pay app and will be receiving a second one. East Mesa Project – a Project Interest Form was submitted to NMED-DWB for DWSRLF funding. After we get thru the process with the Environment Department, we will begin the NMFA application process. We will be submitting at least one Capital Outlay request. We understand from Marty that the Capital Outlay form is finally on the website. The form was updated it has a very little opportunity for editing and no place to input our legislator’s names, which will make it challenging for users. Ms. Nichols introduced Tyler Hopkins with Bohannon Huston to give us an update on their projects. Mr. Hopkins said Mesquite-Brazito Sewer Project I a walk thru was done, and the punch list is completed. We will be reviewing the additional work from the project extension. Should be able to finish it out in the next month. Mesquite-Brazito Project II- finishing up the right of way map and submit it to UDSA and start construction very soon. Wetlands Closure Project – is starting and should be finished pretty quickly. Ms. Nichols said Lilla Reid and Marty Howell from Souder Miller were at the meeting and would like them to give an update on the projects they are working on. Mr. Howell – The final walk-thru was done for High Valley well rehab. Project everything was address and should be wrapped up fairly soon. Valle Del Rio Project- The initial scope of work is done. There was some funding left over which will be used for El Paso Electric to pull 3-phase to the pump site. He will meet with El Paso Electric and the contractor tomorrow to lay out some boring under Highway 28 and should have costs and change orders to Mr. Lopez and Ms. Nichols in the next couple of days.
- C. Operations:** Mr. Lopez provided a written report and stood for questions. He is waiting on State Wide to pull the old Arroyo well. We pumped the same amount of water in November this year as we did same time last year.
- D. Finance:** Ms. Jackson provided a written report and stood for questions. Revenues were \$297,568.99 and expensed were \$255,646.06 with an ending balance of \$41,000.00. On line 60025 Cash short/over in the expenses the credit in that line is due to a customer’s credit card payment then reversal it will taking some time to clear up but it will be cleared up. A correction is needed the figure in item# 60165 needs to be moved to 60600. A corrected statement will be provided after the board meeting.

VIII. Unfinished Business

- A. Appointment of Directors for Districts 2 & 6 - Postponed**

IX. New Business

- A. Motion to approve LRGPWWA FY-2020 Audit: postponed for next meeting**

B. Motion to Authorize Cost of Living and/or Merit pay increase for staff: Mr. Lopez at this time of year we look at our finances, last year approved a 5% increase for cost of living and/or merit pay increase. If a higher increase is suggested over the 5%, we could do it. Ms. Jackson has set aside more than 5% and can afford between 5% - 10% if needed. Mrs. Holguin suggested the increase of cost of living and/or merit pay increase be 7%. Mr. Evaro made the motion to increase pay to staff by 7% for cost of living and/or merit pay. Mr. P. Smith 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, January 20, 2020 at the Vado Office.

A. Have any Board Members participated in training? If so, please give us a copy of your certificate

B. Motion to approve LRGPWWA FY-2020 Audit

XI. Motion to Adjourn: Mr. Evaro made the motion to adjourn the board meeting at 9:56 a.m., Mr. P. Smith seconded the motion, the motion passed with all in favor.

These minutes will be presented to the board for approval on the 20th Day of January, 2021 at a regular meeting of the Board of Directors:

SEAL:

Esperanza Holguin, Board Chair

Attest:

Joe Evaro, Secretary

LRGPWWA
Manager's Report
January 20, 2021

- 5 of Mesquite Office staff tested positive for the COVID over the Christmas/New Year period. I expect them back this week.
- Dealing with Check Fraud (Altered Check) situation with a Vendor-Sheriff and Bank are investigating.
- New office location (property) going in front of Planning and Zoning Commission on January 28th for a “Zone Change”.
- The Annual Safety Inspection for the LRGPWWA facilities is underway.
- Renewed FCC License WQND926 (East Mesa SCADA) through January 4, 2031.
- Alto De Las Flores O&M contract expires on April 20, 2021-will need action to continue in March if Board and/or Alto wants to continue.
- LRGPWWA needs to consider whether to make COVID vaccination mandatory for employees when it becomes available.

**LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY
PROJECTS REPORT – 1/20/2021**

LRG-11-02.2 – Mesquite-Brazito Sewer Project – Bohannon Huston, Inc. & File Construction – Construction – 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 –Final Contractor’s pay application is pending. Project close-out will be completed after it is submitted.

LRG-17-01 – Mesquite-Brazito Sewer Project 2 – Bohannon Huston, Inc. – Design Stage – USDA-RD LOC \$15,030,780 (\$6,189,000 Loan/\$8,030,000 Grant) –25th Request for Funds from RCAC bridge loan is pending. BHI is finalizing the ROW map. USDA-RD will request closing instructions once the final LOC documents are submitted.

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: RCAC loan was approved, and loan commitment has been extended. Contract Documents have been approved by USDA-RD and NMED-DWB. Extension of Time has been submitted to NM OSE for the well. RD approval to bid and closing on RCAC construction loan are pending, closing instructions have been requested from OGC, and all LOC items have been submitted. USDA-RD OGC had questions concerning the LRGPWWA’s authority to engage in mortgages and loans, and our attorney has responded.

LRG-17-01 – Water Master Plan – BHI - WTB #252/CDBG 19-C-NR-I-06-G-100 \$50,000 + \$60,000 LRG funds: Fifth draw on funding has been submitted.

LRG-17-02 – Central Office Building – Wilson & Co. - DW-4213 \$3,285,619: Wilson & Co. has submitted revised contract documents and response to NMED-CPB comments, and another review letter was received on 11/5/20 and response submitted 11/13/20. Dona Ana County P&Z hearing is set for 1/28/21. Resolution of the NM DOT permit issue is still pending.

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: Partial substantial completion walk through was held 10/15/20. Change Order #2 was approved and contractor’s claim regarding hydrant location was settled with that. Change Order #3 is in preparation.

LRG-17-03 –East Mesa Water System Improvements Project – NMFA 3803-PG & 3804-PG \$93,307, 4915-CIF \$207,608 Loan/\$39544 Grant/\$9,562 Match – Design – Land purchase has been completed. Amendment #1 to Engineering Agreement was approved by NMED-CPB on 12/3/20. Met with DBSA on 1/13/21 to review the Draft Well Siting Study. Project Interest Form has been submitted to NMED-DWB for DWSRLF funding, and required documents have been submitted. After DWB review, we will begin the NMFA application process. Resolution to apply for Colonia’s funds for Phase II design is on today’s agenda.

LRG-18-01 – High Valley Water System Improvements Project – NMFA 4645-CIF18 \$29,172 Grant/\$116,688 Loan, 3354-CIF \$5,000 Grant/\$45,000 Loan – Plan, Design & Construction – Souder,

Miller & Assoc. – Driller’s pay app has been paid. Change Order to spend remaining funds on SCADA is in preparation.

LRG-18-01 Ph. II – High Valley Water System Improvements Ph. II Project – NMFA 4916-CIF \$630,384 Grant, \$111,244 Loan – Design & Construction – Souder, Miller & Assoc. – NMED-DWB Certificate of Project Approval and NMED-CPB comments on 90% design were received 11/17/20. Engineer’s response is pending. Resolution to apply for Colonia’s funds for Phase III is on today’s agenda.

LRG-18-02 – Stern Drive Waterline Extension Project – Design/Build – SMA - \$150,000 SAP – Project is complete, and Capital Outlay Request has been submitted to extend the line further north by about 1850’.

LRG-19-09 – S. Valley Service Area Line Extensions - SMA – Authorization to apply to NMED Local Government Planning Fund for PER funding was approved by the board, but due to NMFA restrictions, we cannot apply until December and January.

LRG-20-01 – Mesquite Wetlands Closure – Plan/Design - BHI - \$250,000 SAP: Pay App. #1 has been submitted by the contractor. Dirt work is nearly complete.

Other projects:

NM 2021 Legislature: Representative Willie Madrid won re-election after the recount. Session started January 19th, and will be 60 days. Legislative Report on bills of interest is available at the Directors Only page. Capital Outlay Request for \$240k for Stern Drive Line Extension Project has been submitted, and we presented at a SCCOG Capital Outlay Zoom Meeting on 1/14/21.

Our attorney prepared an amendment to our statute to clarify that the LRGPWVA is authorized to:
“(14) Executing any and all necessary promissory notes, mortgages, deeds of trust, or other documents to evidence and secure the payment of any debt to a lender.
(15) As security for the payment of any indebtedness, to pledge, hypothecate, mortgage, assign, transfer, endorse, and deliver property of any description, real or personal, and any interest therein and evidences thereof at any time held by the Authority.” We requested that Senator Cervantes and Representative Lara carry a bill for us.

Infrastructure Capital Improvements Plan 2022-2026: ICIP is final, has been submitted to NM DFA, corrected, and approved. Final document is posted on the Projects & Planning page at our website.

Documents Retention & Destruction – Sorting of old association documents for storage or destruction is ongoing, and staff is implementing approved retention/destruction schedules for LRGPWVA documents. One bin was sent out for shredding in the past month.

Website and Email – Notices and Minutes pages are up to date.

Training – Nothing to report.

As Needed Engineering Services - Currently we have two active Task Orders: Souder, Miller & Associates for two NM DOT permits for new services and Cobb-Fendly for one NM DOT permit for a new service connect. One additional Task Order is pending with Cobb-Fendly for a second NM DOT permit.

Collection & Lien Procedures - 213 first notifications, 122 certified letters have been sent and 90 liens have been filed to date. 16 liens have been released following payment in full of the account.

Water Audits –Will begin scheduling water audits for 2020 next month.

Rate Study – Nothing to report

Cyber Security Assessment – Work session notes were provided by RCAC on 11/2/20, follow-up meeting to be scheduled.



