

CAMINO REAL REGIONAL UTILITY AUTHORITY
City of Sunland Park/Doña Ana County Joint Utility Authority
Gadsden Independent School District Board Room
4950 McNutt Rd, Sunland Park, NM 88063
Regular Meeting On-Line
September 14, 2020
5:30 pm
AGENDA

Join Zoom Meeting

<https://zoom.us/j/91240200655?pwd=dUNsNU1qbWVYV1JzRGhteE1VWWdUUT09>

Meeting ID: 912 4020 0655

Passcode: 116575

For Spanish Translation dial: 701-802-5252
Enter Access Code: 3187874#

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL AND DETERMINATION OF QUORUM
4. CHANGES TO THE AGENDA
5. APPROVE MINUTES
 - A. AUGUST 10, 2020
6. PUBLIC COMMENTS (LIMITED TO 3 MINUTES PER PERSON)
7. STAFF COMMENTS & ANNOUNCEMENTS
8. BOARD COMMENTS
9. PRESENTATIONS & REPORTS
 - A. MONTHLY REPORTS & ANNOUNCEMENT
 1. BRIDEL FACILITY MONTHLY REPORT FOR JULY AND AUGUST 2020.
 2. ACCOUNTS RECEIVABLE REPORT AS OF 8/31/2020
10. DISCUSSION /ACTION ITEMS
 - A. APPROVE RESOLUTION AUTHORIZING AND APPROVING FOR SUBMISSION OF A COMPLETED JOINT APPLICATION IN CONJUNCTION WITH THE CITY OF

SUNLAND PARK FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE NEW MEXICO FINANCE AUTHORITY FOR THE COLONIAS INFRASTRUCTURE FUND AND DELEGATE SIGNATURE AUTHORITY TO THE EXECUTIVE DIRECTOR ON ALL RELATED DOCUMENTS.

- B. APPROVE AWARD REQUEST FOR PROPOSAL# 20-0042 FOR LEGAL SERVICES FOR CAMINO PEAL REGIONAL UTILITY AUTHORITY TO UTTON AND KERY AND DELEGATE SIGNATURE AUTHORITY TO THE EXECUTIVE DIRECTOR ON ALL RELATED DOCUMENTS.
- C. APPROVE RESOLUTION AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE NEW MEXICO FINANCE AUTHORITY FOR THE DRINKING WATER STATE REVOLVING LOAN FUND AND DELEGATE SIGNATURE AUTHORITY TO THE EXECUTIVE DIRECTOR ON ALL RELATED DOCUMENTS.
- D. APPROVAL OF WAIVER FOR LATE FEES CHARGED DURING THE COVID-19 PANDEMIC FOR THE MONTHS OF AUGUST 2020.

11. ADJOURNMENT

NOTE: The Camino Real Regional Utility Authority (CRRUA) will ensure effective communication with individuals with disabilities and will: upon request, provide auxiliary communication aids and services to afford those individuals equal opportunity for participation in Dona Ana County sponsored meetings, events, or activities. Any request should be made to the Americans with Disabilities Act Coordinator, in writing, or by phone, as soon as possible prior to the event at which accommodation is needed. If you have any questions regarding examples of reasonable accommodations, please contact CRRUA at (575) 589-1075.

Spanish language interpretation services are now available upon request for participation in CRRUA sponsored meetings, events, or activities. Please contact the CRRUA office at (575) 589-1075, at least 48 hours prior to the event. Servicios de interpretacion en las juntas será disponible por petición. Por favor llame a la oficina de CRRUA al (575) 589-1075 por lo menos 48 horas por adelantado para pedir este servicio.

POSTED AT:

City Clerk Office

Motor Vehicle Division

Filed in the office of the City Clerk

on September 10, 2020

Public Health Office

CRRUA Office

City of Sunland Park Library

Mary De Avila

Both Sunland Park U.S. Post Offices

Administrative Assistant

Dona Ana County and CRRUA Websites

Camino Real Regional Utility Authority

Camino Real Regional Utility Authority
City of Sunland Park/Dona Ana County Joint Utility Authority
Gadsden Independent School District- Board Room
4950 McNutt Rd, Sunland Park, New Mexico 88063
Meeting On-Line
August 10, 2020
5:30 pm

MINUTES

A Regular Meeting of the Camino Real Regional Utility Authority was held on Monday, August 10, 2020 at 5:33 p.m. On-Line at 4950 McNutt Road in Sunland Park, New Mexico 88063.

PRESENT

Chair Councilor Olga Nunez
Councilor Alberto Jaramillo
Mr. Alex Sierra
Mr. Joshua Orozco
State Representative Ray Lara

ABSENT

Vice-Chair Commissioner Ramon Gonzalez
Commissioner Manuel Sanchez

ALSO PRESENT

Mr. Brent Westmoreland, CRRUA Executive Director
Ms. Liliana Arevalo, CRRUA Office Manager
Ms. Mary De Avila, CRRUA Administrative Assistant
Mr. Ernie Carranza, CRRUA Water/Wastewater Lead
Mr. Robert Fowlie, CDM Smith
Mr. Enrique Palomares, CRRUA Attorney
Dr. Letty Mora, Psychologist Services and Translation/Interpretation Services
Mr. Eric Lopez, Bridel Facility Ops
Mr. Gerald Smola, Camino Real Media Services

1. CALL TO ORDER

Chair Councilor Olga Nunez called the meeting to order at 5:33 pm.

2. PLEDGE OF ALLEGIANCE

None

3. ROLL CALL

Ms. Mary De Avila, Administrative Assistant called roll call. A quorum was present.

4. CHANGES TO THE AGENDA

None

5. APPROVE MINUTES

A. JULY 27, 2020 SPECIAL MEETING

Mr. Joshua Orozco moved to approve the minutes for July 27, 2020 special meeting; the Mr. Alex Sierra seconded motion. The motion carried a 5-0 vote.

Chair Councilor Olga Nunez	aye
Mr. Alex Sierra	aye
Mr. Joshua Orozco	aye
Representative Ray Lara	aye
Councilor Alberto Jaramillo	aye

6. PUBLIC COMMENTS: Limited to 3 minutes per person.
None

7. STAFF COMMENTS & ANNOUNCEMENTS
None

8. BOARD COMMENTS
None

9. DISCUSSION/ACTION ITEMS

A. APPROVAL & ADOPTION OF THE 2022-2026 ICIP

Mr. Joshua Orozco moved to approve; Mr. Alex Sierra seconded the motion. The motion carried 5-0 vote.

Chair Councilor Olga Nunez	aye
Mr. Alex Sierra	aye
Mr. Joshua Orozco	aye
Representative Ray Lara	aye
Councilor Alberto Jaramillo	aye

B. APPROVE RESOLUTION AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE NEW MEXICO FINANCE AUTHORITY TO COMPLETE A WATER MASTER PLAN UPDATE.

Mr. Joshua Orozco moved to approve; Mr. Alex Sierra seconded the motion. The motion carried 5-0 vote.

Chair Councilor Olga Nunez	aye
Mr. Alex Sierra	aye
Mr. Joshua Orozco	aye
Representative Ray Lara	aye
Councilor Alberto Jaramillo	aye

- C. ACTION ON POSTPONEMENT OF THE SCHEDULED INCREASE APPROVED ON DECEMBER 17, 2018 TO THE WASTEWATER BASE RATE FOR RESIDENTIAL CUSTOMERS UNTIL THE GOVERNOR HEALTH ORDER IS LIFTED OR JUNE 30, 2021, WHICHEVER COMES FIRST. Mr. Joshua Orozco moved to approve; Mr. Alex Sierra seconded the motion. The motion carried 5-0 vote.

