

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY

Minutes—REGULAR BOARD OF DIRECTORS MEETING

9:00 a.m. Wednesday, January 16, 2013 at the La Mesa Office, 521 St. Valentine

Note: Minutes are in DRAFT form until approved by the Board

- I. **Sign in, Roll Call to Establish Quorum, Call to Order** Sign-in sheet and agenda are attached. Directors present were Chairman Robert “Marty” Nieto (left at 10:19), Vice-Chairman John Holguin (arrived at 9:35), Secretary Santos Ruiz, Director Blanca Martinez, Director Mary Berry and Director Furman Smith. Directors Rosaura Pargas and Mike McMullen were not present. Staff members present were General Manager Martin Lopez, Finance Manager Kathi Jackson, Operations Manager, Mike Lopez, Projects Manager Karen Nichols and Adm Asst. Joan Ferguson. Also present was Matt Dyer with PSC. With a quorum established the meeting was called to order by Mr. Nieto at 9:12 with Mr. Nieto’s arrival pending. {22}
- II. **Approval of Agenda** Mr. Smith moved to approve the agenda with the following corrections: “2012” in the title changed to “2013” and item VIIC (the resolution on the Colonias Infrastructure Trust Fund) be postponed. Ms. Berry seconded the motion which carried. {1:15}
- III. **Approval of Minutes of 12/12/12** Ms. Berry requested that “solar power” in item IX (Other discussion) be changed to “solar power generation.” Ms. Berry moved to approve the minutes of 12/12/12 as amended. Mr. Ruiz seconded the motion. The motion carried 5-0. {6:10}
- IV. **Guest Presentations** None {6:15}
- V. **Public Input—15 minutes total allotted for this item, 3 minute time limit per person** None {6:26}
- VI. **Managers’ Reports**
 - A. **Management Report** Mr. Martin Lopez’s written report is attached and he discussed it with the Board.
 - ◇ Mr. Martin Lopez discussed the situation with the arsenic Administrative Compliance Order extension. Mr. Nieto asked if the two year extension was necessary. Mr. Lopez explained that because of a resignation at USDA, all approvals will be made in Washington D.C. which would put LRG on a two year timeline.
 - ◇ The meeting with the County Clerk will be January 22, not the 18th.
 - ◇ O/M request from Alto de Las Flores is discussed during the Projects report.
 - ◇ Mr. Nieto asked Brazito’s customers would be notified of billing changes. Mr. Lopez said that Mesilla Valley Accounting would be sending out the notification – in the form of a newsletter composed by LRGPWWA—would be sent out this week. {16:08}
 - B. **Finance Report** Ms. Kathi Jackson’s written reports are attached and he discussed it with the Board. The June balance sheet was included as a way to compare before and after merger financials.
 - ◇ A new accountant was hired and will begin next week.
 - ◇ **Resolution FY2013-07 Amended Budget – for adoption** Mr. Nieto asked Mr. Martin Lopez’s opinion. Mr. Lopez said he thought it was fine but a rate study in would be necessary. Ms. Nichols also noted that a rate study was a condition of the NMFA Consolidation Loan. A motion to adopt FY2013-07 Amended Budget was made by Ms. Berry and seconded by Ms. Martinez. The vote passed 6-0 in favor. Mr. Holguin arrived in time for the vote.

- ◇ A staff member (Angie Meza) was moved to the La Mesa office this week. She will be working on the upcoming elections as well as customer service twice a week. {27:16}

C. Operations Report Mr. Mike Lopez's written report is attached and he discussed it with the Board.

- ◇ Because of outages in Organ, Operations has posted notices in public locations.
- ◇ Residents on Furnace St. in Organ have had an especially difficult time with the work and Operations has been aiding them.
- ◇ The arsenic vessel and additional media at the #1 O'Hara well will cost around \$10,000.
- ◇ Mr. Nieto asked about an asbestos pipe installed in the past by Helena. Mr. Martin Lopez said that LRG will be laying sewer pipe beneath the existing asbestos pipe in order not to disturb it.
- ◇ Mr. Smith asked about compiling a water loss report. Mr. Mike Lopez said that he was working on coordinating with Finance for that report. {43:10}

D. Projects Report Ms. Karen Nichol's written report is attached and she discussed it with the Board.

- ◇ Since the report was written, the La Mesa Water System Improvements has developed complications. It has been discovered that the well hole is not plumb. The column is being re-milled after two unsuccessful attempts to install it. Ms. Berry and Matt Dyer (PSC) strongly recommended making absolutely certain that the hole is straight.
- ◇ During the overbilling in the Mesquite Wastewater Project, Mr. Martin Lopez mentioned that LRG had also overbilled USDA in the Mesquite Wastewater Project and is rectifying the situation.
- ◇ During the Alto de Las Flores Interloop discussion, Mr. Martin Lopez brought up the Operations and Maintenance issue that he overlooked during his report. Alto de Las Flores has had an O/M contract with the county which is not adequate and so they may approach LRGA about a new O/M contract.
- ◇ Requests for bids on the radio read meters will be advertised this weekend. (Mr. Nieto leaves at this point because of an emergency.) {1:12:23}

VII. Unfinished Business

- A. Draft Documents Retention Schedule, Personnel—for approval** Ms. Berry moved to approve the Documents Retention Schedule, Personnel. Mr. Ruiz seconded the motion and after a brief discussion, it carried 4-0. {1:16:32}
- B. Director nominations for GM Review Committee** There were no new nominations for the GM Review Committee. {1:16:52}
- C. Resolution re: Colonias Infrastructure Trust Fund Loan—for adoption** Postponed.

VIII. New Business

- A. Establish new voting districts – for adoption** Seven voting districts were proposed. No boundaries were changed with the existing five districts however they were re-numbered. Districts 1-5 have around 460 members per district. Districts 6 and 7 have 480-490 members per district. Mr. Holguin asked if it made more sense to split District 6 between Organ and Brazito or just combine Organ and Butterfield Park. Mr. Martin Lopez explained that Organ and Butterfield Park as one district would be around 900 members. He also clarified that the districts are not permanent, i.e. it would be possible and probable that they will have to be rearranged in the future to accommodate growth. The election is scheduled for April 9, 2013. Mr. Smith moved to adopt the new voting districts. Mr. Ruiz seconded it. The motion carried 5-0. {1:29:10}

- B. Proposed amendment to Election Policy** Ms. Nichols explained that having the county clerk run the entire election, including the absentee and early voting would be more consistent (rather than having the clerk run the election and LRG run the absentee voting) and would preclude possible complaints and/or challenges. Mr. Smith asked about qualifications to run for the Board. It was explained that the qualifications are membership in good standing in the Authority. Ms. Berry made a motion to amend the Election Policy to have the county clerk run the early and absentee voting. The motion was seconded by Ms. Ruiz and the vote carried 5-0. {1:32:55}
 - C. Resolution FY2013-08 to issue Election Proclamation** Ms. Berry moved to adopt Resolution FY2013-08 to issue the Election Proclamation as presented. Ms. Martinez seconded the motion. The vote carried 5-0 with no discussion. {1:34:22}
 - D. Resolution FY2013-09 to Apply to the Colonias Infrastructure Trust Fund** Ms. Berry voted to approve Resolution FY2013-09 to Apply to the Colonias Infrastructure Trust Fund. Mr. Smith seconded the motion and the vote carried 5-0. As this subject was discussed in the Projects Report, there was no further discussion. {1:35:50}
 - E. Motion to convene in closed session pursuant to NMSA 1978 Section 10-15-1 (H)(8) and (H)(7) for discussion of the acquisition of real property or water rights and threatened or pending litigation** A motion to convene in closed session pursuant to NMSA 1978 Section 10-15-1 (H)(8) and (H)(7) for discussion of the acquisition of real property or water rights and threatened or pending litigation was made by Ms. Berry and seconded by Mr. Smith. Roll call: Ms Berry, aye; Mr. Smith, aye; Ms. Martinez, aye; Mr. Ruiz, aye; Mr. Holguin, aye. The meeting was closed at 10:48. {1:36:25}
 - F. Motion to resume in open session** Ms. Berry made a motion to resume in open session. The motion was seconded by Ms. Martinez. The vote carried 5-0. Open session was resumed at 11:09.
 - G. Action (if any) related to items discussed in closed session** There was no action related to items discussed in the closed session. {1:36:44}
- IX. Other discussion and agenda items for next meeting, 2/20/13 at Vado Office**
- A.** Customer policy on connection fee.
 - B.** Customer policy on tampering fees.
 - C.** HR policies on part-time employees and holiday pay.
- X. Adjourn** Mr. Smith made a motion to adjourn the meeting. Ms. Martinez seconded it and it carried 5-0. Meeting was adjourned at 1:10 am. {1:38:01}

Date Minutes approved: _____

Directors Present

Chairman Robert M. Nieto

Vice-Chairman John Holguin

Absent

Director Rosaura Pargas

Director Santos Ruiz

Secretary Blanca Martinez

Director Mary Berry

Director Furman Smith

Absent

Director Mike McMullen

**LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY
MINUTES, REGULAR BOARD OF DIRECTORS MEETING**

9:00 a.m. Wednesday, December 12, 2012 at the Vado Community Center, 325 Holguin Rd

Note: Minutes are in DRAFT form until approved by Board

- I. **Sign in, Roll Call to Establish Quorum, Call to Order** Sign-in sheet and agenda are attached. Directors present were Chair Robert "Marty" Nieto, Vice-Chairman John Holguin, Secretary Santos Ruiz, Director Mary Berry and Director Furman Smith. Absent were Director Blanca Martinez and Director Rosaura Pargas. Staff members present were General Manager Martin Lopez, Finance Manager Kathi Jackson, Operations Manager Mike Lopez, Projects Manager Karen Nichols and Adm Asst Joan Ferguson. Also present was Espy Holguin from HUD. With a quorum established the meeting was called to order by Mr. Nieto at 9:05am. { :26}
- II. **Approval of Agenda** Motion was made by Mr. Holguin to approve the agenda and seconded by Mr. Ruiz. The motion passed 5-0. { :45}
- III. **Approval of Minutes of 11/14/12** Errors in name spellings were noted. A motion to approve the minutes with corrections was made by Mr. Holguin and seconded by Mr. Smith. The motion carried 5-0. {5:00}
- IV. **Guest Presentations** Senator Mary Papen's presentation was postponed until next month {5:21}
- V. **Public Input** none {5:30}
- VI. **Managers' Reports**
 - A. **Management Report** Mr. Martin Lopez's written report is attached and he discussed it with the Board.
 1. DAC's appraisal office is not recognizing Butterfield Park real property despite BP having paid taxes on the property. Management is working on clearing that up.
 2. The meeting with DAC over waste water rates was productive. The County contract contained rates for the Authority that were consistent with a customer rather than a supplier of wastewater. The County is drafting a new contract. {15:20}
 - B. **Projects Report** Ms. Karen Nichol's written report is attached and she discussed it with the Board.
 1. Continuing issues with NMFA and the State Engineer's Office over reviewing the contract for Surface Water Treatment Plant (LRG-11-05). Neither entity wants to review the contract. After a review of the contract, the Authority's attorney found that NMFA waived the right to approve the contract and it is valid with an addendum provided by the attorney. The project should be in the design phase by January.
 2. Ms. Nichols is still working with the State Engineer's Office to amend contract for radio read meters to specify that it is only for materials and not labor.
 3. Mr. Smith discussed the SCADA glitch with the water pump that failed on Thanksgiving in Organ. The software was not programmed to recognize the necessary parameters. Mr. Smith obtained a quote of \$1,500 to reprogram. He will coordinate with Ms. Nichols and Mr. Mike Lopez on the issue.
 4. Ms. Berry announced a community meeting January 10 with Representative Nate Cote and County Commissioner Wayne Hancock in Butterfield Park for the purpose of discussing area needs for the upcoming legislative session. {40:29}