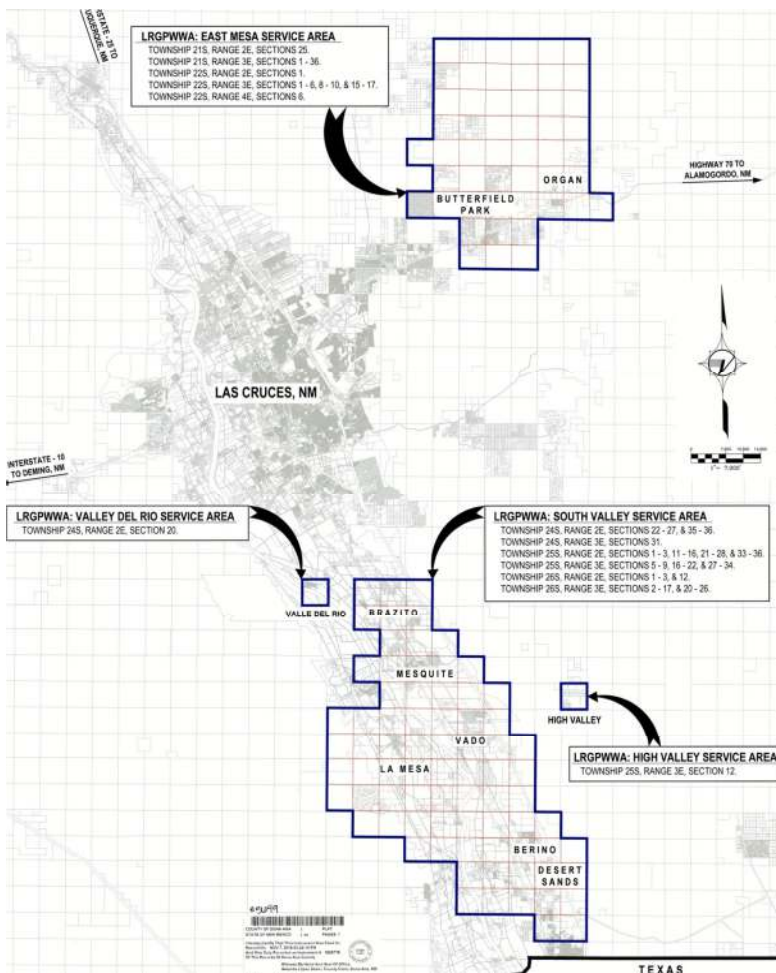
LOWER RIO GRANDE Public Water Works Authority

2021 CAPITAL OUTLAY REQUEST Stern Drive Water Line Extension

- ✚ The project will extend an additional 1850' of water pipeline along Stern Drive north from our Mesquite system toward our Brazito system.
- ✚ This will be the next step toward adding the Brazito water system to the Stern Drive interconnect line connects the Desert Sands system in Anthony with the Berino, Vado, and Mesquite systems along Stern Drive.
- ✚ It will make water service & a fire hydrant available along Stern Drive while taking another step toward a backup water supply for Brazito.



Who/What/Where: Lower Rio Grande Public Water Works Authority



- ✚ The Lower Rio Grande PWWA was created by statute in 2009, and currently consists of 10 water systems serving about 5,000 connections and 2 sewer systems serving about 700 connections in 15 Colonias communities in southern Doña Ana County.
- ✚ The LRGWWA has four designated Service Areas covering approximately 100 square miles and including 4 NM House Districts (Representatives Doreen Gallegos, Ray Lopez & Willie Madrid) and 4 Senate Districts (Senators Joseph Cervantes, Micaela Cadena, William Soules, & Crystal Diamond).
- ✚ The LRGWWA is organized as a Special District in NM Statute, and was the second Public Water Works Authority establish in New Mexico.
- ✚ 5 mutual domestic water associations merged to form the LRGWW (La Mesa, Mesquite, Vado, Berino & Desert Sands), 4 more have joined (Butterfield Park, Organ, Brazito & High Valley), and 1 private system (Valle Del Rio) was purchased.

Lower Rio Grande Public Water Works Authority
Projects Manager's Report - 2021 NM Legislature

https://www.nmlegis.gov/Legislation/Bill_Finder

Pre-Session as of 1/13/21

Red indicates DEAD - Green indicates passed

2021 Session Dates:

January 4, 2021 - January 15 - Legislation may be prefiled

January 19 - Opening day (noon)

February 18 - Deadline for introduction

March 20 - Session ends (noon)

April 9 - Legislation not acted upon by governor is pocket vetoed

June 18 - Effective date of legislation not a general appropriation bill or a bill carrying an emergency clause or other specified date

2024 Bills of Interest:

HB 20 HEALTHY WORKPLACES ACT **Christine Chandler**

ENACTING THE HEALTHY WORKPLACES ACT; PROVIDING REQUIREMENTS FOR EARNED SICK LEAVE; PROVIDING PENALTIES
HPREF

***HB 30** **WATER LEASE & USE EFFECTIVE DATES** **Christine Chandler**

CLARIFYING THAT A LEASE OF WATER UNDER 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
HPREF

HB 37 PAID SICK LEAVE ACT **Angelica Rubio**

ENACTING THE PAID SICK LEAVE ACT; REQUIRING ACCRUAL OF PAID SICK LEAVE FOR EMPLOYEES; PROVIDING REMEDIES FOR VIOLATIONS; REQUIRING RULEMAKING; ESTABLISHING BURDEN OF PROOF STANDARDS FOR RETALIATION CASES; DECLARING AN EMERGENCY
HPREF

HB 38 PAID FAMILY & MEDICAL LEAVE ACT **Christine Chandler**

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
HPREF

HB 39 PIRO/MANSO/TIWA TRIBAL RECOGNITION **Patricia Roybal Caballero**
ACKNOWLEDGING THE PIRO/MANSO/TIWA INDIAN TRIBE, PUEBLO OF SAN JUAN DE GUADALUPE
HPREF

***HB 44 UNEMPLOYMENT COMPENSATION RESTRICTION CHANGES** **Patricia Roybal Caballero**
AMENDING PROVISIONS OF THE UNEMPLOYMENT COMPENSATION LAW TO ELIMINATE CERTAIN RESTRICTIONS ON ELIGIBILITY FOR BENEFITS; DECLARING AN EMERGENCY (Relates to Public health emergencies)
HPREF

HB 50 PRIVATE RIGHT OF ACTION FOR CERTAIN STATUTES **Georgene Louis**
PROVIDING FOR A PRIVATE RIGHT OF ACTION TO ENFORCE CERTAIN STATUTES; ENACTING NEW SECTIONS OF THE OIL AND GAS ACT, THE AIR QUALITY CONTROL ACT, THE HAZARDOUS WASTE ACT, THE SOLID WASTE ACT AND THE WATER QUALITY ACT
HPREF

HB 51 ENVIRONMENTAL DATABASE ACT **Gail Chasey, Mimi Stewart**
ENACTING THE ENVIRONMENTAL DATABASE ACT; PROVIDING FOR THE DEVELOPMENT, OPERATION AND MAINTENANCE OF A WEB-BASED INFORMATION PORTAL THAT ALLOWS PUBLIC ACCESS TO STATE ENVIRONMENTAL DATA; PROVIDING DUTIES
HPREF

HB 55 PUBLICATION OF CAPITAL OUTLAY ALLOCATIONS **Matthew McQueen**
REQUIRING PUBLICATION OF ALLOCATIONS BY LEGISLATORS AND THE GOVERNOR OF CAPITAL OUTLAY APPROPRIATIONS OR BOND AUTHORIZATIONS
HPREF

HB 72 FAMILY FRIENDLY WORKFORCE TRAINING **Christine Trujillo**
MAKING AN APPROPRIATION TO THE WORKFORCE SOLUTIONS DEPARTMENT FOR FAMILY-FRIENDLY WORKPLACE EDUCATION AND TRAINING - \$500k
HPREF

HB 82 HISTORICALLY UNDERUTILIZED BUSINESSES **Linda Serrato, Antonio "Moe" Maestas**

RELATING TO PUBLIC PURCHASING; ENACTING THE HISTORICALLY UNDERUTILIZED BUSINESS OPPORTUNITY ACT; PROVIDING ADDITIONAL DUTIES FOR STATE AGENCIES; ENCOURAGING STATE AGENCIES TO USE HISTORICALLY UNDERUTILIZED BUSINESSES
HPREF

HB 95 WATER ADMINISTRATION CHANGES **Andrea Romero**
ESTABLISHING THE SAFE DRINKING WATER TESTING FUND; INCREASING FEES; PROVIDING FOR DUTIES OF THE TAXATION AND REVENUE DEPARTMENT; REQUIRING REPORTING AND WATER TESTING
HPREF

HB 96 CRIMINAL RECORDS & PUBLIC EMPLOYMENT **Andrea Romero**
REVISING THE LIST OF CRIMINAL RECORDS THAT CANNOT BE CONSIDERED IN AN APPLICATION FOR PUBLIC EMPLOYMENT, LICENSURE OR OTHER AUTHORITY TO PRACTICE A TRADE, BUSINESS OR PROFESSION; ENACTING A NEW SECTION OF THE UNIFORM LICENSING ACT TO PROHIBIT THE EXCLUSION FROM PROFESSIONAL LICENSURE OF PERSONS WITH CERTAIN CRIMINAL RECORDS
HPREF

Lower Rio Grande PWWA

Operators Report

January 20, 2020

System Problems and Repairs.