Chair Councilor Olga Nunez	aye
Mr. Alex Sierra	aye
Mr. Joshua Orozco	aye
Representative Ray Lara	aye
Councilor Alberto Jaramillo	aye

BOARD COMMENTS ON ITEM 9C

Mr. Joshua Orozco asked that if they are out of the COVID-19 situation and the Governor lifts the stay home order would that mean that the increase automatically goes into effect. Mr. Brent Westmoreland, CRRUA Executive Director replied that based on the way that this was tailored, yes.

Councilor Alberto Jaramillo asked if this was to postpone item.

Mr. Brent Westmoreland replied that this was originally approved back on December 17, 2018 with the rate increase and initial rate adjustment that the board passed to postpone the implementation of the 1.5% increase until the COVID-19 is declared over by the Governor or June 30, 2021 whichever comes first.

Councilor Alberto Jaramillo asked when was the last increase on the water.

Mr. Brent Westmoreland replied July 2019 was the last increase on water and wastewater. We had one decrease on the wastewater.

Chair Councilor Olga Nunez asked that if this was to postpone to go back to the 100% of the wastewater.

Mr. Brent Westmoreland replied that this would not affect the 80% that was approved by the board. This was a pre-scheduled increase that was on the original adjustments and we are requesting it to be postponed.

Mr. Joshua Orozco stated that when the recommendation came back from the consultant on what CRRUA's wastewater rate should be, when the board actually met to increase the wastewater rates we felt rather than doing it once we could do it in a phased approach. This was over four years ago. Therefore, this is one of the phases we are just postponing the phase, due to the stay home order.

Mr. Brent Westmoreland replied yes Sir.

Chair Councilor Olga Nunez asked how the customers are going to be notified of the rate increase.

Mr. Brent Westmoreland replied that a month prior to the increase they will notify the customers in their water bills with a flyer insert notifying them of the rate increase.

Mr. Alex Sierra asked if CRRUA is going to send out a flyer informing the customer of the roll back.

Mr. Brent Westmoreland replied this is not a roll back it is leaving it static.

Mr. Alex Sierra asked if CRRUA knows what the financial impact that this will have is?

Mr. Brent Westmoreland replied that they do not have an estimate in the wastewater. Chair Councilor Olga Nunez asked if this increase supposed to be done in phases.

Mr. Brent Westmoreland replied this is to postpone the prior voted on and approve increase voted on December 17, 2018.

Chair Councilor Olga Nunez asked when the increase should of have taken place.

Mr. Brent Westmoreland replied this is to keep any increase taking place until after the health order has been lifted or June 30, 2021. The increase was going to be implemented July 1, 2020.

- D. ACTION ON POSTPONEMENT OF THE 1.5% INCREASE PREVIOUSLY APPROVED FOR WATER AND WASTEWATER RATES FOR ALL CUSTOMER CLASSIFICATIONS UNTIL THE GOVERNOR'S HEALTH ORDER IS LIFTED OR JUNE 30, 2021, WHICHEVER COMES FIRST. Councilor Alberto Jaramillo moved to approve; Mr. Joshua Orozco seconded the motion. The motion carried 5-0 vote.

Chair Councilor Olga Nunez	aye
Mr. Alex Sierra	aye
Mr. Joshua Orozco	aye
Representative Ray Lara	aye
Councilor Alberto Jaramillo	aye

BOARD COMMENTS ON ITEM 9D

Chair Councilor Olga Nunez asked if the budget was done with the postponement in mind.

Mr. Brent Westmoreland replied yes Mam; the budget does not reflect any of these increases.

Chair Councilor Olga Nunez asked if this increase was for all customers including commercial and industrial.

Mr. Brent Westmoreland replied yes.

Chair Councilor Olga Nunez asked if item 9C was only for residential.

Mr. Brent Westmoreland replied yes for the wastewater base rate. Other customers will not see an increase.

Councilor Alberto Jaramillo asked that back on December 17, 2018 when this was approved were the customers notified.

Mr. Brent Westmoreland replied yes, there were multiple meetings very well attended by CRRUA customers.

Councilor Alberto Jaramillo asked if this keeps being postponed since 2018.

Mr. Brent Westmoreland replied that this was not proscribed to come into effect until July 1, 2020 and for the next four years.

Chair Councilor Olga Nunez asked that if this was approved prior to December 17, 2018.

Mr. Brent Westmoreland replied no Mam; it was discussed at numerous meetings with CRRUA consultants and engineers as well as the public.

10. ADJOURNMENT

Chair Councilor Olga Nunez moved to adjourn the Camino Real Regional Utility Authority

Meeting with no objections.

The meeting adjourned at 6:00 p.m.

APPROVED AND ADOPTED on this day of 2020.

CAMINO REAL REGIONAL UTILITY AUTHORITY

Olga Nunez, Chair

Ramon Gonzalez, Vice-Chair

Alex Sierra Delegate of State Senator Joseph Cervantes,
Board Member

Joshua Orozco, Board Member

Manuel Sanchez, Board Member

Ray Lara, Board Member
State Representative

Alberto Jaramillo, Board Member

ATTEST:

Camino Real Regional Utility Authority

CAMINO REAL REGIONAL UTILITY AUTHORITY

City of Sunland Park/Doña Ana County Joint Utility Authority
Gadsden Independent School District Board Room
4950 McNutt Sunland Park, New Mexico

CRRUA
Initiating Department

September 14, 2020
Meeting Date

Brent Westmoreland
Contact Person

9 A 1
Agenda Item Number

TITLE OF AGENDA ITEM TO BE CONSIDERED

BRIDEL FACILITY MONTHLY REPORT FOR THE MONTHS OF JULY AND AUGUST 2020

SUMMARY OF ITEM TO BE CONSIDERED INCLUDING PRESENTATION OF OPTIONS FOR ACTION and ACTION REQUESTED

BRIDEL FACILITY MONTHLY REPORT FOR THE MONTHS OF JULY AND AUGUST 2020

DESCRIPTION OF SUPPORTING DOCUMENTATION ATTACHED

BRIDEL FACILITY MONTHLY REPORT FOR THE MONTHS OF JULY AND AUGUST 2020

SUMMARY OF FINANCIAL IMPACT

DOCUMENT CONTROL

Original/s for signature? Yes No For Recording? Yes No

Return original/s to: _____ Dept.

Send copy of recorded original/s (resolution and ordinances only) to: _____ Name _____ Dept.