- C. **Operations Report** Mr. Mike Lopez’s written report is attached and he discussed it with the Board.
1. Report, p. 2, third item should read that the Mesquite Sewer Report was sent last month and Mr. Lopez is currently working on Organ’s Sewer Report
 2. Ms. Berry brought up a confusion about when rates and fees would change from Butterfield Park policies to LRGPWWA policies. It was clarified that the policies will change when the merger is finalized. {55:30}
- D. **Finance Report** Ms. Kathi Jackson’s written report is attached and she discussed it with the Board.
1. Exceptional items in the Profit and Loss Report include three payrolls in the month of November, paying for the audit and writing off \$23,000 in water penalties.
 2. Audit has been finished with an unqualified opinion but several findings. It has yet to be released by the State Auditor.
 3. The Authority will have to issue request for proposals for IT, legal services and copier maintenance for next year.
 4. Management, Staff and Board meeting December 21.
 5. Mr. Martin Lopez told the Board that there are pending modifications in the organizational chart that would be brought to the Board in either January or February. {1:09:00}

VII. Unfinished Business

- A. **Draft Documents Retention Schedule, Finance—for approval** Ms. Nichols presented the document and a motion to approve the Documents Retention Schedule, Finance was made by Mr. Holguin and seconded by Ms. Berry without discussion. The motion carried 5-0. {1:10:50}
- B. **Director nominations for GM Review Committee** Mr. Holguin nominated Mr. Steve Cary, a lieutenant with the State Police in charge of internal affairs investigations for southern NM who lives in La Mesa. The nomination was seconded by Ms. Berry. The vote was 5-0 to accept the Mr. Cary. {1:12:30}
- C. **Serve as key holder for Mesquite Community Center** As directed by the Board, Mr. Martin Lopez discussed the liability issues of holding the key for the Mesquite Community Center with the Authority’s insurer. Ms. Alma Franzoy of Leavitt Group confirmed that a definite liability exists and she recommended not taking on this responsibility. Ms. Berry moved to respectfully decline to serve as a key holder for the Mesquite Community Center. Mr. Ruiz seconded the motion. The vote was 4-1 with Mr. Holguin opposing. {1:15:27}

VIII. New Business

- A. **Brazito MDWDCA and LRGPWWA Merger Plan FY2013-01—for approval**
1. The membership of Brazito voted 31-7 on November 17 to request a merger with LRGPWWA and the Brazito Board postponed their November 26 meeting to approve the merger to November 27.
 2. Brazito has 360 connections and 280 members. Their liabilities include around \$500,000 in debt which includes some smaller loans that should probably be paid off; minor reserve funds; a fair amount of current receivables; and high contract expenses due to the fact that most of their work is outsourced. Their system is relatively new—a new tank, a new booster station, adequate storage and emergency interconnect—and so it is not anticipated that it would require upgrades or intensive maintenance with the exception of their radio read meters. Their new radio read meters have been failing at a high rate—280 out of 360 total—so those will probably have to be replaced with a more reliable meter. Their contract operator is less than half-time and will probably retire in March.

3. Ms. Berry asked about operations staffing issues. Mr. Martin Lopez said that there will probably be enough operators now that the Authority has cancelled the two O/M contracts.
 4. Mr. Smith asked about equipment. Brazito has a truck.
 5. Ms. Jackson asked when Brazito's financial information and funds would be available. Mr. Lopez explained that adopting the Merger Plan triggered several events: Authority insurance coverage for the operators when working on the Brazito system; short lived assets, reserve requirements and long term debt from USDA-RD. Additionally, Ms. Nichols needs some of this information and the combined budget and balance sheet in order to compile USDA-RD transfer and assumption documents. The target date for submission of these documents is January 7, 2013.
 6. Mr. Lopez's strategy is to examine both long term debt and short lived assets in order to try to renegotiate reserve requirements and perhaps pay off some of the smaller loans.
 7. Brazito is on a calendar year and will require an A133 audit for 2012 and probably 2013.
 8. Mr. Lopez suggested the Authority not consider any more mergers until after membership elections in April.
 9. Mr. Nieto asked about Brazito's office hours and billing system. Brazito has no office hours. The billing software is the same as Butterfield Park's and LRGPWVA's.
- Mr. Smith moved to approve the Brazito MDWDCA and LRGPWVA Merger Plan FY2013-01. Mr. Holguin seconded the motion. The vote carried 5-0. {1:32:30}

B. **Resolution FY2012-07 Colonias Infrastructure Trust Fund Loan—for adoption** Postponed because loan documents have not been received. {1:32:50}

C. **Proposed amendment to LRGPWVA Employee Handbook regarding leave carried forward at end of year—for approval** The last proposal which is labeled "Proposal #2" should read "Proposal #3." Additionally, Proposal #2, Option A should *not* read "except termination for cause."

1. A motion to amend the LRGPWVA Employee Handbook to allow an employee to carry forward a maximum of 240 hours of sick leave and a maximum of 240 hours annual leave was made by Mr. Holguin and seconded by Mr. Ruiz. The motion carried with a vote of 5-0.
2. Discussion of Proposal #2—change pay-out of sick leave—included different ways to pay out sick leave upon termination and the ability to donate sick leave to a colleague. Also included in the discussion was the monetary liability of leave and its effect on bookkeeping. Ms. Berry suggested that the Authority not compensate for sick leave for the time being and revisit the issue when things stabilize. Mr. Smith made a motion to amend the LRGPWVA Employee Handbook to read, "Sick leave will not be compensated at any time." The motion was seconded by Ms. Berry and passed 5-1 with Mr. Holguin dissenting. {1:56:00}

D. **Proposed amendment to LRGPWVA Governance Document—for approval to submit to member vote** The last proposal should read "Proposal #3." During this discussion there was a power surge/failure, the recording stopped {2:00:14} and a new recording (file) was started with a short gap between the two. The discussion of this item centered on the flexibility or lack thereof in the proposals. Because any change to the Governance Document requires a membership vote, Proposals #1 (no change) and #2 (striking out "not") would require a membership vote to change them. Adopting Proposal #3 (striking all the language and adopting NMSA 1978 10-8-4 with regard to travel, per diem and mileage reimbursement) would require policy implementation but should future Boards choose to change the policy it would simply require a Board vote. Additionally, Ms. Berry was concerned about the perceptions of the

membership with regards to fiscal conservation as well as possible candidates in the upcoming elections understanding that a Board position is not compensated. A motion was by Ms. Berry to amend the LRGPWWA Governance Document by adopting Proposal #2 with the added language “for mileage” at the end of the sentence. The motion was seconded by Mr. Holguin and carried 5-0. {3:14}

E. **Expand service area—for approval** Mr. Martin Lopez requested the Board close gaps between membership and place of use. He proposed three different sites:

1. During research, Mr. Lopez noticed a parcel in the Butterfield/Organ area that was “undeclared.”
2. The property of a Brazito member—who wants to remain with LRGPWWA—is on the northern edge of the southern service area.
3. The property of a LRGPWWA member—who wants to remain with LRGPWWA—is in a parcel west of the southern service area.

A motion to decline to expand in the northern area but to expand in the southern areas was made by Mr. Smith and seconded by Mr. Holguin. The vote carried 5-0. {28:08}

F. **Amend ICIP** Because the Alto de Las Flores Interconnect project is commencing it can be removed from the ICIP ranking list and that list can be reordered. It was proposed that the Water Rights Purchase be moved to the top of the list (#1), the Organ Wastewater Improvement (#5) be moved to the #2 position and the Authority Interconnect Looping Project (#2), The System-Wide Information Technology Standardization (#3) and Distribution System Rehabilitation & Improvements (#5) be moved to the 3, 4, and 5 positions, respectively. Mr. Holguin made a motion to accept the proposal, it was seconded by Ms. Berry. The vote carried 5-0. {31:31}

IX. **Other discussion and agenda items for next meeting, 1/16/13 at La Mesa Office** Ms. Berry had spoken to a representative from El Paso Electric about solar energy and gave the literature to Mr. Martin Lopez. Ms. Nichols had overlooked bringing this issue up during the Projects Report and apologized. She will be applying for USDA-RD funds for an energy audit in January. {43:20}

X. **Adjourn** Motion to adjourn was made by Mr. Holguin and seconded by Ms. Berry. The motion passed 5-0. The meeting was adjourned at 11:54am. {43:20}

Date Minutes approved: _____

Directors Present

Chairman Robert M. Nieto

Vice-Chairman John Holguin

Absent

Director Rosaura Pargas

Secretary Santos Ruiz

Absent

Secretary Blanca Martinez

Director Furman Smith

Director Mary Berry

**LRG PWWA
Manager's Report
January 16, 2013**

- Transfer of Assets from Associations
 - Berino: BLM permit pending
 - Berino: Arsenic ACO extension request to NMED DWB (2 years)
 - Organ: permits with State Land Office requesting transferred have been submitted
 - Organ DP 915 Sewer Permit request to NMED for compliance extension (6 months)
 - Butterfield Park real property pending attorney meeting with DAC appraisal's office (Appraisal Office is researching records)
 - East Mesa: delinquencies, fees, disconnects, etc. will begin February 1 (notification will be sent to customers)
 - La Mesa office will open to public in February (Tuesdays, Thursdays from 9 to 4)
 - Brazito items pending
 - Water Rights Transfer
 - Real Property Transfer
 - Other Assets (Easements, permits, etc.) transfer
 - Vehicle Transfer
 - RD Pad has been submitted
 - Customers set up CUSI (working to interface radio read system)

- February 1 is start date for assuming all system operations (financial, operations, managerial)
- Lower Rio Grande Water Users Organization (LRGWUO) Board approved submitting a legislative request for \$400k (update regional water plan)
- DAC has not contacted us to discuss trash coupons contract
- Meeting DAC Clerk to finalize elections, proclamation, etc. on January 18
- Possible request from Alto de Las Flores for short-term O&M
- Texas officials asked the U.S. Supreme Court on January 8 to force New Mexico to abide by 1938 Rio Grande Compact (sharing of water between New Mexico, Texas, Colorado)
- Meetings/Trainings
 - Attending Legislative Session (January 29-30) Capital Outlay Request; community members have asked if we will be attending Colonias Day

Texas asks US Supreme Court to intervene in water feud with New Mexico

JUAN CARLOS LLORCA, *Associated Press El Paso Times*

Posted:

ElpasoTimes.com

EL PASO, Texas (AP) - Texas officials asked the U.S. Supreme Court on Tuesday to force New Mexico to abide by an agreement about sharing water from the Rio Grande. But New Mexico officials said the move is "tantamount to extortion."