- Backflow inspections are Current. (Mesquite District)
- For the month of December, we were issued 256 work and service orders.
- For the month of November, we were issued 357 work and service orders, most were register change outs.
- For the month of December, we installed 6 new water service connections in the South Valley.
- We had 4 main line break at Alto De Las Flores.
- We had no main or service line breaks at the East Mesa.
- We had no main or service line breaks at Talavera MDWCA.
- We had three Main and service line breaks in South valley area.
- Alto de Las Flores construction is getting close to a final completion all that is left for the most part is the booster station.
- Arroyo well is now down, State wide pulled the pump and motor and camera the well, and we will re-equip with a new pump and motor.

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

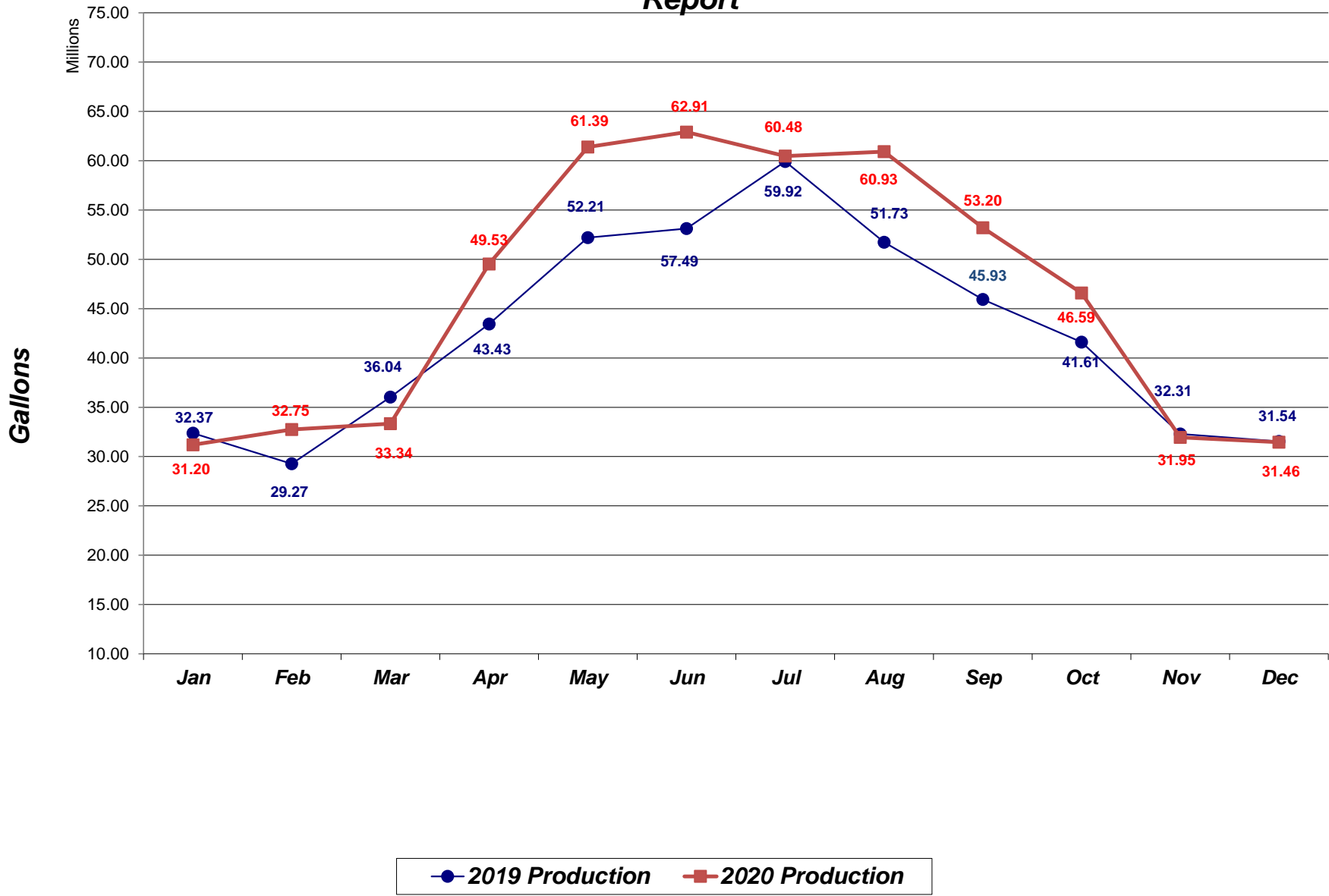
Mesquite district Wetlands: NMED is going to require us to drill 3 monitoring wells as the existing are dry.

Mesquite and Organ Sewer Reports. The Organ and the Mesquite Wastewater reports are due on February 1st, 2021. However I sent them on January 4, 2021.

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 2021 Quarter Ending: 12/31/2020

AcctNumber	Current Total Budget	MTD Activity	QTD Activity	YTD Activity	Budget Remaining
Revenue					
40000 - Operating Revenue	2,990,000.00	248,922.56	812,258.33	1,789,463.21	1,200,536.79
40002 - Installation Fees	105,000.00	4,378.47	27,247.48	57,061.42	47,938.58
40003 - Activation & Connection Fe	5,000.00	350.00	1,050.00	1,600.00	3,400.00
40005 - Backflow Testing	7,000.00	500.00	2,450.00	6,075.00	925.00
40006 - Tampering Fee/Line Breaks	0.00	0.00	500.00	562.40	-562.40
40007 - Delinquency Fee	50,000.00	9,300.00	27,850.00	55,200.00	-5,200.00
40008 - Penalties-Water	50,000.00	6,610.55	21,748.18	48,848.06	1,151.94
40009 - Membership Fees	5,000.00	750.00	2,350.00	4,300.00	700.00
40010 - Impact Fees	40,000.00	6,784.28	118,453.03	138,479.35	-98,479.35
40011 - Returned Check Fees	0.00	0.00	35.00	115.00	-115.00
40012 - Credit Card Fees	8,000.00	1,300.00	3,616.00	6,996.00	1,004.00
40013 - Miscellaneous Revenue	0.00	10.00	60.00	130.00	-130.00
40015 - Penalties-Sewer	4,500.00	487.26	1,353.52	2,991.36	1,508.64
40016 - Meter Test Fee	0.00	-189.55	-204.55	-219.55	219.55
40017 - Hydrant Meter Rental Fee	5,000.00	500.00	1,000.00	1,500.00	3,500.00
40019 - DAC Trash Coupons	1,000.00	44.00	172.00	470.00	530.00
40020 - Miscellaneous Revenue-Sev	2,500.00	60.83	182.49	2,296.11	203.89
45000 - Tower Rent	5,000.00	500.00	1,500.00	3,000.00	2,000.00
45001 - Billing Adjustments-Water	0.00	-849.88	-1,720.50	-2,259.53	2,259.53
45005 - Fiscal Agent Fees	50,000.00	5,096.02	16,912.01	30,930.28	19,069.72
45010 - Interest	0.00	11.00	55.32	120.42	-120.42
45015 - Copy/Fax	0.00	9.25	31.50	64.75	-64.75
45020 - Other Income	45,000.00	240.69	5,370.09	6,848.14	38,151.86
45022 - Annual Farm Rental	5,000.00	0.00	0.00	0.00	5,000.00
45025 - Contract Services	40,000.00	3,101.64	12,318.50	23,430.70	16,569.30
45030 - Transfers In	0.00	0.00	0.00	56,290.00	-56,290.00
49000 - Recovered Bad Debts	0.00	300.00	900.00	1,500.00	-1,500.00
Revenue Total:	3,418,000.00	288,217.12	1,055,488.40	2,235,793.12	1,182,206.88
Expense					
60001 - Transfers to Reserves	0.00	10,000.00	30,000.00	60,000.00	-60,000.00
60005 - Accounting Fees	500.00	0.00	0.00	0.00	500.00
60010 - Audit	14,000.00	0.00	9,356.13	9,356.13	4,643.87
60020 - Bank Service Charges	15,000.00	2,031.09	7,153.06	14,991.67	8.33
60025 - Cash Short/Over	500.00	15.15	-9,786.36	-9,705.20	10,205.20
60026 - Computer Hardware	10,000.00	0.00	2,059.22	6,021.67	3,978.33
60030 - Dues and Subscriptions	3,000.00	602.00	1,824.17	4,845.04	-1,845.04
60035 - Engineering Fees	10,000.00	1,961.17	1,961.17	3,928.97	6,071.03
60045 - Late Fees	1,000.00	0.00	0.00	39.54	960.46
60050 - Legal Fees	5,000.00	334.69	1,354.00	2,850.88	2,149.12