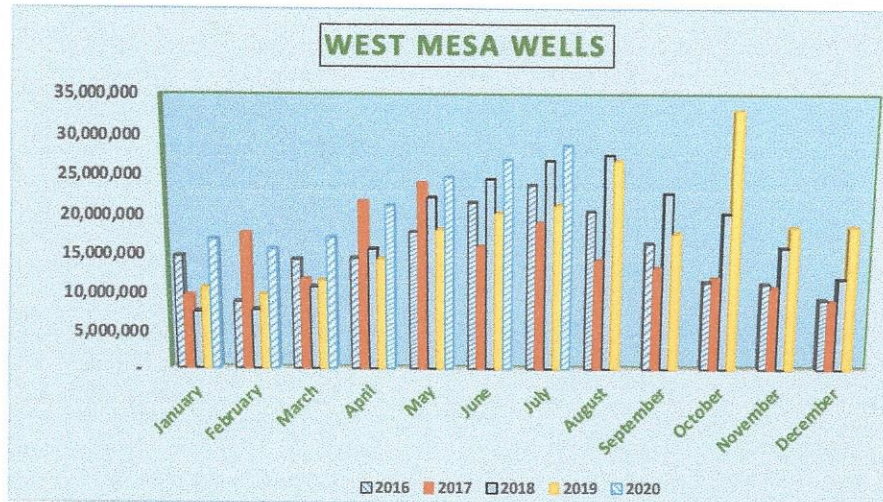
Deadline for return of document/s? Yes, return by: _____ or No



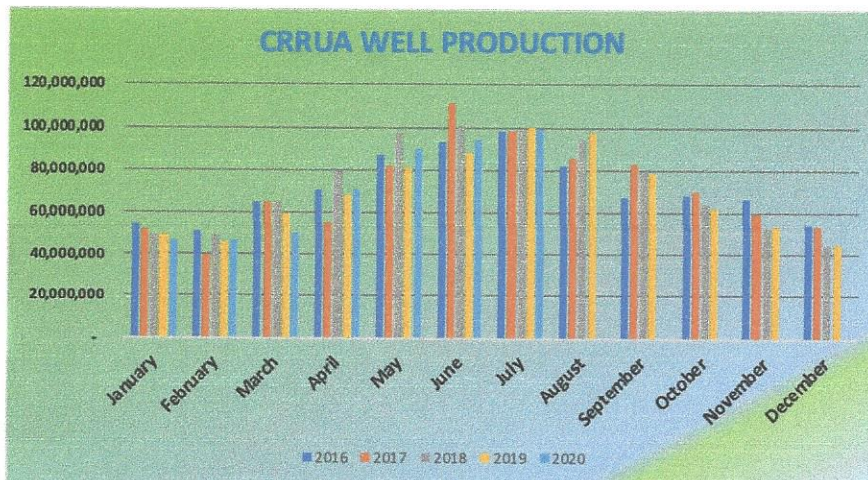
Monthly Report for July 2020

Water Systems

The West Mesa wells produced 28,706,300 gallons for the month of July compared to 2019 when wells produced 21,217,900 gallons.



The CRRUA wells produced 99,297,762 gallons for the month of July compared to 2019 when wells produced 100,246,241 gallons.



Water Line Repairs for the Month:

(5) ¾" Service Lines

Arsenic Removal Facilities (January 22, 2001, EPA adopted a new standard for arsenic in drinking water of 0.010 mg/l)

Sunland Park:

Arsenic results for month:

- July 6 – .0044 mg/l

Industrial:

Arsenic results for month:

- July – .019 mg/l

Santa Teresa Community System:

Arsenic results for month:

- July 6 – Not Detected

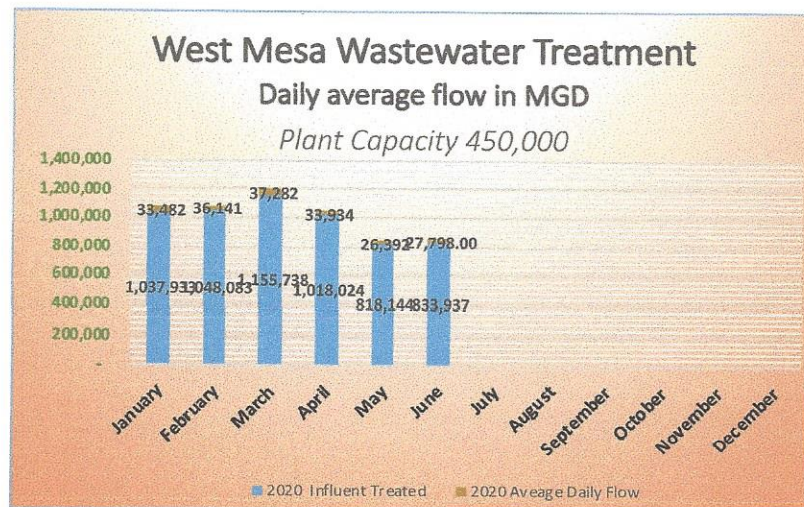
Santa Teresa\Sunland Park

Commercial\Industrial Water Meter

No new meters were installed for Commercial and Industrial Customers

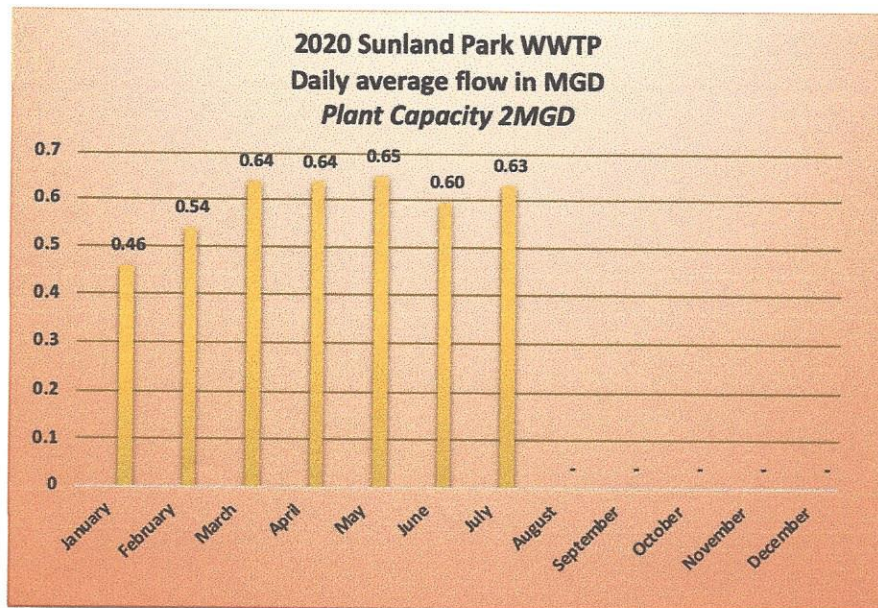
West Mesa WWTP

Flows not available this month.



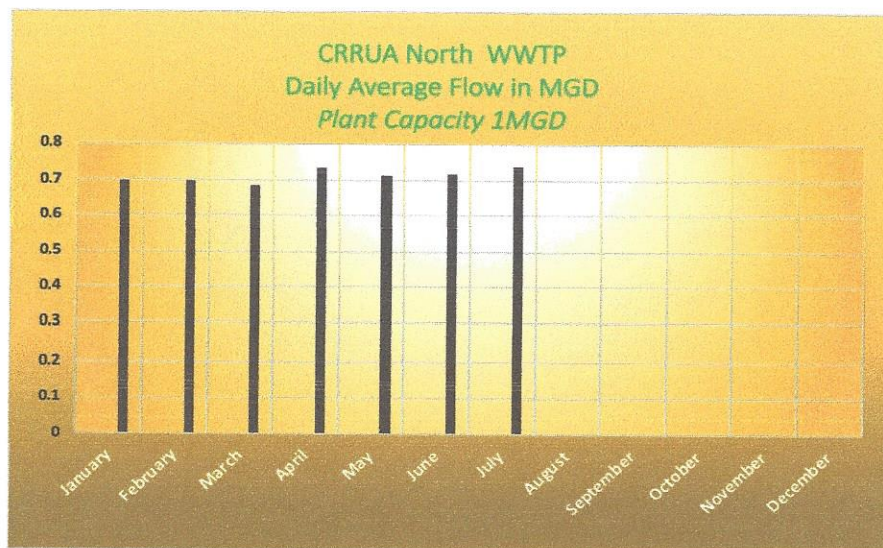
Sunland Park WWTP

Total gallons treated for the month of July was 19,634,000 gallons and the average flow for the month was 630,335 gallons per day.