The Texas Commission on Environmental Quality said the litigation was filed after negotiations with New Mexico were unsuccessful. The agency says New Mexico is violating the 1938 Rio Grande Compact that governs how water is shared by Texas, New Mexico and Colorado.

But New Mexico Attorney General Gary King said a 2008 agreement between two water districts unfavorably changed the allocation of water to his state. King said Texas is trying to force New Mexico to abide by an unfair agreement and called the lawsuit "tantamount to extortion."

Texas accuses New Mexico of allowing illegal diversions of surface and underground water of the Rio Grande near the Texas-New Mexico border. Texas officials say those diversions take away water from farmers and residents in and around El Paso, a drought-stricken area that gets about half of its drinking water and most of its irrigation water from the Rio Grande.

New Mexico also has been struggling with drought and above-normal temperatures for the past two years.

Texas is asking the Supreme Court to order New Mexico to comply with the compact and to award damages.

The fight hinges on a 2008 agreement between the federal government and two irrigation districts, one in Texas and the other in New Mexico, that use water from the Elephant Butte reservoir. The issue has been ongoing since the 1980s.

Historically, the lawsuit states, New Mexico received about 57 percent of the water from the reservoir, while Texas got the remaining 43 percent. However, King said the 2008 agreement changed the method of water allocation from 57 percent to only 38 percent, while the Texas share was increased to 62 percent.

New Mexico Gov. Susana Martinez's office had not yet seen the lawsuit, her spokesman Enrique Knell said.

"We will continue to strongly defend New Mexico's water rights. We are reviewing the Texas lawsuit and will decide how best to protect the water that is so vital to New Mexican families and businesses. We won't cede a single inch of New Mexico water to Texas," Knell said.

But even if the Supreme Court accepts the case, a ruling could be years away, according to the Texas Commission on Environmental Quality.

In its complaint, Texas estimates the amount of water diverted by New Mexico is at least tens of thousands of acre-feet each year - maybe even hundreds of thousands. An acre-foot equals 325,000 gallons.

New Mexico has had little meaningful snowpack at high elevations in recent years and not enough spring and summer runoff to replenish the state's rivers and reservoirs. Thousands of farmers across southern New Mexico have been forced to pump more groundwater to irrigate their crops. Some stretches of the Rio Grande and Pecos River even went dry last summer, and forecasters are predicting little moisture through the spring months.

Still, Ed Archuleta, president of El Paso Water Utilities, said the complaint is justified. He said drought has forced New Mexico farmers to pump underground water from wells affecting the supply of water to the river. New Mexico, he said, has not monitored the underground pumping by its farmers.

Archuleta said his utility normally gets half of El Paso's water supply from the river - about 60,000 acre-feet - but it

received about 45 percent of that amount last year. This year, he is expecting even less but said the city is prepared.

Estevan Lopez, director of the Interstate Stream Commission, disputed claims that Texas has not received the water to which it is entitled.

"Every year they've gotten 57 percent of the water that has been released from the project. Yes, New Mexico used some of it as it went down, but they got return flows. They have not been shorted," he said.

He said Texas is trying to do whatever it can to preserve some of the windfall it received under the 2008 operating agreement with El Paso and the irrigation district that serves farmers in southern New Mexico. He also said the legal action was expected.

Tuesday's lawsuit also argues that New Mexico has litigated in federal and state courts in order to circumvent that 2008 agreement. Both states tried to resolve the issue in 2011, during negotiations that involved Rio Grande Commissioner Patrick Gordon, New Mexico officials and the commissioner of the Texas Commission on Environmental Quality.

"New Mexico's response was to initiate legal action on the same day when our representative was meeting with them," the commission said in an email Tuesday.

Associated Press writer Susan Montoya Bryan in Albuquerque, N.M., contributed to this report.

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LRGPWWA
Profit & Loss Operations Only
December 2012

	Dec 12
Ordinary Income/Expense	
Income	
Credit Card Fees	90.00
Non-Operating Revenue	
Copy/Fax	50.90
Other Income	286.00
	336.90
Total Non-Operating Revenue	336.90
Operating Revenue	
Activation & Connection Fees	4,695.00
Contract Services	1,214.90
Installation Fees	740.18
Membership Fees	700.00
Monthly Services	125,144.40
Monthly Services-Sewer	7,940.11
Penalties-Sewer	254.29
Penalties-Water	-2,478.69
Returned Check Fees	280.00
Operating Revenue - Other	100.00
	138,590.19
Total Operating Revenue	138,590.19
Other Types of Income	
Miscellaneous Revenue	4,081.10
	4,081.10
Total Other Types of Income	4,081.10
Total Income	143,098.19
Cost of Goods Sold	
Cost of Goods Sold	121.43
	121.43
Total COGS	121.43
Gross Profit	142,976.76
Expense	
Accounting, Auditing, Legal	
Accounting Fees	3,515.40
Bank Service Charges	647.34
Dues and Subscriptions	1,602.00
Legal Fees	1,438.06
Licenses & Fees	1,000.00
Postage-Other	63.03
Professional Fees-Other	2,151.25
Training	170.00
	10,587.08
Total Accounting, Auditing, Legal	10,587.08
Salaries	
401K 10% Company Contribution	4,452.63
Accrued Leave	2,855.40
Administrative Labor	19,634.08
Clerical Labor	9,217.14
Employee Benefits-401K Contrib	1,790.02
Federal Income Tax Withholding	4,259.56
HISC-Blue Medicare Rx.	268.80
Insurance-Dental	674.32
Insurance-Health	8,131.47
Operations Labor	29,752.35
Payroll Taxes-Federal Unemploym	16.93
Payroll Taxes-Medicare	917.10
Payroll Taxes-Social Security	3,921.46
Payroll Taxes-State Unemploymen	0.00
Payroll Taxes-Worker's Comp Fee	2,498.00
	88,389.26
Total Salaries	88,389.26
Supplies	
Computer Maintenance	8,515.81
Equipment Rental	105.55

9:47 AM
01/14/13
Accrual Basis

LRGPWWA
Profit & Loss Operations Only
December 2012

	<u>Dec 12</u>
Fuel	5,365.25
Internet Service - Butterfield	139.38
Maint. & Repairs-Office	1,174.44
Materials & Supplies	5,285.74
Office Supplies	940.47
Printing and Copying	30.00
Uniforms-Employee	233.34
Vehicles-Truck	162.47
Total Supplies	<u>21,952.45</u>
Taxes, Liability, Insurance	
Cobra Fee	30.60
Insurance-General Liability	37,709.00
Insurance-Vision	0.00
Property Taxes	2,350.03
Water Conservation Fee	1,112.88
Total Taxes, Liability, Insurance	<u>41,202.51</u>
Utilities	
Automobile Repairs & Maint.	720.88
Cell Phone	1,403.07
Electricity-Office	15,318.46
Garbage Service	226.00
Gas Service - Office	64.35
Locates	863.18
Natural Gas	35.95
Telephone	1,026.51
Telephone- Butterfield Park	57.47
Total Utilities	<u>19,715.87</u>
Total Expense	<u>181,847.17</u>
Net Ordinary Income	<u>-38,870.41</u>
Net Income	<u><u>-38,870.41</u></u>

LRGPWWA
Balance Sheet
 As of December 31, 2012

	Dec 31, 12
ASSETS	
Current Assets	
Checking/Savings	
Berino/Mesquite Water Project	492.46
Citizens Bank CD	11,344.48
Citizens Bank LRGPWWA	20,943.53
LowerRio2-Loan Reserve Acct	44,303.40
LRGPWWA DEBT SERVICE PAYOFF	810.82
LRGPWWA La Mesa Water Project	418.66
LRGPWWA Mesquite Sewer Project	237.91
LRGPWWA Reserve Account	354,461.06
Organ Water and Sewer Project	-356,234.27
Total Checking/Savings	76,778.05
Accounts Receivable	
A/R-Contract Services	24,257.84
Total Accounts Receivable	24,257.84
Other Current Assets	
A/R	
A/R-Water & Sewer Cycle 1	148,266.29
A/R Butterfield/Organ	26,615.89
Total A/R	174,882.18
Construction In Progress	
Alto de Las Flores Interconnect	13,522.94
Brazito Sewer Extension	102,878.15
Brazito/Mesquite Interconnect	452,734.31
Del Cerro/Mesquite Phase IV	1,609,869.48
La Mesa Well Project	586,502.36
Mesquite Sewer Project	4,324,498.67
Organ Water & Sewer Improvement	726,584.67
Radio Read Meter Project	2,446.02
Surface Water Treatment Project	18,642.73
Total Construction In Progress	7,837,679.33
Inventory Asset	860.60
Petty Cash	1,026.03
Prepaid Rent-Tank Site Lease	7,564.41
Reimbursable Expenses Paid	241,699.24
Returned Checks	713.38
Undeposited Funds	200.00
Total Other Current Assets	8,264,625.17
Total Current Assets	8,365,661.06
Fixed Assets	
Accumulated Depreciation	-9,587,212.67
Building	
La Mesa Office Building	544,269.51
Building - Other	1,179,071.85
Total Building	1,723,341.36
Furniture and Equipment	401,859.34
Land	354,685.49
Land Improvements	33,632.63
Machinery and Equipment	590,779.72
Vehicles	388,121.65
Water & Sewer System	22,768,155.80
Total Fixed Assets	16,673,363.32
Other Assets	
Water Rights	10,927,171.20
Total Other Assets	10,927,171.20

LRGPWWA
Balance Sheet
 As of December 31, 2012

	Dec 31, 12
TOTAL ASSETS	35,966,195.58
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
A/P- Water/Sewer Phase I & II	103,394.61
A/P Operating	50,312.13
Total Accounts Payable	153,706.74
Credit Cards	
Capital One	-191.17
Capital One-La Mesa	-2,106.23
Chevron/Texaco	41.00
Citizens Bank - Master Card	-372.09
Citizens Bank VISA	-352.01
Eagle Grocery & Hardware	-8,171.06
Home Depot	-611.82
Total Credit Cards	-11,763.38
Other Current Liabilities	
*Direct Deposit Liabilities	-3,675.40
Customer Deposits	
Hydrant Meter Deposits	21,107.87
Renter Deposits	28,424.99
Customer Deposits - Other	-75.75
Total Customer Deposits	49,457.11
DAC Trash Coupons	2,455.80
Gross Receipts Tax	11,161.11
Payroll Liabilities	
Disability Insurance (AFLAC)	59.58
Federal	
Medicare	4.42
Social Security	15.92
Unemployment	44.17
Total Federal	64.51
Lovelace Health Payable	1,539.49
Plan F BCBS NM	810.71
Retirement	
401K 10% Annual Contribution	61,137.52
Retirement - Other	-187.50
Total Retirement	60,950.02
State	
Income Tax Withholding	1,824.47
Total State	1,824.47
Workers' Comp Fee Employee	68.20
Payroll Liabilities - Other	6,197.15
Total Payroll Liabilities	71,514.13
Plan/Blueprint Deposits	2,100.00
Total Other Current Liabilities	133,012.75
Total Current Liabilities	274,956.11
Long Term Liabilities	
Brazito Loans	
N/P NMED	34,348.61
USDA 91-07	73,364.72
USDA 91-09	36,832.78
USDA 91-12	4,672.82
USDA 91-14	212,009.45
USDA 91-15	170,754.85