60055 - Legal Notices	2,500.00	0.00	0.00	0.00	2,500.00
60060 - Licenses & Fees	6,000.00	55.00	3,642.59	5,480.59	519.41
60065 - Meals	2,500.00	0.00	0.00	17.93	2,482.07
60075 - Permit Fees	1,500.00	0.00	800.00	825.00	675.00
60080 - Postage	3,000.00	248.40	695.32	931.64	2,068.36
60090 - Professional Fees-Other	10,000.00	0.00	0.00	23,766.14	-13,766.14
60100 - Project Development	0.00	10,500.00	15,764.55	36,008.70	-36,008.70
60120 - Retirement Account Fees	6,500.00	672.75	2,054.61	3,996.80	2,503.20
60125 - Easments & Leases	10,000.00	0.00	0.00	0.00	10,000.00
60130 - Training	5,000.00	300.00	918.54	1,478.54	3,521.46
60140 - Travel:Airfare Per Diem	3,000.00	0.00	0.00	0.00	3,000.00
60150 - Travel:Lodging Per Diem	4,000.00	0.00	0.00	0.00	4,000.00
60155 - Travel:Meals Per Diem	2,000.00	0.00	0.00	0.00	2,000.00
60160 - Travel:Mileage/Parking Per	1,500.00	0.00	0.00	0.00	1,500.00
60165 - Travel:Vehicle Rental Per Di	1,000.00	0.00	0.00	0.00	1,000.00
60600 - Debit Service	148,000.00	30,172.82	63,333.77	200,269.31	-52,269.31
60625 - Interest paid to NMED	14,000.00	0.00	0.00	0.00	14,000.00
60650 - Interest paid to NMFA	37,000.00	2,336.04	6,957.31	13,715.20	23,284.80
60675 - Interest paid to USDA	125,000.00	23,538.73	46,731.25	81,520.03	43,479.97
63000 - Regular Pay	1,120,000.00	104,959.46	259,708.45	536,882.39	583,117.61
63001 - Overtime	54,500.00	3,119.69	8,374.35	17,973.25	36,526.75
63006 - Holiday Pay	56,500.00	13,990.93	23,797.25	33,688.60	22,811.40
63007 - Sick Pay	50,000.00	7,399.19	15,835.93	32,663.71	17,336.29
63008 - Annual Leave Pay	118,000.00	17,649.85	32,072.21	52,235.60	65,764.40
63010 - 401K 10% Company Contrib	5,000.00	0.00	0.00	0.00	5,000.00
63020 - 401K Employee Contributio	2,000.00	0.00	0.00	0.00	2,000.00
63040 - Administrative Labor	5,000.00	0.00	0.00	0.00	5,000.00
63060 - Contract Labor	0.00	0.00	649.88	649.88	-649.88
63070 - Employee Benefits-401K Co	168,500.00	4,137.03	9,585.01	18,894.13	149,605.87
63100 - Insurance-Dental	12,500.00	1,757.15	3,950.95	7,054.03	5,445.97
63110 - Insurance-Health	250,000.00	37,154.27	79,156.68	144,205.46	105,794.54
63115 - Salaries: Insurance - Work C	15,000.00	-972.00	1,945.00	4,815.00	10,185.00
63125 - Insurance: Life & Disability	12,500.00	-99.17	-98.99	10.06	12,489.94
63130 - Mileage	1,500.00	0.00	0.00	0.00	1,500.00
63135 - Drug Testing	500.00	30.00	300.00	300.00	200.00
63160 - Payroll Taxes-Medicare	20,500.00	2,133.21	4,926.96	9,764.98	10,735.02
63170 - Payroll Taxes-Social Security	80,500.00	9,121.42	21,066.88	41,753.53	38,746.47
63195 - Taxes, Liability, Insurance: C	0.00	85.00	385.00	385.00	-385.00
63200 - Vision Insurance	4,000.00	467.55	1,132.95	2,098.05	1,901.95
64100 - Sewer:DAC Waste Water Fl	50,000.00	5,043.04	11,536.11	27,590.91	22,409.09
64200 - Sewer:Electricity-Sewer	9,000.00	0.00	2,465.57	7,509.30	1,490.70
64300 - Sewer:Lab & Chemicals-Sew	10,000.00	2,652.38	5,274.48	8,566.62	1,433.38
64500 - Sewer:Supplies & Materials	28,500.00	0.00	0.00	45.87	28,454.13
64501 - Pre Paid Tank Site Lease	0.00	0.00	1,250.00	1,250.00	-1,250.00
65010 - Automobile Repairs & Main	30,000.00	2,246.89	16,673.51	32,240.77	-2,240.77
65230 - Computer Maintenance	70,000.00	3,383.05	10,499.15	44,010.96	25,989.04
65240 - Equipment Rental	2,500.00	0.00	320.06	320.06	2,179.94

65250 - Fuel	60,000.00	3,475.92	16,795.77	25,715.09	34,284.91
65255 - GPS Insights Charges	7,000.00	553.55	1,660.65	3,903.04	3,096.96
65260 - Kitchen & Cleaning Supplies	1,000.00	0.00	0.00	0.00	1,000.00
65270 - Lab Chemicals-Water	5,000.00	151.02	427.54	687.49	4,312.51
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 Co	3,000.00	0.00	0.00	0.00	3,000.00
65278 - Meter Testing/Repair/Repla	20,000.00	0.00	0.00	0.00	20,000.00
65280 - Lab Chemicals-Water:Chem	35,000.00	3,436.78	7,768.02	20,796.12	14,203.88
65300 - Locates	2,500.00	0.00	0.00	0.00	2,500.00
65310 - Maint. & Repairs-Infrastruc	65,000.00	7,281.69	73,179.05	87,196.34	-22,196.34
65320 - Maint. & Repairs-Office	12,500.00	2,927.90	2,927.90	9,074.10	3,425.90
65330 - Maintenance & Repairs-Oth	16,500.00	2,093.02	16,309.68	29,958.96	-13,458.96
65340 - Materials & Supplies	50,000.00	3,772.30	8,912.29	21,733.26	28,266.74
65345 - Non Inventory-Consumable	50,000.00	1,422.72	4,795.75	22,170.57	27,829.43
65350 - Office Supplies	10,000.00	1,088.66	5,068.05	7,726.02	2,273.98
65360 - Printing and Copying	47,500.00	3,760.82	11,487.36	23,151.78	24,348.22
65370 - Tool Furniture	10,000.00	2,296.57	11,982.34	15,651.91	-5,651.91
65390 - Uniforms-Employee	15,000.00	2,499.02	5,142.00	7,077.07	7,922.93
65490 - Cell Phone	20,000.00	1,522.15	6,108.54	10,863.88	9,136.12
65500 - Electricity-Lighting	6,000.00	388.83	1,688.56	3,343.73	2,656.27
65510 - Electricity-Offices	15,000.00	586.12	3,331.91	7,993.12	7,006.88
65520 - Electricity-Wells	200,000.00	12,477.78	46,082.66	109,808.62	90,191.38
65530 - Garbage Service	3,000.00	219.58	658.74	1,317.48	1,682.52
65540 - Natural Gas	3,000.00	129.94	650.31	1,028.62	1,971.38
65550 - Security/Alarm	5,000.00	0.00	0.00	662.87	4,337.13
65560 - Telephone	20,000.00	1,594.96	8,126.97	12,698.04	7,301.96
65561 - Telstar Maintenance Contra	7,000.00	0.00	0.00	0.00	7,000.00
65570 - Wastewater	2,000.00	190.06	570.18	1,135.62	864.38
66200 - Insurance-General Liability	90,000.00	0.00	23,818.01	42,582.01	47,417.99
66700 - Water Conservation Fee	15,000.00	958.55	3,952.22	9,481.71	5,518.29
Expense Total:	3,418,000.00	349,854.72	957,071.22	1,961,004.19	1,456,995.81
Total Surplus (Deficit):	0.00	-61,637.60	98,417.18	274,788.93	-274,788.93

Grantee Name: _____

CDBG Project Number: _____

RESOLUTION # _____

**ADOPTION OF REQUIRED
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
ANNUAL CERTIFICATIONS AND COMMITMENTS**

WHEREAS, municipalities, counties or other entities that accept Community Development Block Grant (CDBG) funds must adopt certain required federal regulations; and

WHEREAS, the _____ (hereinafter referred to as the Grantee) wishes to ensure compliance with federal regulations by adopting the following required certifications and commitments:

- | | |
|--|---|
| Citizen Participation | certifies its commitment to citizen participation by preparing and adopting a Citizen Participation Plan that includes ways to encourage public input using various methods to reach the public and assures that citizens are provided reasonable notice and timely access to local meetings, per the Open Meetings Act (NMSA 1978, Chapter 10, Article 15) |
| Fair Housing | certifies its commitment to the Fair Housing Act of 1968 to affirmatively further fair housing, which prohibits discrimination in the sale, rental, leasing and financing of housing or land to be used for the construction of housing on the basis of race, color, religion, sex, disability, familial status, or national origin |
| Residential Anti-Displacement & Relocation Assistance | certifies its compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, whose purpose is to provide uniform, fair, and equitable treatment for persons whose real property is acquired or for persons displaced as a result of a CDBG-funded project or activity |
| Section 3 | certifies its commitment to Section 3, a provision of the Housing and Urban Development (HUD) Act of 1968, which requires recipients of certain HUD financial assistance, to the greatest extent feasible, provide job training, employment, and contracting opportunities for low and very low income residents in connection with projects and activities in their community. Attached is the Grantee Section 3 hiring information. |
| Procurement | certifies its compliance with federal procurement code (24 CFR Part 85.36) and New Mexico Procurement Code (§13-1-120 NMSA 1978) by adopting a procurement policy annually for CDBG projects |

GRANTEE SECTION 3 PLAN CHART

- Chart for Section 3 Plan **MUST** be filled out for job classifications that result from this CDBG funding. If this project will not create jobs, this chart will not be applicable. Attach additional job classifications as necessary.

_____ ANTICIPATED/ACTUAL HIRES				_____ HIRING YEAR	
PLANNED			ACTUAL		
Job Classification	# of Positions to be Filled	# of Positions to be Filled by Lower Income <hr style="width: 50%; margin: 0 auto;"/> Residents	# of Positions Filled	Positions Filled by Lower Income <hr style="width: 50%; margin: 0 auto;"/> Residents	

NOW, THEREFORE, BE IT RESOLVED, that the Grantee adopts the above CDBG certifications and commitments that must be adopted annually.

PASSED, APPROVED, SIGNED, AND ADOPTED at a duly called and convened regular meeting of the governing body of the Lower Rio Grande Public Water Works Authority this 20th day of January, 2021.

SIGNED: _____
Esperanza Holguin, Chair, Chief Elected Official

ATTEST:

(Name and Title)
Joe Evaro, Secretary

EXHIBIT 1-Z

CDBG FEDERAL REQUIREMENTS

CITIZEN PARTICIPATION REQUIRED ELEMENTS

In accordance with the 1987 revisions to the Housing and Community Development Act and in an effort to further encourage citizen participation, _____ has prepared and adopted this Citizen Participation Plan.