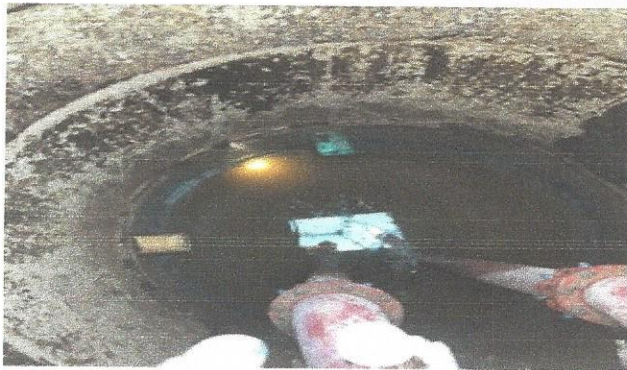
North WWTP

Total gallons treated during the month of July was 22,930,000 gallons and the average flow for the month was 739,680 gallons per day.



Wastewater Collection System

Walnut Lift Station Rehabilitation



Lift Station prior to the application Alumiliner and Raven 405 Epoxy



Walnut Lift Station after Alumiliner and Raven 405 Epoxy



Industrial Pretreatment Program

Collected information on Restaurants due to high grease at the Sunland Park Wastewater Treatment Facility.

Backflow Prevention Program

Nothing new to report.

Leak Detection

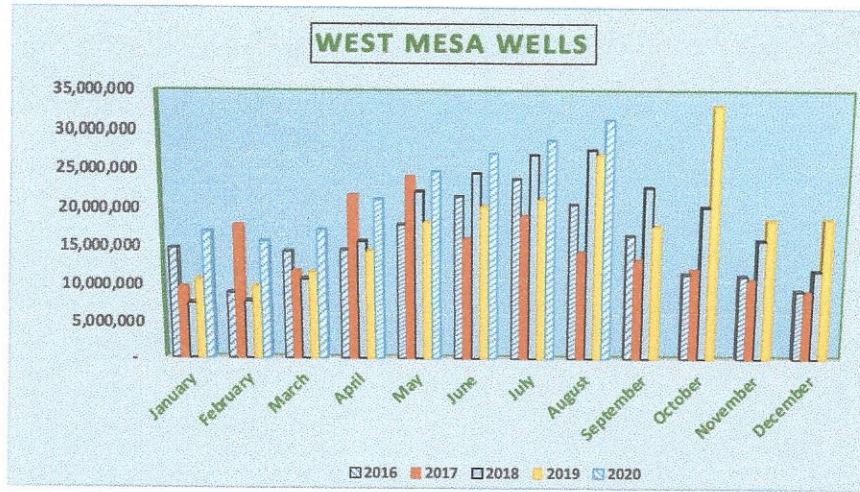
- 159 Pinehurst – High usage in December due to broken water valve on irrigation system.
- 119 Ivy Hill – Completed water leak adjustment for usage credit.



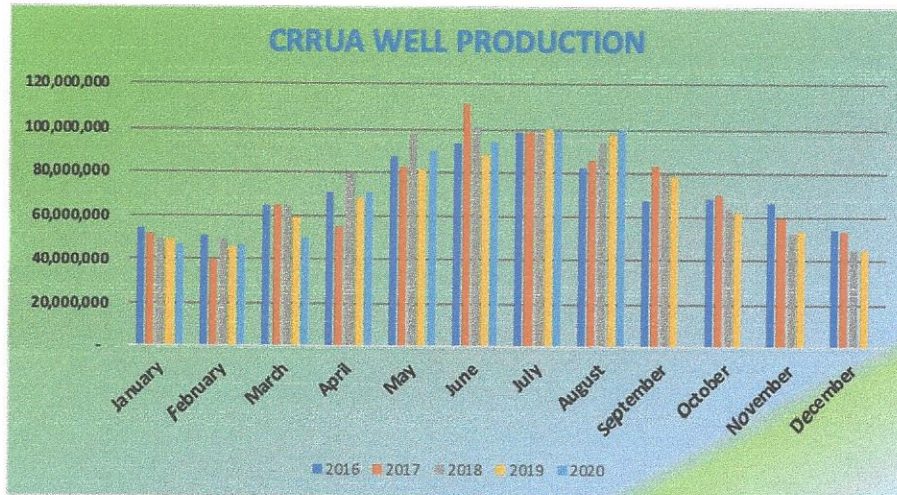
Monthly Report for August 2020

Water Systems

The West Mesa wells produced 31,352,800 gallons for the month of August compared to 2019 when wells produced 26,886,100 gallons.



The CRRUA wells produced 99,846,127 gallons for the month of August compared to 2019 when wells produced 97,642,051 gallons.



Water Line Repairs for the Month:

- (4) 3/4" Service Lines
- (1) 1" Service Line
- (2) 2" Service Line
- (2) 6" Main Line (1979 Futurity Dr. and 1955 Futurity Dr.)

Arsenic Removal Facilities (January 22, 2001, EPA adopted a new standard for arsenic in drinking water of 0.010 mg/l)

Sunland Park:

Arsenic results for month:

- August 17 – Hall Environmental

Industrial:

Arsenic results for month:

- August 17 – Hall Environmental

Santa Teresa Community System:

Arsenic results for month:

- August 17 – Hall Environmental

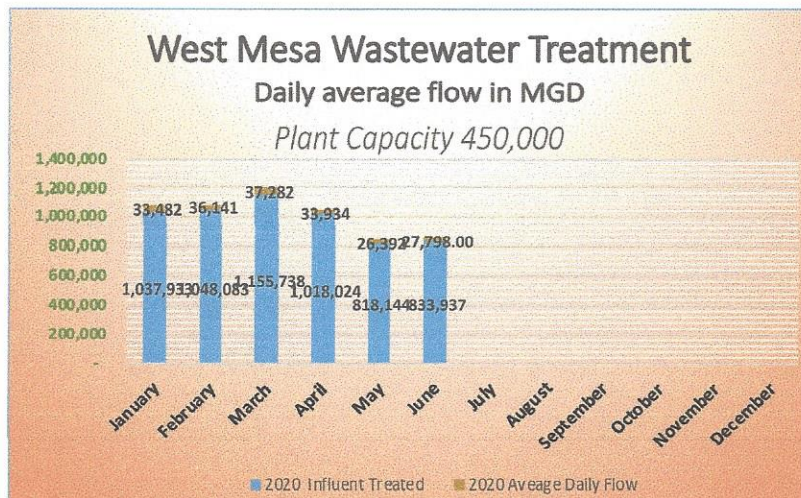
Santa Teresa\Sunland Park

Commercial\Industrial Water Meter

- Sandia LLC (2" Metron Meter)
- Stampede Meat LLC (6" Metron Meter) *Average flow is 153,000 gallons per day*