LRGPWWA
Balance Sheet
As of December 31, 2012

	<u>Dec 31, 12</u>
Total Brazito Loans	531,983.23
NMFA- DesertSands5	16,698.39
NMFA- LowerRio2 (Refinance)	742,378.95
NMFA- LowerRio3 (BerinoDelCerro)	437,163.00
USDA 91-02 (Butterfield Park)	221,661.46
USDA 91-04 (LaMesa Water Proj)	464,516.00
USDA 92-13 (Mesquite Sewer)	96,960.00
USDA 92-19 (Mesquite Sewer)	591,305.00
USDA 93-09 (Organ Water)	100,304.00
Total Long Term Liabilities	<u>3,202,970.03</u>
Total Liabilities	3,477,926.14
Equity	
Contributed Equity	
Berino	5,297,573.57
Brazito Water	3,653,129.49
Butterfield Park	362,807.24
Desert Sands	3,771,443.30
La Mesa	2,305,222.27
LRG Mutual	2,955,146.36
Mesquite	6,862,507.23
Organ Water	2,528,367.73
Vado	617,278.68
Total Contributed Equity	<u>28,353,475.87</u>
Opening Balance Equity	500.00
Unrestricted Net Assets	171,874.78
Net Income	3,962,418.79
Total Equity	<u>32,488,269.44</u>
TOTAL LIABILITIES & EQUITY	<u><u>35,966,195.58</u></u>

LRGPWWA
Balance Sheet
As of June 30, 2012

	Jun 30, 12
ASSETS	
Current Assets	
Checking/Savings	
Berino/Mesquite Water Project	-84,573.69
Citizens Bank CD	11,344.48
Citizens Bank LRGPWWA	-86,754.18
LowerRio2-Loan Reserve Acct	44,303.40
LRGPWWA DEBT SERVICE PAYOFF	810.31
LRGPWWA La Mesa Water Project	353.42
LRGPWWA Mesquite Sewer Project	-180,157.40
LRGPWWA Reserve Account	152,728.71
Total Checking/Savings	-141,944.95
Accounts Receivable	
A/R-Contract Services	3,102.51
Total Accounts Receivable	3,102.51
Other Current Assets	
A/R	
A/R-Water & Sewer Cycle 1	161,700.06
Total A/R	161,700.06
Construction In Progress	
Brazito Sewer Extension	100,404.21
Del Cerro/Mesquite Phase IV	1,514,344.33
La Mesa Well Project	146.58
Mesquite Sewer Project	1,726,987.64
Total Construction In Progress	3,341,882.76
Inventory Asset	2,879.21
Petty Cash	1,026.03
Prepaid Rent-Tank Site Lease	7,665.27
Reimbursable Expenses Paid	241,699.24
Returned Checks	185.72
Undeposited Funds	200.00
Total Other Current Assets	3,757,238.29
Total Current Assets	3,618,395.85
Fixed Assets	
Accumulated Depreciation	-6,128,565.81
Building	
La Mesa Office Building	557,417.91
Building - Other	773,451.79
Total Building	1,330,869.70
Furniture and Equipment	368,308.29
Land	258,137.50
Machinery and Equipment	129,291.00
Vehicles	361,421.65
Water & Sewer System	15,488,547.82
Total Fixed Assets	11,808,010.15
Other Assets	
Water Rights	9,199,171.20
Total Other Assets	9,199,171.20
TOTAL ASSETS	24,625,577.20
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
A/P- Water/Sewer Phase I & II	103,394.61
A/P Operating	-12,711.94

LRGPWWA
Balance Sheet
 As of June 30, 2012

	Jun 30, 12
Total Accounts Payable	90,682.67
Credit Cards	
Capital One	-191.17
Capital One-La Mesa	-2,106.23
Chevron/Texaco	41.00
Total Credit Cards	-2,256.40
Other Current Liabilities	
*Direct Deposit Liabilities	19,115.29
Customer Deposits	
Hydrant Meter Deposits	15,607.87
Renter Deposits	30,229.87
Customer Deposits - Other	-75.75
Total Customer Deposits	45,761.99
Gross Receipts Tax	11,294.25
Payroll Liabilities	
Blue Cross Dental	461.75
Disability Insurance (AFLAC)	-178.92
Federal	
Income Tax Withholding	15,739.00
Medicare	5,050.90
Social Security	18,113.55
Total Federal	38,903.45
Lovelace Health Payable	-6,316.96
Retirement	
401K 10% Annual Contribution	31,557.93
Total Retirement	31,557.93
State	
Income Tax Withholding	913.24
Total State	913.24
Payroll Liabilities - Other	4,826.51
Total Payroll Liabilities	70,167.00
Plan/Blueprint Deposits	2,100.00
Total Other Current Liabilities	148,438.53
Total Current Liabilities	236,864.80
Long Term Liabilities	
NMFA- DesertSands5	25,024.89
NMFA- LowerRio2 (Refinance)	774,180.00
NMFA- LowerRio3 (BerinoDelCerro)	437,163.00
RIP 88-12R La Mesa	49,140.30
USDA 92-13 (Mesquite Sewer)	99,240.00
USDA 92-19 (Mesquite Sewer)	602,328.00
Total Long Term Liabilities	1,987,076.19
Total Liabilities	2,223,940.99
Equity	
Contributed Equity	
Berino	5,297,573.57
Desert Sands	3,771,443.30
La Mesa	2,725,312.29
LRG Mutual	2,955,146.36
Mesquite	6,862,507.23
Vado	617,278.68
Total Contributed Equity	22,229,261.43
Opening Balance Equity	500.00
Unrestricted Net Assets	-689,795.72

9:58 AM
01/14/13
Accrual Basis

LRGPWWA
Balance Sheet
As of June 30, 2012

	<u>Jun 30, 12</u>
Net Income	861,670.50
Total Equity	<u>22,401,636.21</u>
TOTAL LIABILITIES & EQUITY	<u><u>24,625,577.20</u></u>



www.lrgauthority.org

LOWER RIO GRANDE

Public Water Works Authority

Resolution #FY2013-07 for Fiscal Year 2013 Amended Budget

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 amended FY13 Final budget on January 16, 2013.

Whereas, the amended budget is needed due to the merger of the Lower Rio Grande Public Water Works Authority with Brazito MDWCA; and

Whereas, the amended budget is needed to incorporate the revenues and expenses of the Brazito MDWCA into the Lower Rio Grande Public Water Works Authority's budget.

Therefore, be it resolved, the Board of Directors adopts and passes this resolution to approve the amended final budget officially approve on January 16, 2013.

PASSED, APPROVED, AND ADOPTED: January 16, 2013.

Seal:

Roberto M. Nieto, Chairman - Mesquite

John Holguin, Vice-chairman - Vado

Santos Ruiz, Secretary - Berino



LOWER RIO GRANDE
Public Water Works Authority

Rosaura Pargas - Desert Sands

Blanca Martinez – La Mesa

Mary Berry – Butterfield Park

Furman Smith – Organ

Mike McMullen - Brazito

Name LowerRioGrandePublicWaterWorksAuthority		Address PO Box 2646		Anthony, NM 88021	
Applicant Fiscal Year From 07-12		To 06-13		County Dona Ana	
				State (Including ZIP Code) NM	
	2011	2012	2013	2014	First Full Year
	(1)	(2)	(3)	(4)	(5)
OPERATING INCOME					
1. Water Revenue	\$1,258,805.00	\$1,653,226.00			\$2,198,452.00
2. Sewer Revenue	\$63,092.00	\$63,100.00			\$63,100.00
3. Interest					\$300.00
4.					
5. Miscellaneous					
6. Less: Allowances and Deductions	()	()	()	()	()
7. Total Operating Income (Add Lines 1 through 6)	\$1,321,897.00	\$1,716,326.00	\$0.00	\$0.00	\$2,261,852.00
OPERATING EXPENSES					
8. Salaries, Labor	\$734,920.00	\$769,226.00			\$1,156,497.00
9. Accounting, Legal	\$215,875.00	\$129,900.00			\$160,400.00
10. Taxes, Insurance	\$471,430.00	\$440,000.00			\$264,000.00
11. Utilities	\$262,162.00	\$308,700.00			\$260,000.00
12. Supplies	\$165,356.00	\$241,000.00			\$411,205.00
13. Lab, Chemical	\$24,952.00	\$25,200.00			\$14,500.00
14. Debt Service					\$201,000.00
15. Interest (RD)					
16. Depreciation	\$524,652.00	\$525,000.00	\$0.00		\$606,000.00
17. Total Operating Expense (Add lines 8 through 16)	\$2,399,347.00	\$2,439,026.00	\$0.00	\$0.00	\$3,073,602.00
18. NET OPERATING INCOME (LOSS) (Line 7 less 17)	(\$1,077,450.00)	(\$722,700.00)	\$0.00	\$0.00	(\$811,750.00)
NONOPERATING INCOME					
19. Water	\$548,063.00	\$194,000.00			\$202,050.00
20. Sewer	\$4,735.00	\$3,700.00			\$3,700.00
21. Total Nonoperating Income (Add Lines 19 and 20)	\$552,798.00	\$197,700.00	\$0.00	\$0.00	\$205,750.00
22. NET INCOME (LOSS) (Add Lines 18 and 21) (Transfer to Line A Schedule 2)	(\$524,652.00)	(\$525,000.00)	\$0.00	\$0.00	(\$606,000.00)

Budget and Projected Cash Flow Approved by Governing Body

Attest: _____ Secretary _____ Date

_____ Appropriate Official _____ Date

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0015. The time required to complete this information collection is estimated to average 5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

PROJECTED CASH FLOW

	20 11	20 12	20	20	First Full Year
A. Line 22 from Schedule 1 Income (<i>Loss</i>)	(\$524,652)	(\$525,000)	\$0	\$0	(\$606,000)
<i>Add</i>					
B. Items in Operations not Requiring Cash:					
1. Depreciation (<i>Line 16, Schedule 1</i>)	\$524,652	\$525,000	\$0	\$0	\$606,000
2. Others: _____					
C. Cash Provided from:					
1. Proceeds from RD loan/grant	\$154,815				
2. Proceeds from others	\$1,167,801	\$1,812,266			\$2,261,852
3. Increase (<i>Decrease</i>) in Accounts Payable, Accruals and other Current Liabilities	\$121,971	\$90,683			\$133,037
4. Decrease (<i>Increase</i>) in Accounts Receivable, inventories and Other Current Assets (<i>Exclude Cash</i>)	\$129,231	\$32,469			\$24,078
5. Other: _____					
6. _____					
D. Total all A, B and C Items	\$1,573,818	\$1,935,418	\$0	\$0	\$2,418,967
E. <i>Less</i> : Cash Expended for:					
1. All Construction, Equipment and New Capital Items (<i>Loan and grant funds</i>)	\$1,169,234	\$1,679,910			
2. Replacement and Additions to Existing Property, Plant and Equipment					
3. Principal Payment RD Loan	\$6,376	\$50,000			\$201,000
4. Principal Payment Other Loans	\$24,785	\$36,807			
5. Other: <i>Operations</i>	\$25,117	\$332,290			\$2,261,852
6. Total E 1 through 5	\$1,225,512	\$2,099,007	\$0	\$0	\$2,462,852
<i>Add</i>					
F. Beginning Cash Balances	\$500	\$373,923			\$542,624
G. Ending Cash Balances (<i>Total of D minus E 6 plus F</i>)	\$348,806	\$210,334	\$0	\$0	\$498,739
Item G Cash Balances Composed of:					
Construction Account					
Revenue Account	\$154,430	\$13,303			\$99,975
Debt Payment Account	\$9,298	\$44,303			\$44,303
O&M Account					
Reserve Account	\$185,078	\$152,728			\$354,461
Funded Depreciation Account					
Others: _____					

Total - Agrees with Item G	\$348,806	\$210,334	\$0	\$0	\$498,739

Lower Rio Grande PWWA

Operators Report

January 16, 2013

System Problems and Repairs.