Objective A

_____ will provide for and encourage citizen participation within its area of jurisdiction, with particular emphasis on participation by persons of low and moderate income. *Action items:*

1. *Adopt and circulate an Open Meetings Resolution which provides citizens with reasonable notice of county/municipality upcoming meetings, actions and functions.*
2. *Develop press releases on county/municipality meetings, actions and hearings, and circulate to newspapers, radio and television media.*
3. *Develop and maintain listing of groups and representative of low and moderate income persons, and include on mailing lists of announcements, notices, press releases, etc.*

Objective B

_____ will provide citizens with reasonable and timely access to local meetings, information and records relating to the proposed and actual use of CDBG funds. *Action items:*

1. *Public notices, press releases, etc., should allow for a maximum length of notice to citizens.*
2. *Appropriate information and records relating to the proposed and actual use of CDBG funds must be available upon request to all citizens. Personnel and income records may be exempted from these requirements.*
3. *Meetings, hearing, etc., should be conducted at times and locations conducive to public attendance, e.g., evenings, Saturdays.*

Objective C

_____ will provide technical assistance to groups and representatives of low and moderate income persons that request assistance in developing proposals. *Note: the level and type of assistance is to be determined by the county/municipality. Action items:*

1. *Low and moderate income groups should be advised that technical assistance, particularly in the area of community development, is available from the county/municipality upon request.*
2. *Document technical assistance provided to such groups and has documentation available for review.*

Objective D

_____ will provide a minimum of two public hearings to obtain citizen participation and respond to proposals and questions at all stages of the Community Development Block Grant Program. *Action items:*

1. *Advise citizens of the CDBG program objectives, range of activities that can be applied for and other pertinent information.*
2. *Conduct a minimum of two public hearings:*
 - a. *One public hearing will be held to advise citizens of the program objectives and range of activities that can be applied for, and to obtain the citizen's views on community development and housing needs, to include the needs of low and moderate income people. This hearing will take place prior to the selection of the project to be submitted to the state for CDBG funding assistance.*
 - b. *A second public hearing will be held to review program performances, past use of funds and make available to the public its community development and housing needs, including the needs of low and moderate income families, and the activities to be undertaken to meet such needs.*
3. *Publish public hearing notices in the non-legal section of newspapers or in other local media. Evidence of compliance with these regulations will be provided with each CDBG application, i.e., hearing notice minutes of public meetings, list of needs and activities to be undertaken, etc. Amendments to goals, objectives and applications are also subject to public participation.*

Objective E

_____ will provide timely written answers to written complaints and grievances within 15 working days where practical. *Action items:*

1. *Adopt complaint handling procedures or policies to insure that complaints or grievances are responded to within 15 days, if possible.*
2. *Allow for appeal of a decision to a neutral authority.*
3. *File a detailed record of all complaints or grievances and responses in one central location with easy public access.*

Objective F

_____ will identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of residents can be reasonably expected to participate. *Action items:*

1. *Identify areas where large majorities of non-English speaking persons reside and make appropriate provisions when issues affecting these areas are to be discussed at public meetings, hearings, etc. Appropriate provisions will include having interpreters available at the meeting and having briefing material available in the appropriate language.*
2. *Maintain records/rosters of public hearing attendees and proceedings to verify compliance with this objective.*

FAIR HOUSING REQUIRED ELEMENTS

A resolution of the _____ of the _____ of _____, adopting a fair housing policy, making known its commitment to the principle of fair housing, and describing actions it shall undertake to affirmatively further fair housing.

WHEREAS; the Housing and Community Development act of 1974 as amended requires that all applicant for Community Development Block Grants funds certify that they shall affirmatively further fair housing; and

WHEREAS; the Civil Rights Act of 1968 (commonly known as the Federal Fair Housing Act) and the Fair Housing Amendments Act of 1988 declare a national policy to prohibit discrimination in the sale, rental, leasing and financing of housing or land to be used for the construction of housing or in the provision of brokerage services, on the basis of race, color, religion, sex, disability, familial status or national origin; and

WHEREAS; fairness is the foundation of the American system and reflects traditional American values; and

WHEREAS; discriminatory housing practices undermine the strength and vitality of America and its people;

NOW, THEREFORE, BE RESOLVED THAT the _____ of the _____ of _____ hereby wish all persons living, working, doing business in or traveling through this _____ to know that: discrimination in the sale, rental, leasing, and financing of housing or land to be used for construction of housing, or in the provision of brokerage services on the basis of race, color, religion, sex, handicap, familial status or national origin is prohibited by Title VIII of the Fair Housing Act Amendments of 1988; and that it is the policy of the _____ of _____ to implement programs, within the constraints of its resources, to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, handicap, familial status or national origin; and within available resources the _____ of _____ will assist all persons who feel they have been discriminated against in housing issues on the basis of race, color, religion, sex, handicap, familial status or national origin to seek equality under existing federal and state laws to file a complaint with the New Mexico Attorney General's Office or the U.S. Department of Housing and Urban Development; and that the _____ of _____ shall publicize this Resolution and thereby encouraging owners of rental properties, developers, builders and others involved with housing to become aware of their respective responsibilities and rights under the Fair Housing Amendments Act of 1988 and any applicable state or local laws or ordinances; and that the _____ of _____ shall undertake the following actions to affirmatively further fair housing:

(List all such actions to include: mailing copies of this resolution to the real estate community, banks, developers, community organizations and local media; posting copies of this resolution at identified locations; distributing flyers; sponsoring schools)

RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE REQUIRED ELEMENTS

I. Background/Introduction

Section 104(d) of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5304(d)(4)), Section 105(b)(16) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705(b)(16)), and implementing regulations at 24 CFR Part 42, specify that a grantee under the Community Development Block Grant (CDBG) must certify that it has in effect and is following a “residential Anti-displacement and relocation assistance plan” (Plan). As a CDBG grantee, _____ must certify to State of New Mexico Department of Finance and Administration Local Government Division that it has and is following such a Plan.

The Plan must include three components: 1) one-for-one replacement requirements for lower-income housing units, 2) relocation assistance, and 3) a description of the steps _____ will take to minimize displacement.

II. Activities Covered by the Plan

All activities involving the use of CDBG funds that cause displacement as a direct result of demolition or conversion of a lower-income dwelling are subject to the requirements specified in the Plan. Activities for which funds are first obligated on or after September 30, 1988 are subject to the requirements specified in the Plan, without regard to the source year of the funds.

III. Uniform Relocation Act

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) govern displacement that directly results from acquisition, rehabilitation, or demolition of real property when federal funds are used. _____’s Residential Anti-displacement and Relocation Assistance Plan is in no way intended to supersede the URA. CDBG assisted activities may still be subject to the requirements of the URA.

IV. One-for-One Replacement Units

All occupied and vacant occupiable lower-income dwelling units that are demolished or converted to a use other than as lower-income dwelling units in connection with an assisted activity must be replaced with comparable lower-income units. Replacement lower-income dwelling units may be provided by any governmental agency or private developer and must meet the following requirements:

- A. The units must be located within _____ to the extent feasible, the units shall be located within the same neighborhood as the units replaced

- B. The units must be sufficient in number and size to house no fewer than the number of occupants who could have been housed in the units that are demolished or converted. The number of occupants who could have been housed in the units shall be in accordance with applicable local housing occupancy codes. The units may not be replaced with smaller units (e.g., a 2-bedroom unit with two 1-bedroom units), unless _____ has provided information demonstrating that such a proposed replacement is consistent with the needs assessment contained State of New Mexico Department of Finance and Administration Local Government Division HUD-approved Consolidated Plan.
- C. The units must be in standard condition and must at a minimum meet Section 8 Program Housing Quality Standards. Replacement lower-income units may include units brought from a substandard condition to standard condition if: 1) no person was displaced from the unit; and 2) the unit was vacant for at least 3 months before execution of the agreement between _____ and the property owner.
- D. The units must initially be made available for occupancy at any time during the period beginning 1 year before the recipient makes public the information required under Section F below and ending 3 years after the commencement of the demolition or rehabilitation related to the conversion.
- E. The units must be designed to remain lower-income dwelling units for at least 10 years from the date of initial occupancy. Replacement lower-income dwelling units may include, but are not limited to, public housing or existing housing receiving Section 8 project-based assistance
- F. Before _____ enters into a contract committing it to provide CDBG funds for any activity that will directly result in the demolition of lower-income dwelling units or the conversion of lower-income dwelling units to another use, _____ must make public and submit in writing to State of New Mexico Department of Finance and Administration Local Government Division the following information:
- 1 A description of the proposed assisted activity;
 - 2 The location on a map and number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than for lower-income dwelling units as a direct result of the assisted activity;
 - 3 A time schedule for the commencement and completion of the demolition or conversion;
 - 4 The location on a map and the number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units. If such data is not available at the time of the submission to State of New Mexico Department of Finance and Administration Local Government Division, the submission shall identify the general location on an area map and the approximate number of dwelling units by size, and information identifying the specific location and number of dwellings units by size shall be submitted and disclosed to the public as soon as it is available;
 - 5 The source of funding and time schedule for the provision of replacement dwelling units;
 - 6 The basis for concluding that each replacement unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
 - 7 Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the needs assessment contained in

the State of New Mexico Department of Finance and Administration Local Government Division Consolidated Plan.

- G. The one-for-one replacement requirements may not apply if HUD determines, based on objective data, that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within _____ . In making such a determination, State of New Mexico Department of Finance and Administration Local Government Division will consider such factors as vacancy rates, numbers of lower-income units in _____ and the number of eligible families on the Section 8 waiting list.

V. Relocation Assistance

Each lower-income person who is displaced as a direct result of CDBG assisted demolition or conversion of a lower-income dwelling shall be provided with relocation assistance.

