



Lower Rio Grande Public Water Works Authority

Sign In Sheet Page ___ of ___

Date: 4/4/18

Time: 3:00

Place: Vado Office

Event: Special Board mtg

Signature	Print Name, Title, Company or Agency Represented	Contact Information	Email Address
<i>Mike McQuillen</i>	MIKE MCQUILLEN LRG PWWA	970-702-7852	
<i>Henry Torres</i>	Henry Torres Henry Torres LRG PWWA	575 525 9683	mtg@lrgauthority.org
<i>Jose Estrada</i>	JOSE ESTRADA LRG PWWA	575 680-0542	hentorre2@lrg
<i>Espy Helguera</i>	Espy Helguera LRG	575 644 4543	Esp4@D.Com
<i>Patricia Charles</i>	Patricia Charles LRG PWWA	575-233-5742	patry.charles@lrgauthority.org
<i>Karen Nichols</i>	Karen Nichols LRG PWWA	915 203 2057	Karen.nichols@lrgauthority.org
<i>Martin G Lopez</i>	MARTIN G LOPEZ LRG PWWA	575 571 3628	martin.lopez@lrgauthority.org

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY

Draft Minutes—SPECIAL BOARD OF DIRECTORS MEETING

3:00 p.m. Wednesday, April 4, 2018 at our Vado Office, 325 Holguin Rd, Vado, NM

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

- I. **Call to Order, Roll Call to Establish Quorum:** Chairman Mike McMullen called the meeting to order at 3:00 p.m. and called roll. Mr. Raymundo Sanchez representing District #1 was absent, District #2 is Vacant, Mr. Joe Evaro representing District #3 was present, Mrs. Esperanza Holguin representing District #4 was present, Mr. Henry Magallanez representing District # 5 was present, Mr. Mike McMullen representing District #6 was present, Mr. Furman Smith representing District #7 was absent.
- II. **Pledge of Allegiance:** Mr. McMullen led the pledge of Allegiance.
- III. **Motion to approve the Agenda:** Mr. Magallanez made the motion to approve the agenda, Mr. Evaro seconded the motion. The motion passed with all in favor.
- IV. New Business
 - A. **Motion to authorize entering into an MOU for emergency backup water supply with Vista Del Rey MDWCA and High Valley MDWCA:** Mr. Magallanez made the motion to authorize entering into an Memorandum of Understanding for emergency backup water supply with Vista Del Rey MDWCA and High Valley MDWCA, Mrs. Holguin seconded the motion. General Manager Mr. Lopez informed the board that the MOU is in support of applications submitted by both Vista Del Rey MDWCA and High Valley MDWCA to the Colonia's Board. The Colonia's Board recommended that they work on an interconnect in case either well breaks down or either is rehabilitated. He said that if the applications got denied then this MOU could be rescinded. High Valley and the LRGPWVA have initiated a merger, so the LRGPWVA will be the successor entity for the purpose of this MOU. Projects Manager Ms. Nichols indicated that she believed that the application for Vista Del Rey MDWCA was for design and High Valley MDWCA application was for design, construction and rehab. Mr. Lopez said that the reason why this MOU is needed right away is because the Colonia's Board, Projects Committee is meeting on April 24th and will start looking at the applications and start ranking them. Without this MOU included in both their applications neither may rank high. With no further questions the motion passed with all in favor.
- V. **Adjourn:** Mrs. Holguin made the motion to adjourn the meeting at 3:21 p.m. Mr. Evaro seconded the motion. The motion passed with all in favor.

Minutes approved April 18, 2018

Michael McMullen, Chairman (District 6)

ABSENT

Furman Smith, Vice-Chairman (District 7)

Esperanza Holguin, Secretary (District 4)

ABSENT

Raymundo Sanchez, Director (District 1)

Joe Evaro, Director (District 3)

Henry Magallanez, Director (District 5)

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY

Meeting Notice & Agenda—SPECIAL BOARD OF DIRECTORS MEETING

3:00 p.m. Wednesday, April 4, 2018 at our Vado Office, 325 Holguin Rd, Vado, NM

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

- I. Call to Order, Roll Call to Establish Quorum: District #1 (Mr. Sanchez) ____, #2 (Vacant) ____, #3 (Mr. Evaro) #4 (Mrs. Holguin) ____, # 5 (Mr. Magallanez) ____, #6 (Mr. McMullen) ____, #7 (Mr. Smith) ____
- II. Pledge of Allegiance
- III. Motion to approve the Agenda
- IV. New Business
 - A. Motion to authorize entering into an MOU for emergency backup water supply with Vista Del Rey MDWCA and High Valley MDWCA
- V. 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.