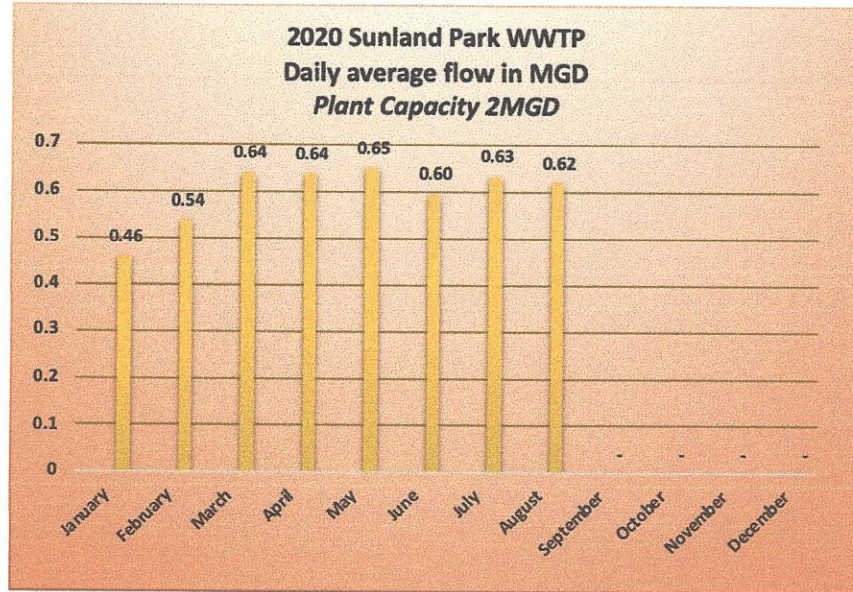
West Mesa WWTP

Flows not available this month.



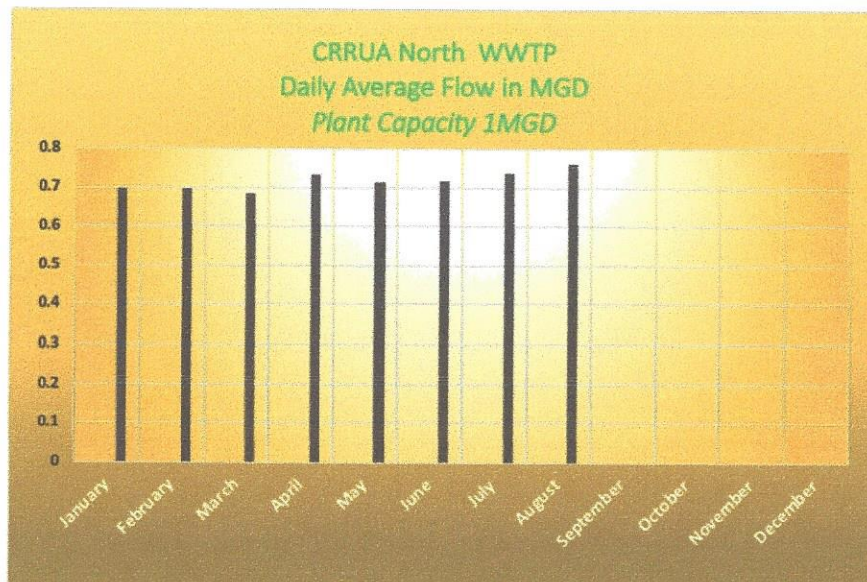
Sunland Park WWTP

Total gallons treated for the month of August was 19,188,667 gallons and the average flow for the month was 618,989 gallons per day. (Averaged flows for previous 3 months due to equipment failure)



North WWTP

Total gallons treated during the month of August was 23,593,410 gallons and the average flow for the month was 786,447 gallons per day.



Wastewater Collection System

(1) 4" WW clean-out on F.M. (Santa Teresita Dr.)

Industrial Pretreatment Program

Inspected the following Industries:

- Stampede Meat
- Northwire Inc
- IHR Transload

Backflow Prevention Program

Bridel Facility Operations staff is organizing businesses that have submitted reports.

Leak Detection

- 120 Dream Spirit
- 107 Father Luis Catano
- 540 Grove Drive

CAMINO REAL REGIONAL UTILITY AUTHORITY

City of Sunland Park/Doña Ana County Joint Utility Authority
Gadsden Independent School District Board Room
4950 McNutt Sunland Park, New Mexico

CRRUA
Initiating Department

Brent Westmoreland
Contact Person

September 14, 2020
Meeting Date

9 A 2
Agenda Item Number

TITLE OF AGENDA ITEM TO BE CONSIDERED

ACCOUNTS RECEIVABLE REPORT AS OF 08/31/2020

SUMMARY OF ITEM TO BE CONSIDERED INCLUDING PRESENTATION OF OPTIONS FOR ACTION and ACTION REQUESTED

DESCRIPTION OF SUPPORTING DOCUMENTATION ATTACHED

SUMMARY OF FINANCIAL IMPACT

DOCUMENT CONTROL

Original/s for signature? Yes No For Recording? Yes No

Return original/s to: _____ Dept.

Send copy of recorded original/s (resolution and ordinances only) to: _____ Name _____ Dept.

Deadline for return of document/s? Yes, return by: _____ or No

AGING RECEIVABLE PRESENTATION

CRRUA

SEPTEMBER 14, 2020

Uses of Accounts Receivable Aging Report

For Management:

- *Understanding the speed of collection of receivables from customers
- *Understanding the financial health of customers
- *Forecast doubtful debts
- *Estimating allowance for doubtful accounts
- *Decrease in resources to support utility services, operations and repairs
- *Increased administrative costs

For External Stakeholders:

- *Lenders - use the report to assess short term solvency and working capital requirements
- *Investors (bond holders) - use report to evaluate both the short-term and long-term solvency and quality of customers
- *Under-collection may result in an undue financial burden on other paying customers, who must then pay more to make up for the lost revenue
- *Legal liability risk – failure to collect revenue due may result in shortfalls resulting in legal liability and financial costs or losing state funding
- *Credit Risk – older uncollected accounts become a credit risk to the utility as older receivables become uncollectible resulting in loss of revenue

○ How long does CRRUA have to collect delinquent accounts?

4 years as per NMSA Section 37-1-4

What is the outstanding receivable as of 08/31/2020?

For all account classifications and all services on active and inactive accounts.

120 Days+	90 Days	60 Days	30 Days	Current	Total
\$598,552.14	\$53,330.12	\$126,636.68	\$315,084.56	\$602,084.56	\$1,696,593.98

Active Accounts: Represents 89% of total receivable.

120 Days+	90 Days	60 Days	30 Days	Current	Total
\$382,479.40	\$51,050.15	\$124,537.90	\$314,011.77	\$642,682.79	\$1,514,762.01

Inactive Accounts: Represents 11% of total receivable.

120 Days+	90 Days	60 Days	30 Days	Current	Total
\$216,072.74	\$2,279.97	\$2,098.78	\$1,978.71	(\$40,598.23)*	\$181,831.97

*Includes payments/deposits/adjustments made to accounts during the current period.