- Backflow inspections are current.(Mesquite District)
- Sewer tank inspections are current.(Mesquite District)
- 1 new service in the Berino district.
- 1 new service in the Desert Aire.
- 1 new service in La Union.
- 2 new services in the Mesquite district.
- We have had 8 leaks in Lower Rio Grande East Mesa.
- When we have a water outage at the East Mesa we will be calling the county dispatch to advise the fire department.
- We had a main line break in Organ that lasted until 3:30 am.
- We continue with sewer problems in the Mesquite District.
- Well #1 O'Hara we have a problem with one of the Arsenic Vessels.
- I decided to have Karen check with the Engineer on the Organ project to check if we could purchase the pump control Panel for the Arroyo Well.
- The Contractor in Mesquite continues to have problems, but fewer.
- Grahams Construction broke a main line break on principal and bellman.

NMED: Monthly Bac-T-Samples have been taken for the Lower Rio Grande PWWA, La Union, Desert Aire, and Butterfield Park and Organ.

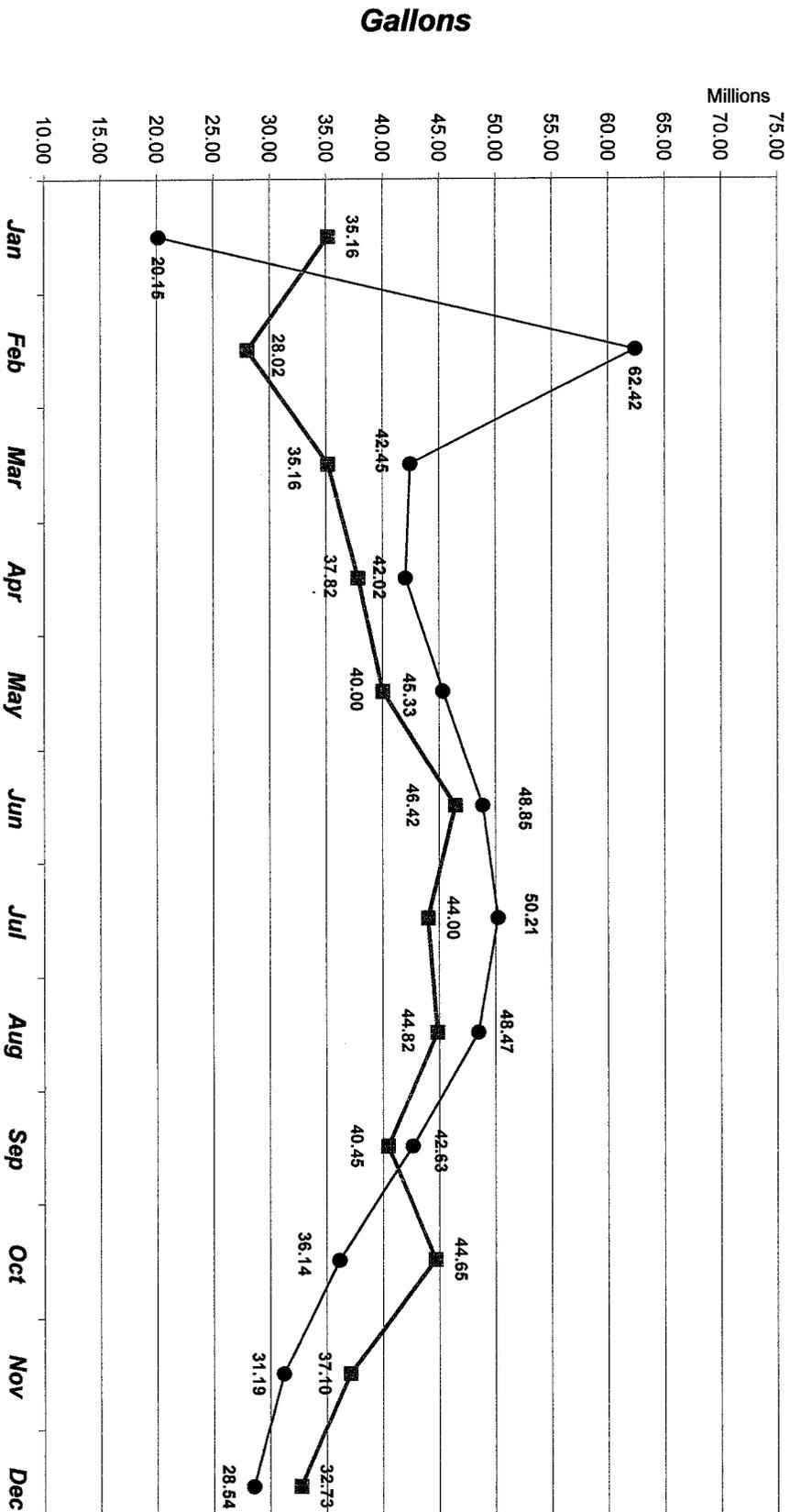
Mesquite district Wetlands: wetlands have been working fine.

Mesquite Sewer Report. The Report has been sent.

Chlorine: No problems this past month.

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

Lower Rio Grande PWWA Water Production Report



2011 Production
 2012 Production

**LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY
PROJECTS REPORT – 1/16/13 BOARD OF DIRECTORS MEETING**

Authority Construction Projects:

LRG-11-01 - La Mesa Water System Improvements – Molzen Corbin – Construction Stage – Burn Construction - RD - \$2,040,346: Tank welding is complete, building foundation and slab has been poured. Well is being drilled and screen placed, should be test pumped the week of January 13th. Process piping inside of building has been installed. Construction of building walls and roof should begin at the end of January. Proposed change order for additional SCADA equipment will be submitted to contractor next week, and drawings have been submitted to the operators for review & comment.

LRG: 11-02.1 -Mesquite Wastewater Project – Gannett Fleming– CONSTRUCTION Stage – Layne Southwest - RD \$7,262,081, CITF \$1,670,257: GFW has overbilled and is holding their invoices until the credit is eliminated. Construction of gravity mains is continuing along side streets. The contractor is not working on NM 228 until the utility conflict issues are resolved. Engineer waiting for information from the contractor to address conflict issues. There may be additional costs associated with the conflicts. We have investigated grinder systems for systems that are not close enough to the new gravity lines to connect by gravity line.

LRG-11-02.2 - Authority/Brazito Sewer Project – Vencor – Pre-Design Stage/Funding Application Stage – NMFA/SAP/RD Application: GM contacted county Manager regarding new contract & info requested. Resolution to apply to CITF for design funds is on today's agenda.

LRG-11-03 – Interconnect & Looping Project – Resolution to Apply to CITF for design funds for the South Phase is on today's agenda.

LRG-11-04 – Berino/ Mesquite-Del Cerro Water System Project WTB #223 – Vencor - Letter of Conditions/final design & review of plans & specs – RD - \$5,420,147/WTB - \$4,371,630: Project is pending USDA-RD LOC review before going to bid. Engineer is currently merging project plan sheets, specifications, Bid Lots and project quantities.

LRG-11-05 – Surface Water Treatment Plant WTB #252– Bohannon Huston - Design phase - \$750,000 WTB –Transcript of closing was distributed 1/4/13, but has not yet been received. Design will begin when funding is finalized.

LRG-12-03 – Authority-Alto de Las Flores Interconnect– Vencor – Design - \$86,400 Old Colonias Initiative/DFA + GF & Alto contributions - Engineer provided NMED-DWB a final plan addressing their sole comment on 11/20/12, still no reply. Have requested assistance from NM-DFA in obtaining this approval. Final Soils Report was delivered to Engineer 1/11/13.

Authority PERs/EAs/40 Yr. Water Plan:

LRG-12-01 – Authority PER – Vencor - prelim. planning - CDBG Planning Grant \$50,000, NMFA Planning Grant \$37,500 & \$12,500 Local Match: Second draw from CDBG funds has been requested. Project Water Model is complete. Report writing is currently underway. Anticipated delivery of 65% Draft report set for 2/15/13.

Forty-Year Water Plan – CE&M – complete: pending NM-OSE comments/approval.

Return Flow Credit Plan – CE&M – GF – Pending Review: Drafted and submitted to Ms. Thacker at local NM-OSE 12/21/11.

LRG-12-02 - Radio Read Meters – in-house – 600,950 DWSRLF: \$595,000 was approved at 50% subsidized + 25% grant = 75% grant, 25% loan at 0% plus fees approved by NMFA Board 4/27/12. Contract documents submitted to NMED-CPB 11/7/12, review received on 12/27/12, engineer has addressed comments and resubmitted, then made a few minor corrections

Individual MDWCA Projects:

LRG-12-04 - Organ Water & Sewer Project – Bohannon Huston – Construction Phase – Morrow - \$2,990,382 RD Colonias Grant, \$101,000 RD Loan: Met with engineer & contractor on 1/3/12 to discuss project issues. There have continued to be many line breaks and outages due to lack of accurate as-builts for the system, plus a couple of leaks not related to the project. Attended East Mesa community meeting with Commissioner Hancock, Representative Cote and Senator Soules, and the commissioner requested that the county non-emergency dispatch number be called when there are outages in order to notify the Organ Community Center and Fire Department. Installation of main lines in Organ is done except for a couple of bores (that may end up being cut), and service line installation remains to be done. Contractor will likely encounter the same difficulties in the Mountain View area. Requested formal authorization to use RD funds for monitor wells at the lagoon based on Martha Torrez' response before she left the agency. Contractor cut a SCADA control line at the lagoon that was not correctly located, and has repaired it.

Other projects:

Legislature – Legislation pre-filing dates are 12/17/12 thru 1/11/13, session begins 1/15/13, bill introduction deadline is 2/14/13, session ends 3/16/13, pocket veto date is 4/5/12 and effective date of legislation passed is 6/14/13 (except for bills with an emergency clause or specified date). Ongoing report is available at your file storage during this period. Colonias Day is 1/21/13.

Water Trust Board Policy Committee – Along with El Valle Water Alliance and Doña Ana MDWCA, provided written comments to the committee regarding matching funds and loan percentage requirements, and did not discuss them. Ramon Lucero (El Valle) is meeting with one of the board members and has invited us to join them in a meeting with NMFA staff facilitated by this director.