Relocation assistance includes advisory services and reimbursement for moving expenses, security deposits, credit checks, other moving expenses, including certain interim living costs, and certain replacement housing assistance.

Displaced persons have the right to elect, as an alternative to the benefits described in this Plan, to receive benefits under the URA, if they determine that it is in their best interest to do so. The following relocation assistance shall be available to lower-income displacement persons:

- A. Displaced lower-income persons will receive the relocation assistance required under 49 CFR 24, Subpart C (General Relocation Requirements) and Subpart D (Payment for Moving and Related Expenses) whether the person elects to receive assistance under the URA or the assistance required by CDBG regulations. Relocation notices must be distributed to the affected persons in accordance with 49 CFR 24.203 of the URA;
- B. The reasonable and necessary cost of any security deposit required to rent the replacement dwelling unit and for credit checks required to rent or purchase the replacement dwelling unit;
- C. Actual reasonable out-of-pocket costs incurred in connection with temporary relocation, including moving expenses and increased housing costs, if:
 - 1. The person must relocate temporarily because continued occupancy of the dwelling unit constitutes a substantial danger to the health or safety of the person or the public; or
 - 2. The person is displaced from a lower-income dwelling unit, none of the comparable replacement units to which the person has been referred qualifies as a lower-income dwelling unit, and a suitable lower-income dwelling unit is scheduled to become available through one-for-one replacement requirements
- D. Replacement Housing Assistance. Displaced persons are eligible to receive one of the following two forms of replacement housing assistance:
 - 1. Each person shall be offered rental assistance equal to 60 times the amount necessary to reduce the monthly rent and estimated average monthly cost of

utilities for a replacement dwelling to the "Total Tenant Payment", as determined under 24 CFR 813.107. All or a portion of this assistance may be offered through a certificate or housing voucher for rental assistance under the Section 8 program. Where Section 8 assistance is provided to the displaced person,

_____ must provide the person with referrals to comparable units whose owners are willing to participate in Section 8 program to the extent that cash assistance is provided, it will be provided in installments.

2. In lieu of the housing voucher, certificate or cash assistance described above, the person may elect to receive a lump sum payment allowing them to secure participation in a housing cooperative or mutual housing association. This lump sum payment shall be equal to the capitalized value of 60 monthly installments of the amount that is obtained by subtracting the

"Total Tenant Payment", as determined under 24 CFR 813.107, from the monthly cost of rent and average monthly cost of utilities at a comparable replacement dwelling unit. To compute the capitalized value, the installments shall be discounted at the rate of interest paid on passbook savings in a federally insured financial institution conducting business within _____.

Displaced lower-income tenants shall be advised of their right to elect relocation assistance pursuant to the URA and the regulations at 49 CFR 24 as an alternative to the relocation assistance available under CDBG regulations.

VI. Eligibility for Relocation Assistance

A lower-income person is eligible for relocation assistance if they are considered to be a "displaced person" as defined in 24 CFR 42.305. A displaced person means a lower-income person who, in connection with an activity assisted under the CDBG program, permanently moves from real property or permanently moves personal property from real property as a direct result of demolition or conversion of a lower-income dwelling.

For purposes of this definition, a permanent move includes a move made permanently and:

- A. After notice by the owner to move from the property, if the move occurs on or after the date of the submission of a request to _____ for CDBG assistance that is later approved for the requested activity; or
- B. After notice by the owner to move from the property, if the move occurs on or after the date of the initial official submission to HUD of the consolidated plan under 24 CFR Part 91 describing the assisted activity; or
- C. Before the dates described in A & B above, if _____ or State of New Mexico Department of Finance and Administration Local Government Division determines that the displacement was a direct result of conversion or demolition in connection with a CDBG assisted activity; or
- D. By a tenant-occupant of a dwelling unit, if any one of the following three situations occurs:
 1. The tenant moves after execution of the CDBG agreement covering the acquisition, rehabilitation or demolition and the move occurs before the tenant is

provided written notice offering the tenant the opportunity to lease and occupy a suitable, decent, safe and sanitary dwelling in the same building/complex upon completion of the project under reasonable terms and conditions, including a monthly rent and estimated average monthly utility costs that do not exceed the greater of the tenant's monthly rent before such agreement, or the total tenant payment as determined under 24 CFR 813.107 if the tenant is lower-income, or 30 percent of gross household income if the tenant is not lower-income.

2. The tenant is required to relocate temporarily, does not return to the building/complex, and either is not offered payment for all reasonable out-of-pocket expenses incurred in connection with the temporary relocation, or other conditions of the temporary relocation are not reasonable.
3. The tenant is required to move to another dwelling unit in the same building/complex but is not offered reimbursement for all reasonable out-of-pocket expenses incurred in connection with the move, or other conditions of the move are not reasonable.

If the displacement occurs on or after the appropriate date described in A & B above, the lower-income person is not eligible for relocation assistance if:

- A. The person is evicted for cause based upon a serious or repeated violation of the terms and conditions of the lease or occupancy agreement, violation of applicable federal, State or local law, or other good cause, and the _____ determines that the eviction was not undertaken for the purpose of evading the obligation to provide relocation assistance;
- B. The person moved into the property on or after the date described in A & B above after receiving written notice of the expected displacement; or
- C. _____ determines that the displacement was not a direct result of the CDBG assisted activity and the State of New Mexico Department of Finance and Administration Local Government Division concurs with this determination.

VII. Minimizing Displacement

The CDBG regulations regarding the demolition or conversion of lower-income dwelling units are designed to ensure that lower-income persons are provided with adequate, affordable replacement housing. Naturally, involuntary displacement should be discouraged whenever a reasonable alternative exists. Involuntary displacement is extremely disruptive and disturbing, especially to lower-income persons who do not have the means to locate alternative housing.

There are various ways that displacement can be minimized. The following are steps that will be taken to minimize the involuntary displacement of lower-income persons when CDBG funds are involved:

- A. Screening of Applications All CDBG applications will be reviewed to determine whether involuntary displacement is likely to occur. Those applications involving displacement will receive a lower priority recommendation for funding unless it can be shown that alternatives are not available.
- B. Acquisition of Property Applicants who apply for CDBG funds to acquire property for the

development of lower-income housing will be encouraged to purchase vacant land. In the case of in-fill and other projects where this is not feasible and the project involves potential displacement, the applicant shall agree to allow the displaced lower-income person(s) to occupy the new housing at an affordable rent.

Applicants who utilize CDBG funds to rehabilitate or convert a lower-income unit to a non-residential use will be required to supply replacement housing consistent with paragraph IV, as well as relocation assistance.

- C. Cost of Relocation Assistance The cost of any required relocation assistance and the provision of replacement housing will be borne by the applicant and may be paid for out of CDBG funds awarded to the project.

VIII. Definitions

- A. "Comparable replacement dwelling unit" means a dwelling unit that:
 - 1 Meets the criteria of 49 CFR 24.2(d)(1) through (6); and
 - 2 Is available at a monthly cost for rent plus estimated average monthly utility costs that does not exceed the "Total Tenant Payment" determined under 24 CFR 813.107 after taking into account any rental assistance the household would receive.
- B. "Lower-income dwelling unit" means a dwelling unit with a market rental (including utility costs) that does not exceed the applicable Fair Market Rent (FMR) for existing housing and moderate rehabilitation established under 24 CFR Part 888.
- C. "Standard condition" means units that at a minimum meet the Existing Housing Quality Standards of the Section 8 rental subsidy program.
- D. "Substandard condition suitable for rehabilitation" means units with code violations that can be brought to Section 8 Housing Quality Standards within reasonable monetary amounts.
- E. "Vacant occupiable dwelling unit" means a dwelling unit that is in a standard condition; a vacant dwelling unit that is in substandard condition, but is suitable for rehabilitation; or a dwelling unit in any condition that has been occupied (except by a squatter) at any time within the period beginning 3 months before the date of execution of the agreement by _____ covering the rehabilitation or demolition.

IX. Grievances

The _____ will provide timely written answers to written complaints and grievances within 15 working days where practical. Action items:

- A. Adopt complaint handling procedures or policies to insure that complaints or grievances are responded to within 15 days, if possible.
- B. Allow for appeal of a decision to a neutral authority.
- C. File a detailed record of all complaints or grievances and responses in one central location with easy public access.

SECTION 3 PLAN REQUIRED ELEMENTS

The _____ is committed to comply with Section 3 of the Housing and Urban Development Act of 1968. This Act encourages the use of small local businesses and the hiring of low income residents of the community.

The _____ has appointed _____ as the Section 3 Coordinator, to advise and assist key personnel and staff on Section 3, to officially serve as focal point for Section 3 complaints, and as the on-site monitor of prime contractors and sub-contractors to insure the implementation and enforcement of their Section 3 plans. The approval or disapproval of the Section 3 plan is the ultimate responsibility of the _____. Documentation of efforts will be retained on file for monitoring by the state.

Therefore, the _____ shall:

1. Hiring
 - a. Advertise for all _____ positions in local newspapers
 - b. List all _____ job opportunities with the State Employment Service
 - c. Give preference in hiring to lower income persons residing in the _____. This means that if two equally qualified persons apply and one is a resident of the _____ and one is not, the resident will be hired
 - d. Maintain records of _____ hiring as specified in the Annual CDBG Resolutions (Exhibit 1-Y). Note: Chart for Section 3 Plan MUST be filled out in its entirety and updated on an annual basis.

2. Contracting

- a. The _____ will compile a list of businesses, suppliers and contractors located in the _____.
- b. These vendors will be contacted for bid or quotes whenever the _____ requires supplies, services or construction.
- c. Preference will be given to small local businesses. This means if identical bids/quotes are received from a small business located within the _____ and one from outside the _____, the contract will be awarded to the business located within the community.