Slide 4

LA1 Liliana Arevalo, 9/10/2020

Accounts Receivable to Service Entity – Active and Inactive Accounts

Service	120 Days+	90 Days	60 Days	30 Days	Current	Total
CRRUA Services	\$552,400.70	\$43,317.12	\$107,045.99	\$266,609.69	\$382,487.62	\$1,351,861.12
SCSWA Services	\$46,151.44	\$10,013.00	\$19,590.69	\$49,380.79	\$219,596.94	\$344,732.86
	\$598,552.14	\$51,330.12	\$126,636.68	\$315,990.48	\$602,084.56	\$1,696,593.98

*Current: Includes payments/transactions and billing for August 31, 2020; Charges for August Services are due September 30.

*30 Days: Outstanding amounts due for services provided on July 2020

*60 Days: Outstanding amounts due for services provided on June 2020

*90 Days: Outstanding amounts due for services provided on May 2020

*120 Days: Outstanding amounts due for services provided on April 2020 and prior months/years.

What actions are taken to collect on bills?

- *Send monthly bill**
- *Address provided by customer is used**
- *Assess a late fee on past due amounts of \$5.00**
- *Disconnect water services on active accounts**
- *Write off inactive account balances that 4 years or older**
- *File property liens**

CAMINO REAL REGIONAL UTILITY AUTHORITY

City of Sunland Park/Doña Ana County Joint Utility Authority
Gadsden Independent School District Board Room
4950 McNutt Sunland Park, New Mexico

CRRUA
Initiating Department

September 14, 2020
Meeting Date

Brent Westmoreland
Contact Person

10A
Agenda Item Number

TITLE OF AGENDA ITEM TO BE CONSIDERED

RESOLUTION AUTHORIZING AND APPROVING FOR SUBMISSION OF A COMPLETED JOINT APPLICATION IN CONJUNCTION WITH THE CITY OF SUNLAND PARK FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE NEW MEXICO FINANCE AUTHORITY FOR THE COLONIAS INFRASTRUCTURE FUND.

SUMMARY OF ITEM TO BE CONSIDERED INCLUDING PRESENTATION OF OPTIONS FOR ACTION and ACTION REQUESTED

DESCRIPTION OF SUPPORTING DOCUMENTATION ATTACHED

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RESOLUTION NO. 2020-_____

Camino Real Regional Utility Authority

RESOLUTION AUTHORIZING AND APPROVING FOR SUBMISSION OF A COMPLETED JOINT APPLICATION IN CONJUNCTION WITH THE CITY OF SUNLAND PARK FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE NEW MEXICO FINANCE AUTHORITY FOR THE COLONIAS INFRASTRUCTURE FUND.

WHEREAS, the Board of Directors did hold a duly noticed public meeting; and

WHEREAS, the Board of Directors did consider testimony from staff and the public concerning the subject of this Resolution before reaching its decision; and

WHEREAS, pursuant to a Joint Powers Agreement dated February 24, 2009 between the City of Sunland Park and Dona Ana County, the Camino Real Regional Utility Authority (“CRRUA”) is an independent water and wastewater utility authority having exclusive jurisdiction over rates, operations, and services within that certain defined service area set out in said joint powers agreement; and

WHEREAS, CRRUA is a qualified entity under the New Mexico Finance Authority Colonias Infrastructure Act, Sections 6-30-1 through 6-30-8, NMSA 1978 (“Act”), in that CRRUA is an entity recognized as a political subdivision of the state by virtue of its creation pursuant to the said Joint Powers Agreement; and

WHEREAS, pursuant to Section 4 of the said Joint Powers Agreement, CRRUA is authorized to borrow funds and/or issue bonds for financing of CRRUA public projects; and

WHEREAS, the New Mexico Finance Authority (“Authority”) has instituted a program for financing of projects from the Colonias Infrastructure Fund created under the Act and has developed an application (“Application”) for financial assistance from the Authority for public projects; and

WHEREAS, CRRUA intends to undertake in conjunction with the City of Sunland Park the joint construction of the City of Sunland Park Anapra Phase II (“Project”) for the joint benefit of the City of Sunland Park and CRRUA and their respective mutual citizens and customers; and

WHEREAS, the application prescribed by the Authority has been jointly completed by the City of Sunland Park and CRRUA and submitted to their respective governing bodies and this resolution approving submission of the completed joint Application to the Authority for its consideration and review is required as part of the Application; and

NOW THEREFORE, BE IT RESOLVED by the Board of Directors for the Camino Real Regional Utility Authority, as follows:

Section 1. That the facts contained in the recitals of this Resolution are determined to be true and correct and are hereby adopted as part of this Resolution.

Section 2. That the project type falls under Flood Control and to undertake joint construction for the City of Sunland Park Anapra Phase II.

Section 3. That the financial assistance jointly requested by the City of Sunland Park and CRRUA from the Authority is in the amount of \$1,600,000.

Section 4. That the City of Sunland Park and CRRUA jointly commit to a 10% match (\$160,000) with local funds for said 10% match jointly provided (50/50) by the City of Sunland Park and CRRUA.

Section 5. That all action (not inconsistent with the provisions hereof) heretofore taken by the Board of Directors and the officers and employees thereof directed toward the joint Application and the joint Project, be and the same is hereby ratified, approved and confirmed.

Section 6. That the submission of the joint application requesting funding from the Colonias Infrastructure Fund, be and the same is hereby approved and confirmed.

Section 7. That the CRRUA officers and employees are hereby directed and requested to submit the completed joint Application to the Authority for its review, and are further authorized to take such other action as may be requested by the Authority in its consideration and review of the joint Application and to further proceed with arrangements for financing CRRUA's share the Project.

Section 8. That all acts and resolutions in conflict with this resolution are hereby rescinded, annulled, and repealed.

Section 9. That the effective date of this Resolution shall be as of the date passed, adopted and approved set forth below.

Section 10. That CRRUA staff is hereby authorized to do all things necessary to effectuate this resolution.

PASSED, ADOPTED, AND APPROVED THIS _____ DAY OF _____, 2020.

**CAMINO REAL REGIONAL UTILITY AUTHORITY
BOARD OF DIRECTORS**

Olga Nunez, Chairwoman For / Against
City Councilor for the City of Sunland Park

Ramon Gonzalez, Vice-Chairman For / Against
Doña Ana County Commissioner

Alex Sierra, Board Member For / Against
Delegate of State Senator Joseph Cervantes

Gerardo Ibarra, Board Member For / Against
Delegate of State Representative Ray Lara

Manuel Sanchez, Board Member For / Against
Doña Ana County Commissioner

Alberto Jaramillo, Board Member For / Against
City Councilor for the City of Sunland Park

Joshua Orozco, Board Member At-Large For / Against

ATTEST:

Brent Westmoreland
Executive Director



NEW MEXICO
FINANCE AUTHORITY

July 21, 2020

Via First Class Mail and Email

City of Sunland Park
Attn: Mayor Javier Perea
1000 McNutt Rd. Ste A
Sunland Park, NM 88063

RE: Colonias Infrastructure Project No. 5191-CIF; Roads/Drainage Infrastructure;
Anapra Phase II

Dear Mayor Perea:

The Board of Directors of the New Mexico Finance Authority ("NMFA") met on June 25, 2020, to approve the final terms, structure and conditions of Colonias Infrastructure Funding in the amount of \$1,209,639 to City of Sunland Park ("City") for its Road/Drainage Infrastructure Project. This action is a result of the Colonias Infrastructure Board recommendations approved on May 20, 2020.