USDA-RD Transfer & Assumption Application Packages: Application packages for Butterfield Park, Organ & Brazito were submitted 1/7/13 and are pending RD review. Public Meeting Wednesday, 12/19/12 was attended only by the Chair, GM & PM.

Documents Retention & Destruction – Joan is continuing to work with managers to develop retention schedules, HR/Personnel Schedule is on today's agenda.

Website - Board Minutes Page & Notices Page are up to date. Have updated Contact Us page with east mesa information, as well as the Customer Service page.

Funding Applications – Three Capital Outlay requests have been prepared and provided to SCCOG for submission to 4 representative and 3 senators, and surveys have been completed for NM-DFA. These requests are for water rights purchase, new billing software purchase and implementation, and a SCADA study. There is a resolution on today’s agenda to authorize applications to the CITF for design of the Mesquite-Brazito Sewer Project, design of the Interconnect & Looping Project – South Phase, and purchase of water rights.



Doña Ana MDWCA



DATE: December 28, 2012

TO: Ms. Jana Amacher, NMFA Director of Water Resources,
Ms. Angela Quintana, NMFA Senior Program Administrator,
WTB Water Policy Committee

FROM: Ramón Lucero Jr., President, El Valle Water Alliance
Martin Lopez, General Manager, Lower Rio Grande Public Water Works Authority
Karen Nichols, Projects Manager, Lower Rio Grande Public Water Works Authority
Jennifer Horton, Executive Director, Dona Ana MDWCA

**RE: WATER TRUST BOARD, WATER PROJECT FUND, PROJECT MANAGEMENT POLICIES,
SECTION 2.5 FUNDING MATCH OBLIGATIONS**

Approved November 7 2007
Revised January 2010
Revised September 2010

Dear Ms. Amacher, Ms. Quintana and Members of the WTB Water Policy Committee:

The intent of this correspondence is to provide recommendations for modifications to Section 2.5 Funding Match Obligations (Financial Policy Statement) of the Water Trust Board, Water Trust Fund, Project Management Policies.

We are aware of only one other funding source in the State of New Mexico that requires a match component as a part of their application process. The Capital Development Block Grant (CDBG), a **100% grant program** requires a 5% cash match for a county under 25,000 and an incorporated municipality with a population under 3,000. Non-rural applicants must provide, at a minimum, a 10% cash match. (Attached please find a copy of the policy that outlines the CDBG Program.)

Understanding that applicants should provide a match for a 100% grant program in order to demonstrate a local investment, applicants to the Water Trust Board – a **loan/grant program** are currently making the following investments just to complete the Water Trust Board Application:

- Prepare and submit WTB application: \$5,000 - \$7,000
- Preliminary Engineering Report \$25,000 - \$50,000 costs can vary beyond this range
- Asset Inventory/Management Plans \$20,000 - \$30,000
- Water Conservation Plan \$3,000 - \$5,000
- Water Rights \$1,000 - \$30,000 per acre-foot

Pre-application investment: \$54,000 – \$122,000

Upon receiving funding the applicant continues their local investment with the following:

- 20-year loan 10% - 40% of application request
- Legal services to review easement and ROWs: \$175 - \$225 per hour
- Operation and Maintenance Adequate rates to cover O&M and reserves

Post-application investment:

Investment varies per applicant

Recommendation #1

Given the large investments applicants are currently making to this loan/grant program we recommend eliminating Section 2.5 Funding Match Obligation.

Recommendation #2

Should the Water Policy Committee reject Recommendation #1, we would like to recommend the following modifications to Section 2.5.

2.5 A. *Reduce the Match Requirements for each project type and scale of project to correspond with the requirements of the CDBG program. (You can find these requirements in our second paragraph and in the attached CDBG policies)*

2.5 B. 1. *The Water Trust Board recognizes a “hard” match of actual dollars expended on the project other than Water Trust Board funds.*

2.5 B. 1. (a) *The “hard” match may be provided in the form of non-Water Trust Board loans, local cash contributions, private donations or federal funds including USDA-RD, Drinking Water State Revolving Loan Fund, NMEDs Rural Infrastructure Program (RIP) loans, Drinking Water State Revolving Loan Fund, Public Project Revolving Fund (PPRF), and Capital Outlay.*

2.5 B. 1. (b) *Project expenses that qualify as a “hard” match including actual dollars expended on previous phases of the projects (development, planning, design, and construction phases) including the cost of Preliminary Engineering Reports, Environmental Documents, Asset Management Plans, Water Conservation and/or Drought Management Plans, easements, rights-of-way, permits, land purchase, and the value of water rights.*

We have verbally been told by NMFA staff that matching funds must be awarded concurrently with the WTB funding application cycle, but the current Project Management Policies do not address this issue. Given the fact that different funding agencies have different timelines and there is no guarantee that an application to any funding program will result in an award, this seems to be a completely unreasonable requirement.

As we’ve all experienced over the years, in most instances applicants can’t complete a project in one funding cycle or with money from one funding source. Whether this is due to a highly competitive funding program or an applicant’s inability to acquire additional debt – most infrastructure projects must be completed over several years. Funding agencies like to refer to this as phases of a project however applicants simply see it as one large infrastructure project.

This is true of applicants that are organized as regional entities. Regardless of the number of years it takes to complete a project or the number of communities the applicant serves, the cost to complete the project impacts the applicant the same.

Therefore, the applicant should have the ability to provide the “hard” match from any work completed on the project regardless of the number of years it took to complete the project or the number of communities the project served.

Existing Policy

Section 2.4 Financial Assistance Policy (Financial Policy Statement) B. states “*In addition to the local contribution finding match requirements outlined in section 2.5 of these Project Management Policies, the Water Trust Board financial assistance shall contain a loan component between 10% to 40% in increments of 10% based upon capacity of the net system revenue as determined by the New Mexico Finance Authority, with the remainder as a grant. The terms of the loan, the criteria used to determine the size of the loan and conditions for financial hardship waivers shall be outlined in the jointly established Financial Structuring Policy.*”

Recommendation

The Financial Structuring Policy is not attached to the Water Trust Board, Water Project Funds, Project Management Policies and is not available at the Water Trust Board page or any other location at the New Mexico Finance Authority website. We would recommend that the Financial Structuring Policy be included under Section 2.4 Financial Assistance Policy in order for the applicants to use this information in budgeting and financial planning.

Please contact any of us with any questions you may have.

Ramón Lucero Jr.	Mobile: 505-660-2186
Martin Lopez	Mobile: 575-571-3628 or Office: 575-233-5742 ext. 120
Karen Nichols	Mobile: 915-203-2057 or Office: 575-233-5742 ext. 122
Jennifer J. Horton	Office: 575-526-3491 ext. 1014

EMPLOYEE PERSONNEL FILES:

Description: can include but not limited to personnel action forms, personal data forms, biographical information forms, benefits, authorization forms, tax authorization forms, U.S. savings bond enrollment, security access forms, deduction worksheets; performance development plans; correspondence (includes disciplinary actions, commendations, recommendations, etc.): General (includes applications, test grades, certificates, resumes, transcripts, disclaimers, etc). Some records contain both confidential and non-confidential information. This information must be separated to protect confidentiality and facilitate public access as required by SPB 2.7.

Retention: three years after employee separated from agency or retired

APPLICATIONS FOR EMPLOYMENT:

Description: application forms and resumes.

Retention:

approved application: three years after date approved

rejected applications: three years after date rejected

BACKGROUND INVESTIGATION RECORDS:

Description: can include but are not limited to application, authorization, investigation final report, etc.

Retention:

hired employees: three years after employee terminated or retired

individuals not hired: three years after investigation

Confidentiality: 14-2-1.D. NMSA 1978

PERFORMANCE AND DEVELOPMENT PLANS:

Description: maintained in employee personnel folder

Retention: three years after separation

Confidentiality: confidential, SPB 2.7.B.6

LEAVE RECORDS:

Description: can include but are not limited to application for leave, leave balance sheets, etc

Retention: until audit report released for year in which record created

RETIREMENT RECORDS:

Description: can include but are not limited to application, certification, changes, refunds, financial ledger, correspondence etc

Retention: three years after employee terminated or retired

INSURANCE RECORDS:

Description: deductions authorization, request for change, waiver and application and worker's compensation

Retention:

deductions authorization, request for change, waiver and application: three years after employee terminated or retired, or three years after termination of agreement

worker's compensation: until no longer needed for reference

MISCELLANEOUS DEDUCTIONS RECORDS:

Description: can include but are not limited to records relative to credit union, savings bonds, prepaid legal services, United Way, garnishment, 401K etc

Retention: three years after final deduction

JOB SPECIFICATIONS (SPB CLASSIFICATION PLAN):

Description: shows job title, definition, supervision and guidelines, examples of work performed, distinguishing characteristics, minimum qualifications, and working conditions

Retention: until new specification issued

AFFIRMATIVE ACTION PLANS, ANNUAL, (EQUAL EMPLOYMENT OPPORTUNITY):

Description: required annually by state and federal law, these are agency assessments of internal employment practices with specific policies and procedures designed to eliminate the effects of institutional discrimination.

D. Retention: three years after date issued

GRIEVANCE/COMPLAINT FILES (UNFAIR LABOR PRACTICES):

Description: can contain but are not limited to complaint/grievance, correspondence, summary of hearing, exhibits, committee decisions, transcripts, resolution, depositions, etc

Retention:

not appealed: three years after date file closed

appealed to EEOC, Wage/Labor Board, Dept of Labor, etc: five years after date of final action

AGREEMENT/NEGOTIATION FILES:

Description: contain proposed and supplemental agreement, meeting summaries, correspondence, final agreement, etc

Retention: five years after final agreement

ADVERSE ACTION FILES:

Description: contain copies of entire case record of an appeal.

Retention: 10 years after final action.

DRUG AND ALCOHOL REPORTS OF TEST RESULTS:

Description: drug and alcohol test results reported to the drug abuse coordinator (as per SPB 11.8).

Retention: one year after date of test or one year after agency determination

Confidentiality: 14-2-1.A. NMSA 1978 and SPB 2.7.B.1.

REVIEW OF TEST RESULTS, REQUEST:

Description: request by the applicant or employee for review of positive test results by General Manager

Retention: one year from date of text or one year after agency determination

Confidentiality: 14-2-1.A. NMSA 1978 and SPB 2.7.B.1.

EXPLANATIONS/CHALLENGES OF CONFIRMED POSITIVE TEST RESULTS DETERMINATIONS:

Description: the final determination by the agency of the applicant's or employee's explanations or challenges, the General Manager's findings and other inquiries or facts (as per SPB 11.9)

Retention: one year from date of determination or one year after agency determination

Confidentiality: 14-2-1.A. NMSA 1978 and SPB 2.7.B.1

ADA COMPLIANCE PLAN:

Description: contains self evaluation check-list, self evaluation, ADA transition plan outline, ADA grievance procedure, policies and correspondence

Retention: 10 years from date of plan

CANDIDATE HISTORY AND PHYSICAL FORM SUPPLEMENT (RECOMMENDATIONS FOR EMPLOYMENT):

Description: this form will be used with job offer contingent on passing a physical examination. The medical exam must be based on the essential functions of the job. This form may be kept in the personnel file.