3. Training

The _____ shall maintain a list of all training programs operated by the _____ and its agencies and will direct them to give preference to _____ residents. The _____ will also direct all CDBG sponsored training to provide preference to _____ residents.

4. CDBG Contracts

All CDBG bid proposals and contracts shall include the following Section 3 language.

- a. The work to be performed under this contract is on a project assisted under a program providing direct federal financial assistance from the Department of Housing and Urban Development and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u. Section 3 requires that the greatest extent feasible, opportunities for training and employment be given lower income residents of the project areas, and contracts for work in connection with the project be awarded to business concerns residing in the project area.
- b. The parties to this contract will comply with the provision of said Section 3 and the regulations issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 CFR and all applicable rules and orders of the Department issued there-under prior to the execution of this contract. The parties to this contract certify and agree that they are under no contractual or other disability which would prevent them from complying with these requirements.
- c. The contractor will send to each labor organization or representative of workers with which he has a collective bargaining agreement or other contract or understanding, if any, a notice advising the said labor organization or workers' representative of his commitments under the Section 3 clause, and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.
- d. The contractor will include this Section 3 clause in every subcontract for work in connection with the project and will, at the direction of the applicant for, or recipient of federal financial assistance, take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR 135. The contractor will not subcontract with any subcontractor where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR 135, and will not let any subcontract unless the subcontractor has first provided it with the requirements of these regulations.
- e. Compliance with the provisions of Section 3, the regulations set forth in 24 CFR 135, and all applicable rules and orders of the Department, issued thereunder prior to the execution of the contract, shall be a condition of the federal financial assistance provided to the project, binding upon the applicant or recipient for such assistance, its successors and assigns. Failure to fulfill these requirements shall subject the applicant or recipient, its contractors and subcontractors, its successors and assigns to those sanctions specified by the grant or loan agreement or contract through which federal assistance is provided, and to such sanctions as are specified by 24 CFR 135.

The _____ shall require each contractor to prepare a written Section 3 plan as a part of their bids on all jobs exceeding \$100,000. All Section 3 plans shall be reviewed and approved by the City's Equal Opportunity Section 3 Compliance Officer and retained for monitoring by the state.

The _____ will maintain all necessary reports and will insure that all contractors and subcontractors submit required reports.

LOWER INCOME CLARIFICATION

A family who resides in _____ and whose income does not exceed the income limit for the size of family as per the attached Section 8 Income Limit for _____. Information contained in our Section 3 Plan reflects the status of the _____ employees regarding lower income considerations based on their salary paid by the _____.

Certification

This Federal Requirements Plan hereby incorporates all of the State of New Mexico CDBG requirements to include Citizen Participation, Fair Housing, Residential Anti-Displacement & Relocation as well as Section 3. The _____ herewith certifies to follow the CDBG Federal Requirements Plan described above and adopt the plan by resolution annually.

PASSED AND ADOPTED BY THE _____ of the _____ of _____ on this _____ day of _____.

ATTEST:

APPROVED AS TO FOR:

Clerk Secretary
Joe Evaro

Attorney
Josh Smith

Plan Adoption Date: xxxxxxxxxxxxxxxxx January 20, 2021

Adoption Instrument: Resolution FY2021-14

Certified By: _____ January 20, 2021
Date

Copy to Local Government Division with attachments



www.lrgauthority.org

LOWER RIO GRANDE

Public Water Works Authority

Resolution #FY2021-13

Approving Second Quarter Budget for Fiscal Year 2021

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 FY2021 Second Quarter Budget on January 20, 2021.

Therefore, be it resolved, the Board of Directors adopts and passes this resolution to approve the FY2021 Second Quarter Budget officially approved on January 20, 2021.

PASSED, APPROVED, AND ADOPTED: January 20, 2021.

Esperanza Holguin, Board Chair

Seal:

Joe Evaro, Secretary

State of New Mexico Local Government Budget Management System (LGBMS)

Year-to-Date Actuals - Fiscal Year 2020-2021 - FY2021 Q2 Lower Rio Grande Public WWA - Entity Detail Report Sorted by Fund and Department

Printed from LGBMS on 2021-01-19 13:44:05

11000 General Operating Fund

10000 Assets

0001 No Department

10100 Cash Assets	Original	Adjustments	Adjusted	YTD	Balance	% Realized
10101 Unrestricted Cash	1,495,785.00	0.00	1,495,785.00	1,495,785.00	0.00	100.00
10100 Totals	1,495,785.00	0.00	1,495,785.00	1,495,785.00	0.00	100.00
0001 Totals	1,495,785.00	0.00	1,495,785.00	1,495,785.00	0.00	100.00
10000 Assets Totals	1,495,785.00	0.00	1,495,785.00	1,495,785.00	0.00	100.00

50100 Water Enterprise

40000 Revenues

0001 No Department

44000 Charges for Services	Original	Adjustments	Adjusted	YTD	Balance	% Realized
44010 Administrative Fees	8,000.00	0.00	8,000.00	7,236.50	763.50	90.46
44190 Rental Fees	10,000.00	0.00	10,000.00	4,500.00	5,500.00	45.00
44220 Water Use Fees	2,850,000.00	0.00	2,850,000.00	1,702,942.16	1,147,057.84	59.75
44230 Utility Service Fees	5,000.00	0.00	5,000.00	1,550.00	3,450.00	31.00
44240 Utility Connection Fees	30,000.00	0.00	30,000.00	41,692.41	(11,692.41)	138.97
44250 Utility Re-Connection Fees	100,000.00	0.00	100,000.00	104,835.87	(4,835.87)	104.84
44270 Impact Fees	40,000.00	0.00	40,000.00	138,479.35	(98,479.35)	346.20
44990 Other Charges for Services	7,000.00	0.00	7,000.00	6,417.85	582.15	91.68
44000 Totals	3,050,000.00	0.00	3,050,000.00	2,007,654.14	1,042,345.86	65.82
46000 Miscellaneous Revenues	Original	Adjustments	Adjusted	YTD	Balance	% Realized
46050 Joint Power Agreements Income	40,000.00	0.00	40,000.00	23,430.70	16,569.30	58.58
46900 Miscellaneous - Other	106,000.00	0.00	106,000.00	43,916.84	62,083.16	41.43
46000 Totals	146,000.00	0.00	146,000.00	67,347.54	78,652.46	46.13
0001 Totals	3,196,000.00	0.00	3,196,000.00	2,075,001.68	1,120,998.32	64.92
40000 Revenues Totals	3,196,000.00	0.00	3,196,000.00	2,075,001.68	1,120,998.32	64.92

50000 Expenditures

6003 Water Utility/Authority

51000 Salary & Wages (FTE required)	Original	Adjustments	Adjusted	YTD	Balance	% Realized
51020 Salaries - Full-Time Positions	1,075,000.00	0.00	1,075,000.00	537,532.27	537,467.73	50.00
51060 Salaries - Overtime	50,000.00	0.00	50,000.00	17,973.25	32,026.75	35.95
51900 Salaries - Other Wages	224,500.00	0.00	224,500.00	118,587.91	105,912.09	52.82
51000 Totals	1,349,500.00	0.00	1,349,500.00	674,093.43	675,406.57	49.95
52000 Employee Benefits	Original	Adjustments	Adjusted	YTD	Balance	% Realized
52010 FICA - Regular	80,000.00	0.00	80,000.00	41,753.53	38,246.47	52.19
52011 FICA - Medicare	18,000.00	0.00	18,000.00	9,764.98	8,235.02	54.25
52020 Retirement	175,000.00	0.00	175,000.00	22,890.93	152,109.07	13.08
52030 Health and Medical Premiums	250,000.00	0.00	250,000.00	144,205.46	105,794.54	57.68
52040 Life Insurance Premiums	12,500.00	0.00	12,500.00	10.06	12,489.94	0.08
52050 Dental Insurance Premiums	12,500.00	0.00	12,500.00	7,054.03	5,445.97	56.43
52060 Vision Insurance Medical Premiums	4,000.00	0.00	4,000.00	2,098.05	1,901.95	52.45
52080 Other Insurance Premiums	500.00	0.00	500.00	685.00	(185.00)	137.00
52100 Workers' Compensation Premium	15,000.00	0.00	15,000.00	4,815.00	10,185.00	32.10
52000 Totals	567,500.00	0.00	567,500.00	233,277.04	334,222.96	41.11