The approved funding structure consists of a 10% loan in the amount of \$120,964, and an 90% grant in the amount of \$1,088,675. The loan component is a 20-year term at interest rate of 0%. The loan and grant are to be used by the City for the Design and Construction for drainage improvements to Calle Morraço and Calle Diaz streets.

To secure the funding agreement for the award, the City must submit the following Readiness to Proceed items **no later than October 21, 2020** by email only to Colonias@nmfa.net.

SUBMISSION OF READINESS TO PROCEED ITEMS

This funding is conditional and the City must submit the following Readiness to Proceed ("RTP") items, as applicable, before the loan/grant agreement can be scheduled to close:

1. A monthly draw-down schedule of project expenditures, including Month and Year;
2. Verification of match in the amount of \$120,964;
3. Updated project description;
4. Verification that right-of-way and permits secured;
5. Updated project budget;
6. Updated project cost estimate;
7. Approval of plans/specification by NMED-Construction Programs Bureau, prior to disbursement of construction funds (**Please be aware that NMED-CPB has up to 30 days to review and comment*);
8. All contingencies must be satisfied **no later than October 21, 2020**; and

City of Sunland Park
July 21, 2020
Page 2

9. Any additional information requested by the NMFA Board or Colonias Infrastructure Board.

Compliance with the RTP process is required to secure the funding for this project. To prevent any delays in securing the funding, please begin preparing the RTP information upon receipt of this notice. When all of the RTP criteria have been submitted, outside counsel for NMFA will draft the funding agreement and will contact the City directly for closing arrangements.

As part of the technical oversight of Colonias Infrastructure Funds, all project documentation (design and construction plans, contracts, bids, etc.), must be reviewed and approved by the New Mexico Environment Department, Construction Programs Bureau. Please contact Steven Deal, Project Manager, (505) 222-9579, steven.deal@state.nm.us, to confirm technical requirements for this project*.

Please contact me at Colonias@nmfa.net or (505) 992-9648 if you have any questions regarding the RTP information.

Sincerely,



Angela Quintana
Senior Program Administrator

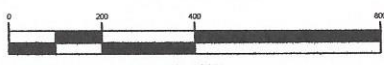
cc: Liza Alonzo, Sunland Park, liza.alonzo@sunlandpark-nm.gov
Raquel Alarcon, Sunland Park, Raquel.alarcon@sunlandpark-nm.gov
Mario Juarez-Infante, Wilson & Company, Mario.juarez-infante@wilsonco.com
Ashley Martinez, Wilson & Company, Ashley.martinez@wilsonco.com
Steven Deal, NMED-CPB, steven.deal@state.nm.us



PROJECT LOCATION MAP - ANAPRA PHASE II



GRAPHIC SCALE



(IN FEET)
1 inch = 400 ft.

LEGEND

PROJECT LIMITS



**WILSON
& COMPANY**

4401 MASTHEAD ST NE
ALBUQUERQUE, NEW MEXICO
87119
PH (505) 348-4000
FAX (505) 348-4072
www.wilsonco.com

CITY OF SUNLAND PARK

COLONIAS INFRASTRUCTURE
FUND APPLICATION

CAMINO REAL REGIONAL UTILITY AUTHORITY

City of Sunland Park/Doña Ana County Joint Utility Authority
Gadsden Independent School District Board Room
4950 McNutt Sunland Park, New Mexico

CRRUA
Initiating Department

Brent Westmoreland
Contact Person

September 14, 2016
Meeting Date

10B
Agenda Item Number

TITLE OF AGENDA ITEM TO BE CONSIDERED

AWARD REQUEST FOR PROPOSAL 20-0042 FOR LEGAL SERVICES FOR CAMINO REAL REGIONAL UTILITY AUTHORITY TO UTTON AND KERY AND DELEGATE SIGNATURE AUTHORITY TO THE EXECUTIVE DIRECTOR ON ALL RELATED DOCUMENTS

SUMMARY OF ITEM TO BE CONSIDERED INCLUDING PRESENTATION OF OPTIONS FOR ACTION and ACTION REQUESTED

Two proposals were received, reviewed, and evaluated by CRRUA. Taking into consideration the evaluation criteria the Evaluation Committee and the County's Chief Procurement Officer recommend award to Utton and Kery.

DESCRIPTION OF SUPPORTING DOCUMENTATION ATTACHED

BID Review Certification

SUMMARY OF FINANCIAL IMPACT

Estimated yearly cost \$75,000.00

DOCUMENT CONTROL

Original/s for signature? Yes No For Recording? Yes No

Return original/s to: _____ Dept.

Send copy of recorded original/s (resolution and ordinances only) to: _____ Name _____ Dept.

Deadline for return of document/s? Yes, return by: _____ or No

Cost Proposal

Billing Rates and Policies

Utton & Kery and the Palomares Law Firm propose to keep their hourly rates that have been in effect for the last four years. The firms use a multi-tier hourly rate billing system under which each attorney, law clerk, paralegal and other support staff performing billable functions on a matter itemizes the work performed and indicates the time spent in tenth of an hour increments. The hourly rates that we would charge CRRUA under this proposal are as follows:

John W. Utton	\$ 190.00
Susan C. Kery	\$ 190.00
Thomas R. Figart	\$ 170.00
Enrique Palomares	\$ 190.00
Other Senior Attorneys	\$ 190.00
Associate Attorneys	\$ 170.00
Law Clerks & Paralegals	\$ 80.00

The foregoing rates are exclusive of applicable gross receipts tax, which will be included as a separate line item on statements submitted to CRRUA. The firm's definition of a billable hour is 60 minutes of actual work on behalf of a client by a lawyer, law clerk, or paralegal, billed in increments of 0.1 of an hour.

Our policy with respect to legal research is to assign it to associates and law clerks if possible, as it is more cost-effective for our clients. To the extent computer-assisted research appears advisable in a case, we use Westlaw, a comprehensive legal research database. We also have New Mexico statutes and case law on DVD, a service that greatly enhances the speed at which research on New Mexico law can be performed.

Expenses typically charged to clients include photocopy charges at \$0.10 per page for black and white copies and \$0.50 for color copies (unless custom photocopy services are required for large copy projects, which are billed at actual cost); actual charges for courier services; and mileage at the applicable IRS rate per mile. To the extent overnight travel is necessary and authorized by CRRUA, expenses for meals, hotel, car rental, taxi or other accommodations or modes of transportation will be billed at actual cost, and within costs established by CRRUA. Expert witness fees will be established by agreement with each required witness, with the rates and hiring of experts subject to approval of CRRUA.

Cost Effective Methods

Because both Mr. Figart and Mr. Palomares practice locally, we will have a member of our team who will be available locally who can easily attend Board meetings and other meetings. Their familiarity with CRRUA's history and legal issues and their long-standing expertise as local government lawyers, including Mr. Figart's representation of the County and Mr. Palomares'

representation of Sunland Park, will assure that ongoing legal matters will be handled efficiently and effectively. When the expertise of other lawyers on the team is needed, that expertise will be readily available.

Also, we propose to continue sharing costs with other clients when possible. CRRUA became one of the founding members of the Lower Rio Grande Water Users Association (LRGWUA), in 2016 when the CRRUA Board approved a Memorandum of Understanding with the other founding entities. Because Utton & Kery also represents two other members, NMSU and PNM, the firm has split the costs of LRGWUA work among the three clients, charging each for one-third of the time. This has meant a large cost savings, and the firm proposes to continue this practice. If CRRUA becomes active in any of the Lower Rio Grande adjudication proceedings, the firm will also be able to cost share because of our continuing representation of NMSU in that water case.