Retention: three years after the date of hire or one year after the date the individual's employment is terminated, whichever is later (8 CFR 274A. 6)

PHYSICAL EXAMINATIONS:

Description: examinations performed after an offer of employment and prior to final selection for appointment or reemployment,

Retention: 10 years after date of examination

Confidentiality: 14-2-1.A. NMSA 1978 and SPB 2.7.B.1

OCCUPATIONAL INJURY AND ILLNESS FILES:

Description: may contain reports and logs, including OSHA forms to document all recordable injuries and illnesses

Retention: five years from end of fiscal year in which created

TRAINING/EDUCATIONAL MATERIALS:

Description: may contain record copy of manuals, syllabuses, text-books, training plans, notices, catalogs, etc. These are considered NON-RECORD materials.

Retention: when superseded or obsolete

TRAINING/EVALUATIONS:

Description: completed by training participants, used by instructors and training administrators to assess and plan training

Retention: one year after end of fiscal year in which created

TRAINING RECORDS:

Description: general file of Authority-sponsored training: may include, correspondence, memoranda, agreements, authorizations, reports, studies, plan and objectives relating to the establishment and operation of training courses and conferences.

Retention: five years after end of fiscal year in which created or five years after completion of specific training program

EMPLOYEE TRAINING RECORDS:

Description: may contain correspondence, memoranda, reports and other records relating to the availability of training and employee participation in training programs: registration/completion/attendance records. [Course certificates placed in official personnel file].

Retention: five years after end of fiscal year in which created

PERSONNEL COUNSELING RECORDS:

Description: may contain reports of interview, counseling statements, analyses and related records. Access restricted to authorized personnel.

Retention: three years after termination of counseling

INTERVIEW RECORDS:

Description: may contain correspondence reports and completed questionnaires and rating forms, used for hiring selection

Retention: three years after selection is made

SUPERVISOR'S PERSONNEL FILES:

Description: may contain correspondence, forms authorization, pending actions: position descriptions and records on individual employees duplicated in or not appropriate for the official personnel file

Retention: review annually and destroy, superseded or obsolete documents; or destroy file one year after separation or transfer

PERSONAL DATA FORM:

Description: the personnel data is used for gathering information that is not directly job related, i.e. employee information, contact information, citizenship, education level, sex, date of birth, ethnicity, etc.

Retention: three years after separation

Confidentiality: SPB 2.7 B.10.

BENEFITS AUTHORIZATION FORM:

Description: forms used to authorize employee for enrollment in retirement, health, life insurance, leave accrual plans and direct deposit. This form is used to establish personnel data which is used by the payroll process to verify that information for retirement, health insurance, and life insurance is entered correctly. This form is not used to create payroll deduction records for employee benefits enrollment, this is done on the pay roll deduction (benefits) update worksheet. Access restricted to authorized personnel.

Retention: until replaced

TAX AUTHORIZATION FORM:

Description: this form is used to establish or to change an employee's federal and state tax information in the employee database. This form is a source document for data entry and does not replace the W-4 form which is required by the IRS. [Access restricted to authorized personnel].

Retention: three years after change or three years after employee separation.

DEDUCTION (BENEFITS) UPDATE TRANSACTION WORKSHEET:

Description: this is a department of finance and administration form. The form is used to start or cancel an employee's deductions. Access restricted to authorized personnel.

Retention: retain until superseded.

ORGANIZATIONAL CHART:

Description: shows division, bureau, section unit, sub-unit: department name, agency name, location and function

Retention: until superseded by new listing

ADDITIONAL PAY TRANSACTION:

Description: overtime work orders

Retention: until validated to payroll register

PAYROLL BATCH CONTROL FORM:

Description: schedule number, pay period ending, time report forms, payroll adjustment forms, corrections, automatic check cancellation forms, prepared by and date

Retention: until audit is approved

TIME REPORT AND SHEET:

Description: schedule, number, batch number, pay period ending, employee name, social security number, transaction code, week ending, earning type, time, rate of pay, job classification, account number, control totals, signature and date

Retention: until audit is approved

PAYROLL CORRECTIONS AND DELETIONS:

Description: schedule number, batch control corrections sequence number, type, transaction count, hours hash, rate hash total, batch control deletions, prepared by and date

Retention: until audit is approved

PAYROLL ADJUSTMENT WORKSHEET:

Description: show schedule number, batch number, employee's social security number, name, overtime adjustment, total amounts, refunds, total amount, prepared by and date

Retention: until audit is approved

EEO PROFILE OF PERSONNEL:

Description: this is an employee reporting system which shows total number of employees, average range, step, salary, years in agency, years in class, age and educational level by race and sex.

Retention: until superseded by new listing

EEO PROFILE OF EMPLOYEE JOB CATEGORIES, ANNUAL (EOFY):

Description: this is an employee reporting system printout which shows employees, male/female, Anglo, Spanish, Indian, Black; percent male/female, Anglo Spanish, Indian, Black by job category.

Retention: until affirmative action plan has been issued

MINORITY GROUPS REPORT ANNUAL (EOFY):

Description: this is an employee reporting system printout which shows Anglo male/female total, oriental male/female total, unspecified male/female total number, percent, salary, education, location.

Retention: until superseded

MINORITY ACTIONS REPORT, ANNUAL (EOFY):

Description: this is an employee reporting system printout which shows Anglo, Spanish, Indian, Black, unspecified male/female, total by type of appointment, range, extra merit increases, promotions, demotions, demotions for cause, demotions without prejudice, dismissals, layoffs, expirations of appointments, resignations by type, suspensions, leave by type, separations.

Retention: until superseded

EMPLOYMENT LIST:

Description: Shows position title, number of vacancies, type of certification, specification number, date issued, certification number, revision number, expiration date, it then lists applicant's name and address, score, social security number, veterans and residence points, phone number, commends, personnel officer signature, signature of General Manager and date.

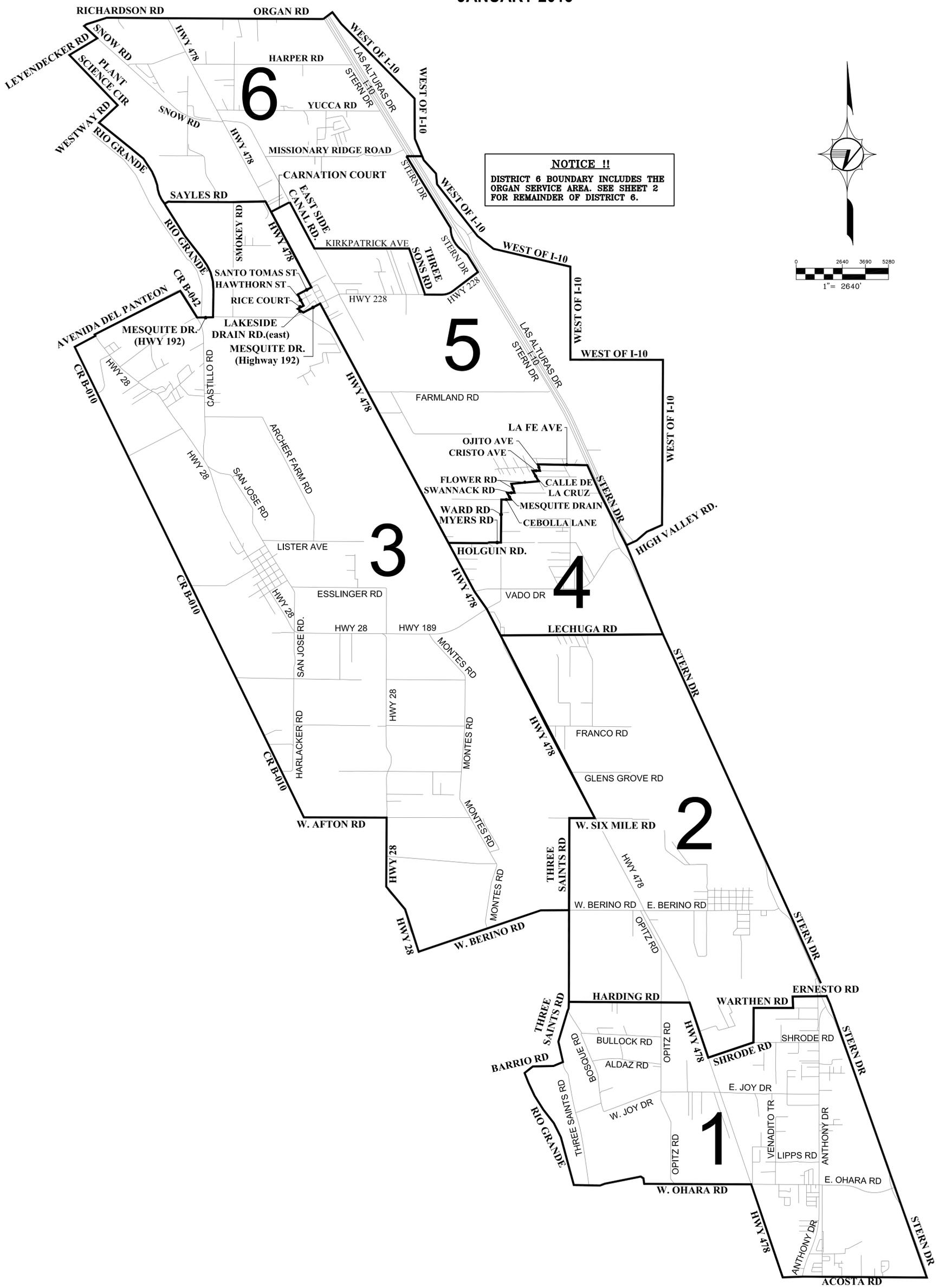
Retention: three years from date of issue