53000 Travel Costs	Original	Adjustments	Adjusted	YTD	Balance	% Realized
53030 Travel - Employees	11,500.00	0.00	11,500.00	0.00	11,500.00	0.00
53050 Transportation Costs	1,500.00	0.00	1,500.00	0.00	1,500.00	0.00
53000 Totals	13,000.00	0.00	13,000.00	0.00	13,000.00	0.00
54000 Purchased Property Services	Original	Adjustments	Adjusted	YTD	Balance	% Realized
54030 Maintenance & Repairs - Grounds/Roadways	5,000.00	0.00	5,000.00	9,902.51	(4,902.51)	198.05
54040 Maintenance & Repairs - Vehicles	30,000.00	0.00	30,000.00	32,240.77	(2,240.77)	107.47
54999 Other Maintenance	101,000.00	0.00	101,000.00	102,531.45	(1,531.45)	101.52
54000 Totals	136,000.00	0.00	136,000.00	144,674.73	(8,674.73)	106.38
55000 Contractual Services	Original	Adjustments	Adjusted	YTD	Balance	% Realized
55010 Contract - Audit	14,000.00	0.00	14,000.00	9,356.13	4,643.87	66.83
55030 Contract - Professional Services	102,500.00	0.00	102,500.00	74,556.95	27,943.05	72.74
55999 Contract - Other Services	10,000.00	0.00	10,000.00	320.06	9,679.94	3.20
55000 Totals	126,500.00	0.00	126,500.00	84,233.14	42,266.86	66.59
56000 Supplies	Original	Adjustments	Adjusted	YTD	Balance	% Realized
56020 Supplies - General Office	11,000.00	0.00	11,000.00	7,726.02	3,273.98	70.24
56030 Supplies - Field Supplies	55,000.00	0.00	55,000.00	20,796.12	34,203.88	37.81
56040 Supplies - Furniture/Fixtures/Equipment (Non-Capital)	20,000.00	0.00	20,000.00	21,673.58	(1,673.58)	108.37
56110 Supplies - Uniforms/Linen	15,000.00	0.00	15,000.00	7,077.07	7,922.93	47.18
56120 Supplies - Vehicle Fuel	60,000.00	0.00	60,000.00	25,715.09	34,284.91	42.86
56999 Supplies - Other	100,000.00	0.00	100,000.00	43,903.83	56,096.17	43.90
56000 Totals	261,000.00	0.00	261,000.00	126,891.71	134,108.29	48.62
57000 Operating Costs	Original	Adjustments	Adjusted	YTD	Balance	% Realized
57050 Employee Training	5,000.00	0.00	5,000.00	1,478.54	3,521.46	29.57
57070 Insurance - General Liability/Property	90,000.00	0.00	90,000.00	42,582.01	47,417.99	47.31
57080 Postage	3,000.00	0.00	3,000.00	931.64	2,068.36	31.05
57090 Printing/Publishing/Advertising	47,500.00	0.00	47,500.00	23,151.78	24,348.22	48.74
57150 Subscriptions & Dues	3,000.00	0.00	3,000.00	4,845.04	(1,845.04)	161.50
57160 Telecommunications	40,000.00	0.00	40,000.00	23,561.92	16,438.08	58.90
57170 Utilities - Electricity	221,000.00	0.00	221,000.00	121,145.47	99,854.53	54.82
57171 Utilities - Natural Gas	3,000.00	0.00	3,000.00	1,028.62	1,971.38	34.29
57999 Other Operating Costs	51,000.00	0.00	51,000.00	31,088.68	19,911.32	60.96
57000 Totals	463,500.00	0.00	463,500.00	249,813.70	213,686.30	53.90
59000 Debt Service	Original	Adjustments	Adjusted	YTD	Balance	% Realized
59010 Debt Service - Principal Payments	128,000.00	0.00	128,000.00	192,086.27	(64,086.27)	150.07
59020 Debt Service - Interest Payments	151,000.00	0.00	151,000.00	82,124.27	68,875.73	54.39
59000 Totals	279,000.00	0.00	279,000.00	274,210.54	4,789.46	98.28
6003 Totals	3,196,000.00	0.00	3,196,000.00	1,787,194.29	1,408,805.71	55.92
50000 Expenditures Totals	3,196,000.00	0.00	3,196,000.00	1,787,194.29	1,408,805.71	55.92
50300 Wastewater/Sewer Enterprise						
40000 Revenues						
0001 No Department						
44000 Charges for Services	Original	Adjustments	Adjusted	YTD	Balance	% Realized
44230 Utility Service Fees	140,000.00	0.00	140,000.00	84,261.52	55,738.48	60.19
44240 Utility Connection Fees	77,500.00	0.00	77,500.00	16,715.12	60,784.88	21.57
44990 Other Charges for Services	4,500.00	0.00	4,500.00	2,231.36	2,268.64	49.59
44000 Totals	222,000.00	0.00	222,000.00	103,208.00	118,792.00	46.49
0001 Totals	222,000.00	0.00	222,000.00	103,208.00	118,792.00	46.49
40000 Revenues Totals	222,000.00	0.00	222,000.00	103,208.00	118,792.00	46.49
50000 Expenditures						
6005 Wastewater Utility/Authority						
51000 Salary & Wages (FTE required)	Original	Adjustments	Adjusted	YTD	Balance	% Realized
51020 Salaries - Full-Time Positions	50,000.00	0.00	50,000.00	0.00	50,000.00	0.00

51060 Salaries - Overtime	4,500.00	0.00	4,500.00	0.00	4,500.00	0.00
51000 Totals	54,500.00	0.00	54,500.00	0.00	54,500.00	0.00
52000 Employee Benefits	Original	Adjustments	Adjusted	YTD	Balance	% Realized
52010 FICA - Regular	2,500.00	0.00	2,500.00	0.00	2,500.00	0.00
52011 FICA - Medicare	500.00	0.00	500.00	0.00	500.00	0.00
52020 Retirement	7,000.00	0.00	7,000.00	0.00	7,000.00	0.00
52000 Totals	10,000.00	0.00	10,000.00	0.00	10,000.00	0.00
54000 Purchased Property Services	Original	Adjustments	Adjusted	YTD	Balance	% Realized
54999 Other Maintenance	75,000.00	0.00	75,000.00	48,936.88	26,063.12	65.25
54000 Totals	75,000.00	0.00	75,000.00	48,936.88	26,063.12	65.25
56000 Supplies	Original	Adjustments	Adjusted	YTD	Balance	% Realized
56030 Supplies - Field Supplies	28,500.00	0.00	28,500.00	45.87	28,454.13	0.16
56000 Totals	28,500.00	0.00	28,500.00	45.87	28,454.13	0.16
57000 Operating Costs	Original	Adjustments	Adjusted	YTD	Balance	% Realized
57170 Utilities - Electricity	9,000.00	0.00	9,000.00	7,509.30	1,490.70	83.44
57000 Totals	9,000.00	0.00	9,000.00	7,509.30	1,490.70	83.44
59000 Debt Service	Original	Adjustments	Adjusted	YTD	Balance	% Realized
59010 Debt Service - Principal Payments	20,000.00	0.00	20,000.00	8,183.04	11,816.96	40.92
59020 Debt Service - Interest Payments	25,000.00	0.00	25,000.00	13,110.96	11,889.04	52.44
59000 Totals	45,000.00	0.00	45,000.00	21,294.00	23,706.00	47.32
6005 Totals	222,000.00	0.00	222,000.00	77,786.05	144,213.95	35.04
50000 Expenditures Totals	222,000.00	0.00	222,000.00	77,786.05	144,213.95	35.04

ALL FUNDS	Original	Adjustments	Adjusted	YTD	Balance	% Realized
10000 Assets	1,495,785.00	0.00	1,495,785.00	1,495,785.00	0.00	100.00
40000 Revenues	3,418,000.00	0.00	3,418,000.00	2,178,209.68	1,239,790.32	63.73
50000 Expenditures	3,418,000.00	0.00	3,418,000.00	1,864,980.34	1,553,019.66	54.56



LOWER RIO GRANDE

Public Water Works Authority

325 Holguin Road

Vado, New Mexico 88072

(575) 233-5742

<http://LRGauthority.org>

Resolution Number FY2021-14

Authorizing Funding Application to New Mexico Colonias Infrastructure Trust Fund Board for High Valley Water System Improvements Project Phase III

WHEREAS, the Lower Rio Grande Public Water Works Authority (LRGPWWA) is a qualified entity under the Water Project Finance Act, Sections 72-4A-1 through 72-4A-10, and the Lower Rio Grande Public Water Works Authority Board of Directors (Governing Body) is authorized under NMSA 1978 73-26-1 to borrow funds and/or issue bonds for financing of public project for benefit of the LRGPWWA; and

WHEREAS, the LRGPWWA has completed a merger with the High Valley Mutual Domestic Water Consumers Association including the assumption of the High Valley Preliminary Engineering Report (PER) funded by 3354-CIF and Phase I and Phase II Water System Improvements Projects funded by 4645-CIF and 4916-CIF; and

WHEREAS, the LRGPWWA is committed to completing the necessary improvements to the High Valley water system identified in the PER;

NOW THEREFORE, the Board of Directors of the Lower Rio Grande Public Water Works Authority resolves to authorize its officers and staff to prepare and submit a funding application to the New Mexico Colonias Infrastructure Trust Fund Board for the LRGPWWA High Valley Water System Improvements Phase III Project.

PASSED, APPROVED AND ADOPTED this 20th day of January 2021:

Seal:

Esperanza Holguin, Board Chair

ATTEST:

Joe Evaro, Secretary



LOWER RIO GRANDE

Public Water Works Authority

325 Holguin Road

Vado, New Mexico 88072

(575) 233-5742

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Resolution Number FY2021-15

Authorizing Funding Application to New Mexico Colonias Infrastructure Trust Fund Board for East Mesa Water System Improvements Project Phase II

WHEREAS, the Lower Rio Grande Public Water Works Authority (LRGPWWA) is a qualified entity under the Water Project Finance Act, Sections 72-4A-1 through 72-4A-10, and the Lower Rio Grande Public Water Works Authority Board of Directors (Governing Body) is authorized under NMSA 1978 73-26-1 to borrow funds and/or issue bonds for financing of public project for benefit of the LRGPWWA; and

WHEREAS, the LRGPWWA has completed a Preliminary Engineering Report (PER) and Environmental Information Document (EID) with Local Government Planning Funds; and

WHEREAS, the LRGPWWA has completed the design of the East Mesa Phase I Water System Improvements identified in the PER and initiated a New Mexico Drinking Water State Revolving Loan Fund application for the Phase I construction costs; and

WHEREAS, the LRGPWWA is committed to completing the necessary improvements to the East Mesa water systems identified in the PER;

NOW THEREFORE, the Board of Directors of the Lower Rio Grande Public Water Works Authority resolves to authorize its officers and staff to prepare and submit a funding application to the New Mexico Colonias Infrastructure Trust Fund Board for design of the LRGPWWA East Water System Improvements Phase II Project.

PASSED, APPROVED AND ADOPTED this 20th day of January 2021:

Seal:

Esperanza Holguin, Board Chair

ATTEST:

Joe Evaro, Secretary