Our primary goal is to render cost-effective, high quality legal services that address and respect each client's needs and desires. At the outset of litigation, we also carefully analyze the pleadings to identify extravagant claims (e.g., claims of fraud, prayers for punitive damages and attorneys' fees), procedural flaws, and defenses that may render all or significant portions of the case subject to early dismissal by means of motions for summary judgment and/or dismissal.

Early on in our handling of litigation cases and administrative proceedings, we try to identify a settlement strategy. Our initial efforts in this regard include informal discovery and investigation designed to assess the relative strengths and weaknesses of the parties' claims, and to develop facts sufficient to allow us to talk intelligently about settlement from a position of strength. A primary goal during this phase of the case is to ascertain whether alternative dispute resolution, such as mediation, arbitration, or various negotiated settlement techniques, might be appropriate and advisable.

We believe that one key to making litigation less costly and less likely is the provision of preventive legal assistance to our clients. That might involve having our attorneys provide seminars on legal topics of concern to various CRRUA personnel, as a means to increase in-house understanding of applicable laws. As a firm we are committed to helping our clients resolve problems as efficiently and economically as possible, and we believe preventive legal assistance is a valuable and relatively inexpensive way to avert future legal disputes.

RFP #20-0042 Legal Services for CRRUA

Offeror Name	Evaluation Criteria Scores (out of 1,050 points)										Overall Scores	
	Evaluator	Qualifications	Experience	Knowledge and Proposal	References	Cost	NM PREFERENCE	Total Score	Overall Score	Rank		
ScottHulse	Sue	200	225	125	100	100	-	750	2,330	2		
	Don	190	280	190	100	100	-	860				
	Brent	200	200	120	100	100	-	720				
Utton and Kery	Sue	190	290	190	100	200	50	1,020	3,070	1		
	Don	190	285	190	100	195	50	1,010				
	Brent	200	300	190	100	200	50	1,040				

CAMINO REAL REGIONAL UTILITY AUTHORITY

City of Sunland Park/Doña Ana County Joint Utility Authority
Gadsden Independent School District Board Room
4950 McNutt Sunland Park, New Mexico

CRRUA
Initiating Department

Brent Westmoreland
Contact Person

AUGUST 8, 2020
Meeting Date

10C
Agenda Item Number

TITLE OF AGENDA ITEM TO BE CONSIDERED

APPROVE RESOLUTION AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE NEW MEXICO FINANCE AUTHORITY FOR THE DRINKING WATER STATE REVOLVING LOAN FUND AND DELEGATE SIGNATURE AUTHORITY TO THE EXECUTIVE DIRECTOR ON ALL RELATED DOCUMENTS.

SUMMARY OF ITEM TO BE CONSIDERED
INCLUDING PRESENTATION OF OPTIONS FOR ACTION and ACTION REQUESTED

FUNDING FOR DRINKING WATER PROJECTS.

DESCRIPTION OF SUPPORTING DOCUMENTATION ATTACHED

RESOLUTION

SUMMARY OF FINANCIAL IMPACT

TO BE DETERMINED BY AWARDING AGENCY.

DOCUMENT CONTROL

Original/s for signature? Yes No For Recording? Yes No

Return original/s to: _____ Dept.

Send copy of recorded original/s (resolution and ordinances only) to: _____ Name _____ Dept.

Deadline for return of document/s? Yes, return by: _____ or No

CAMINO REAL REGIONAL UTILITY AUTHORITY

RESOLUTION NO. 2020-

AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE NEW MEXICO FINANCE AUTHORITY

WHEREAS, the Camino Real Regional Utility Authority ("Borrower") is a qualified entity under the Drinking Water State Revolving Loan Act, Sections 6-21a-1 et seq., NMSA 1978 ("ACT"), AND THE Camino Real Regional Utility Authority ("Governing Body") is authorized to borrow funds and/or issue bonds for financing of public projects for benefit of the Borrower and the public; and

WHEREAS, the New Mexico Finance Authority ("Authority") has instituted a program for financing of projects from the Drinking Water State Revolving Loan Fund created under the Act, and has developed an application procedure whereby the Governing Body may submit an application ("Application") for financial assistance from the Authority for drinking water projects; and

WHEREAS, the Governing Body intends to undertake acquisition, construction and improvement of Camino Real Regional Utility Authority the ("Project") for the benefit of the Borrower and its citizens (or members as applicable); and

WHEREAS, the application prescribed by the Authority has been completed and submitted to the Governing Body and this resolution approving submission of the completed Application to the Authority for its consideration and review is required as part of the Application.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
CAMINO REAL REGIONAL UTILITY AUTHORITY:

Section 1. That all action (not consistent with the provision hereof) heretofore taken by the Governing Body and the officers and employees thereof directed toward the Application and the Project be hereby ratified, approved and confirmed.

Section 2. That the completed Application submitted to the Governing Body is hereby approved and confirmed.

Section 3. That the officers and employees of the Governing Body are hereby directed and requested to submit the completed Application to the Authority for its review and are further authorized to take such other action as may be requested by the Authority in its consideration and review of the Application and to further proceed with arrangements for financing the Project.

Section 4. All acts and resolutions in conflict with this Resolution are hereby rescinded, annulled and repealed.

Section 5. This Resolution shall take effect immediately upon its adoption.

PASSES APPROVED AND ADOPTED this 14th day of September 2020.

CAMINO REAL REGIONAL UTILITY AUTHORITY
BOARD OF DIRECTORS

Olga Nunez, Chairwoman For / Against
City Councilor of the City of Sunland Park

Ramon Gonzalez, Vice-Chairman For / Against
Doña Ana County Commissioner

Alex Sierra, Board Member For / Against
Delegate of State Senator Joseph Cervantes

Ray Lara, Board Member For / Against
State Representative

Manuel Sanchez, Board Member For / Against
Doña Ana County Commissioner

Alberto Jaramillo, Board Member For / Against
City Councilor for the City of Sunland Park

Joshua Orozco, Board Member For / Against
At-Large

ATTEST:

Authorized Officer

CAMINO REAL REGIONAL UTILITY AUTHORITY

City of Sunland Park/Doña Ana County Joint Utility Authority
Gadsden Independent School District Board Room
4950 McNutt Sunland Park, New Mexico

CRRUA
Initiating Department

September 14, 2020
Meeting Date

Brent Westmoreland
Contact Person

10D
Agenda Item Number

TITLE OF AGENDA ITEM TO BE CONSIDERED

APPROVAL OF WAIVER FOR LATE FEES CHARGED DURING THE COVID-19 PANDEMIC FOR THE MONTHS OF AUGUST 2020.

SUMMARY OF ITEM TO BE CONSIDERED
INCLUDING PRESENTATION OF OPTIONS FOR ACTION and ACTION REQUESTED

DESCRIPTION OF SUPPORTING DOCUMENTATION ATTACHED

SUMMARY OF FINANCIAL IMPACT

DOCUMENT CONTROL

Original/s for signature? Yes No For Recording? Yes No

Return original/s to: _____ Dept.

Send copy of recorded original/s (resolution and ordinances only) to: _____ Name _____ Dept.

Deadline for return of document/s? Yes, return by: _____ or No