MEMORANDUM OF UNDERSTANDING

Between the Vista Del Rey Mutual Domestic Water Consumers Association, the High Valley Mutual Domestic Water Consumers Association and its successor entity, the Lower Rio Grande Public Water Works Authority, regarding Emergency Backup Water Supplies

This Memorandum of Understanding (“MOU”) is entered into this 4th day of April, 2018 by the Vista Del Rey Mutual Domestic Water Consumers Association and the High Valley Mutual Domestic Water Consumers Association and its successor entity, the Lower Rio Grande Public Water Works Authority for the purpose of enhancing the reliability of domestic water supplies to the members and customers of both entities.

RECITALS:

WHEREAS, both the Vista Del Rey Mutual Domestic Water Consumers Association (“VDR”) and the High Valley Mutual Domestic Water Consumers Association (“HV”) are political subdivisions of the State of New Mexico duly organized under the Sanitary Projects Act, NMSA 1978 3-29-20.1 and the Lower Rio Grande Public Water Works Authority (“LRG”) is a political subdivision of the State of New Mexico duly organized under NMSA 1978 73-26-1; and

WHEREAS, the HV Association and the LRG Authority have entered in to a Joint Resolution to merge the HV Association into the LRG Authority; and

WHEREAS, the HV Association and successor LRG Authority and the VDR Association both operate public water supply systems (“Systems”) located east of the I-10 Vado Interchange and less than one mile apart; and

WHEREAS, the VDR System and the HV System each have a single well and may have the capacity to supply water to the other during emergencies; and

WHEREAS, both the VDR Association and the HV Association/LRG Authority may benefit from connecting the Systems so that each could supply water to the other in the event of emergencies; and

WHEREAS, the VDR Association has developed a Preliminary Engineering Report (“PER”) and made application to the New Mexico Colonias Infrastructure Trust Fund for project funding to include the design of a pipeline interconnection between the two systems; and

WHEREAS, the HV Association has developed a PER and made application to the New Mexico Colonias Infrastructure Trust Fund for project funding to make improvements to its well; and

NOW THEREFORE, all of the parties to this MOU agree to continue in partnership to:

- A. seek funding to design and construct a water pipeline to interconnect the two systems for the purpose of emergency backup water supply for both systems; and

- B, endeavor to equalize the total cost including design, construction and implementation of the proposed interconnection between both systems when applying for construction funds; and
- C. take the necessary steps to comply with the requirements of state and/or federal funding and regulatory agencies in order to facilitate the ability of each system to supply water to the other as needed under the terms of this MOU.

STIPULATIONS:

- A. Each party to this MOU will designate (a) lead individual(s) responsible for carrying out its purpose; and
- B. each party to this MOU shall keep the other parties apprised of actions contemplated or taken in carrying out its purpose; and
- C. each party shall authorize its consultants to communicate with the other party and its consultants regarding the purpose of this MOU.

AMENDMENTS:

Either party may request changes to this MOU. Any changes, modifications, revisions or amendments to this MOU which are mutually agreed upon by and between the parties to this MOU shall be incorporated by written instrument, and effective when executed and signed by all parties to this MOU.

APPLICABLE LAW:

The construction, interpretation and enforcement of this MOU shall be governed by the laws of the State of New Mexico. The courts of the State of New Mexico shall have jurisdiction over any action arising out of this MOU and over the parties, and the venue shall be the Third Judicial District, Doña Ana County, New Mexico.

ENTIRETY OF AGREEMENT:

This MOU, consisting of three pages, represents the entire and integrated agreement between the parties and supersedes all prior negotiations, representations and agreements, whether written or oral.

SEVERABILITY:

Should any portion of this MOU be judicially determined to be illegal or unenforceable, the remainder of the MOU shall continue in full force and effect, and either party may renegotiate the terms affected by the severance.