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY

BRAZITO / BUTTERFIELD / ORGAN WATER SERVICE AREAS

VOTING DISTRICT MAP

JANUARY 2013



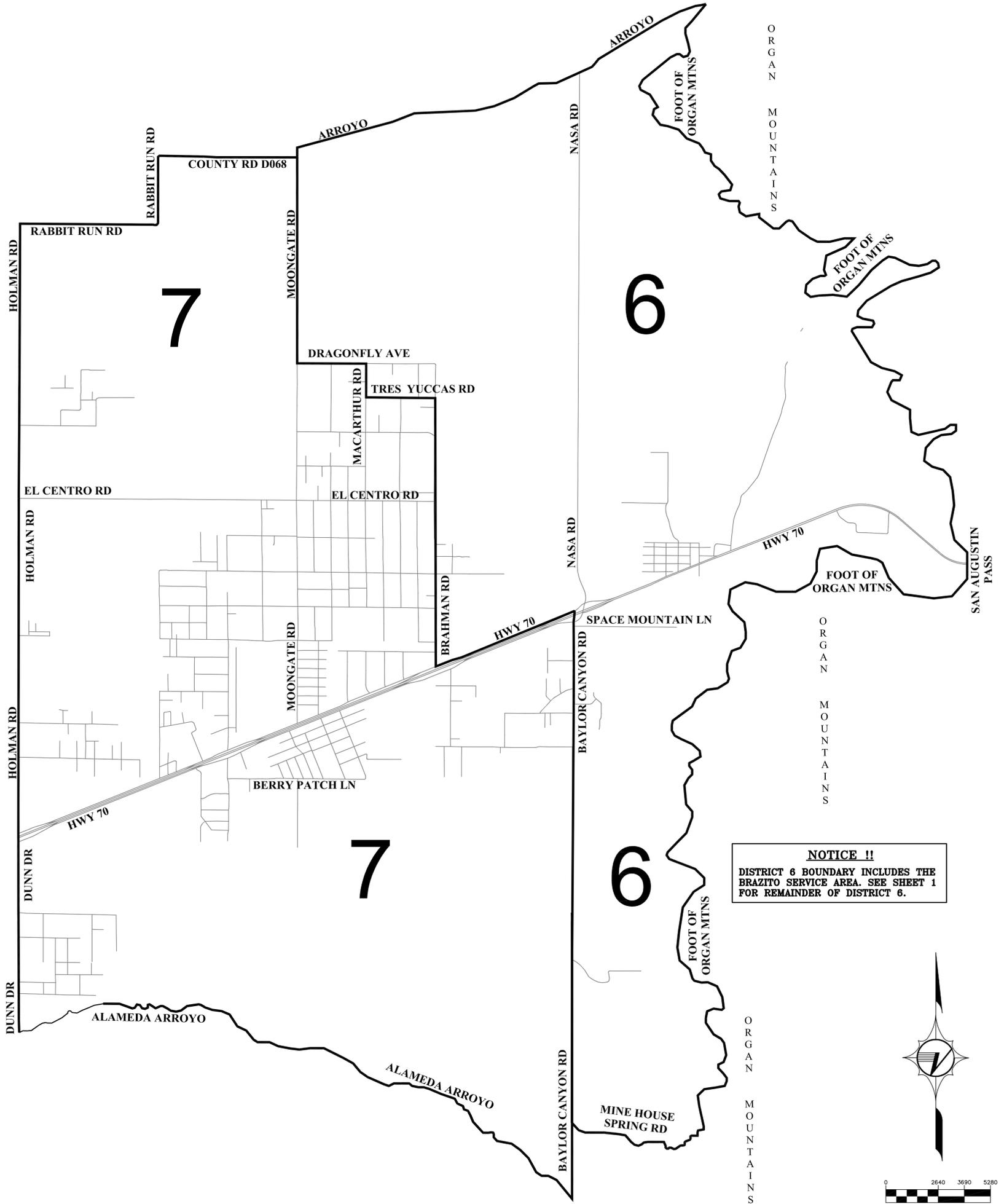
1 of 2 SHEET	VOTING DISTRICT MAP	SHEET TITLE	PROJECT NAME	SCALE	ENGINEER'S SEAL	REFERENCES - BENCHMARKS		
							LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY	LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY VOTING DISTRICT MAP
				DATE: JANUARY 2013 DESIGN BY: AH DRAWN BY: AH CHKD BY: HV APPD BY: LRGPWWA		DATE	REVISIONS	BY

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY

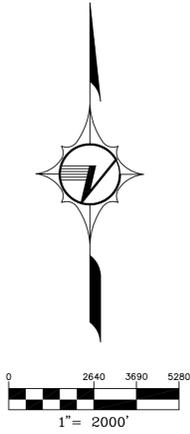
BRAZITO / BUTTERFIELD / ORGAN WATER SERVICE AREAS

VOTING DISTRICT MAP

JANUARY 2013



NOTICE !!
 DISTRICT 6 BOUNDARY INCLUDES THE
 BRAZITO SERVICE AREA. SEE SHEET 1
 FOR REMAINDER OF DISTRICT 6.



SHEET 2 of 2	VOTING DISTRICT MAP	SHEET TITLE LOWER RIO GRANDE PUBLIC WATER WORK AUTHORITY	PROJECT NAME LOWER RIO GRANDE PUBLIC WATER WORK AUTHORITY VOTING DISTRICT MAP	SCALE HOR: AS SHOWN VER: AS SHOWN	ENGINEER'S SEAL	REFERENCES -- BENCHMARKS FILE:
				DATE: JANUARY 2013 DESIGN BY: AH DRAWN BY: AH CHKD. BY: HV APPD. BY: LBGPWWA		



Lower Rio Grande Public Works Authority Election Policy Proposed Amendment 1/16/13

17. Absentee voting.

A. A voter may vote in an election by absentee ballot for all candidates and on all questions appearing on the ballot in his or her district as if casting a ballot in person at the polling place on election day.

B. The provisions of the Absent Voter Act [NMSA 1978, Chapter 1, Article 6] apply to absentee voting in Authority elections, provided that absentee ballots may be marked in person during the regular hours and days of business at the office of the ~~Authority election official~~ County Clerk from 8:00 a.m. on the twenty-fifth day preceding the election until 5:00 p.m. on the Friday immediately prior to the date of the election. Absentee ballots shall be printed at least thirty days prior to the date of the election. Provisions may be made by the board in the proclamation for absentee voting in person from 8:00 a.m. on the twentieth day preceding an election until 5:00 p.m. on the Friday immediately prior to the date of the election.

C. A regular district board may be designated to serve as the absent voter district board. A member of the absent voter district board shall receive the same compensation as a regular district board member. A regular district board member who also serves as a member of the absent voter district board shall be entitled to extra compensation for serving on the absent voter district board.



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LOWER RIO GRANDE

Public Water Works Authority

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

Resolution Number FY2013-08 Issuing an Election Proclamation

WHEREAS, the Lower Rio Grande Public Water Works Authority is created by NMSA 1978 73-26-1 and has established its required Governance Document and;

WHEREAS, Section 2.01 of said Governance Document sets forth the requirements for elections and;

WHEREAS, the Board of Directors has adopted an Election Policy on July 19, 2012 and;

WHEREAS, the Board of Directors has established seven voting districts and must hold an election to provide an elected representative to the board from each of the districts and;

WHEREAS, Section 2.12 of said Governance Document requires that amendments to the Governance Document be submitted for membership vote;

NOW THEREFORE, the Board of Directors of the Lower Rio Grande Public Water Works Authority issues the attached Election Proclamation dated this 16th day of January 2013.

This Resolution was duly adopted by the Board of Directors at its regular meeting on January 16, 2013 at the LRGPWVA La Mesa Office, 521 St. Valentine, La Mesa NM by a vote of _____ in favor, _____ opposed and _____ abstaining.

Seal:

Attest:

Santos Ruiz, Secretary

Roberto Nieto, Board Chair



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LOWER RIO GRANDE

Public Water Works Authority

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

PROCLAMATION FOR ELECTION FOR MEMBERS OF THE BOARD OF DIRECTORS

Election Date: Tuesday, April 9, 2013

On Tuesday, April 9, 2013, there shall be a regular election of the Lower Rio Grande Public Water Works Authority (Authority).

The purpose of the election is to elect seven (7) members to the board of directors of the Authority, and to submit a question to the voters regarding a proposed amendment to Section 2.02 H. of the Authority's Governance Document.

The positions on the board to be filled are for seven (7) members to the board of directors, one to represent each of the seven (7) Authority voting districts.

The question to be submitted to the voters reads as follows (proposed changes are in *italics*, strike-thru indicates deletion, underline indicates new language):

"SECTION 2.02. Governing Body, Paragraph H

H. Members of the Board of Directors shall receive neither stipend nor any other compensation for their services. Directors may be reimbursed for expenses incurred by activities or functions performed as part of their service as members of the Board of Directors, as pre-approved by the Board of Directors or as set forth in the Authority's Policies and Procedures. Travel to scheduled meetings of the Board of Directors is ~~not~~ considered a reimbursable expense for mileage."

Declarations of candidacy for the positions may be filed in the La Mesa Office of the Authority, 521 St. Valentine, La Mesa, New Mexico no later than 5:00 p.m. on Tuesday, February 19, 2013. Potential candidates may contact the Authority Election Official, General Manager Martin Lopez to verify or establish their eligibility prior to that date and time.

This is the initial election for members of the board of directors of the Authority, and all seven (7) positions are to be filled. Two consolidated polling places for Authority districts 1,2,3,4,5,6 and 7 will be located at the Authority's East Mesa Office, 9774 Butterfield Boulevard, Butterfield Park, New Mexico and the Del Cerro Community Center, 180 La Fe, Mesquite, New Mexico.

Each polling place will be open 7:00 a.m. to 7:00 p.m. on Tuesday, April 9, 2013.

The voter registration list of the Authority shall be closed at 5:00 p.m. on Tuesday, March 12, 2013. Authority members may contact the Authority Election Official, General Manager Martin Lopez to verify or establish their status as an eligible voter prior to that date and time.

In order to register with the Authority as an eligible voter, a person must:

- (1)** Own real property within the Authority's recorded designated service area;
- (2)** Receive services provided by the Authority to that property; and
- (3)** Be a member as defined in the Governance Document of the Authority

Absentee and Early Voting: Applications for absentee ballots may be made only on a form available from the Doña Ana County Clerk. Applications may be requested by mail or telephone message directed to the Doña Ana County Clerk's business office at the County Complex of Doña Ana County, 845 N. Motel Blvd., Las Cruces, New Mexico, telephone 575-647-7428. Applications for absentee ballots may also be obtained in person at the Clerk's office beginning Tuesday, March 12, 2013 during normal business hours until 5:00 p.m. on Friday, April 5, 2013. Absentee ballots will be mailed commencing March 12, 2013. Completed absentee ballots must be received no later than 7:00 p.m. on Tuesday, April 9, 2013. Completed absentee ballots may be delivered by mail or courier, or may be delivered in person to the Clerk's office during regular business hours from March 12 through April 9, 2013. Early voting will be held in the Doña Ana County Clerk's office from March 12 through April 5, 2013 during regular business hours. The office of the County Clerk will tabulate all early and in-person absentee ballots, and all ballots cast on April 9th at the two polling locations.

This proclamation is made and published by order of the Board of Directors of the Lower Rio Grande Public Water Works Authority this 16th day of January, 2013.

Roberto Nieto, Board Chair

Publish:

Once each week for three (3) consecutive weeks

Publication Dates:

February 27, 2013

March 3, 2013

March 10, 2013



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LOWER RIO GRANDE

Public Water Works Authority

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

RESOLUTION FY2013-09

Directing Staff to Make Application to the Colonias Infrastructure Trust Funds

WHEREAS, in order to be considered for project funding by the Colonias Infrastructure Trust Fund Board of Directors, applications must be prepared and submitted, and;

WHEREAS, the Board of Directors has prioritized the following projects on its Infrastructure Capital Improvements Plan;

NOW THEREFORE, the Board of Directors directs staff to prepare and submit applications to fund the following projects:

Design of the Mesquite/Brazito Sewer Project
Design of the Authority Interconnection & Looping Project South Phase
Purchase of Water Rights

PASSED, APPROVED, AND ADOPTED: January 16, 2013.

Seal:

Roberto M. Nieto, Chairman - Mesquite

John Holguin, Vice-chairman - Vado

Santos Ruiz, Secretary - Berino

Rosaura Pargas - Desert Sands

Blanca Martinez – La Mesa

Mary Berry – Butterfield Park

Furman Smith – Organ

Mike McMullen - Brazito