

Doña Ana Mutual Domestic Water Consumers Association Mailing Address: P.O. Box 866 • Doña Ana, NM • 88032 Physical Address: 5535 Ledesma Dr. • Las Cruces, NM 88007 (575) 526-3491 Office • (575) 526-9306 Fax

Agenda

The following are the items for consideration at the Regular Board Meeting of the Doña Ana Mutual Domestic Water Consumers Association Board of Directors on March 1, 2018, convening at 9:00 a.m. at the Doña Ana Mutual Domestic Water Consumers Association Board Room 5535 Ledesma Dr., Las Cruces, NM 88007:

Call to Order & Roll Call

Approval of Agenda

Minutes:

- 1. Minutes of 01-30-2018 Special Board Meeting
- 2. Minutes of 2-1-2018 Regular Meeting
- 3. Minutes of 2-19-2018 Special Board Meeting

Approval of New Members & Meters

Customer Issues and Public Input

4. Janet and Rafael Martinez – Leak

Public Input will be limited to 3 minutes per person

Board President Report

Staff Reports

5. Executive Director

New Business

None

Consent Agenda

None

Unfinished Business

- 6. Approval of Resolution 2018 05 FY 2018 Budget Adjustment Resolution
- 7. Approval to Award Asphalt Repairs
- 8. Approval of appointment for District 3 Vacancy

Closed Session

As authorized by the Open Meetings Act, New Mexico Statutes Annotated, Section 10-15-1, Subsections H (2), H (7) and H (8), the following portion of the Board Meeting will be conducted in closed session:

- 1. Litigation and Threatened Litigation
 - a. Discussion of Fort Selden Water Rights Application with the OSE

Board Open Discussion

Adjournment

A copy of this agenda may be requested by phone by calling (575) 526-3491 or in person at 5535 Ledesma Drive, Las Cruces, NM 88007. If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, if summary or other type of accessible format is needed, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Stephanie Nelson at (575) 526-3491 on the Tuesday prior to the meeting or as soon as possible.



Doña Ana Mutual Domestic Water Consumers Association Mailing Address: P.O. Box 866 • Doña Ana, NM • 88042 Physical Address: 5545 Ledesma Dr. • Las Cruces, NM 88007 (575) 526-4491 Office • (575) 526-9406 Fax

The following are the minutes of the Special Board Meeting of the Doña Ana Mutual Domestic Water Consumers Association Board of Directors, January 30, 2018 convened at 9:00 A.M. in the Doña Ana Mutual Domestic Water Consumers Association Board Room located at 5535 Ledesma Dr., Las Cruces, NM 88007:

Call to Order & Roll Call

President Melton called the meeting to order at 9:02 a.m. and called roll:

Vice President – Jamie Stull, Present

Secretary/Treasurer – Dr. Kurt Anderson, Present

Board Member – Raymond Ponteri, Absent

A Quorum was declared

Others in Attendance:

Executive Director – Jennifer Horton

Community Members – Tod Roberts

Approval of Agenda

Dr. Anderson moved to approve the agenda for the January 30, 2018 Special Board Meeting as presented; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. The Chair called for a vote on the motion. The motion carried by roll call vote 3-0.

New Business

None

Unfinished Business

Dr. Anderson moved to Approve the FY17 Annual Audit. Mr. Stull seconded the motion. The Chair called for discussion of the motion. Ms. Horton advised our audit has been released and approved for the fiscal year ending June 30, 2017. Ms. Horton summarized the audit report; calling attention to page 38 which shows our unmodified audit results as a low risk auditee. The Board of Directors commended Ms. Horton and her staff on a clean audit for two years in a row. The Chair called for a vote on the motion; the motion carried by roll call vote 3-0.

Dr. Anderson moved to Approve to Certify the Board of Directors Election Results, which was seconded by Mr. Stull. The Chair called for discussion of the motion. Ms. Horton advised the official tally vote is in with uncontested results. The Chair called for a vote on the motion; the motion carried by roll call vote 3-0.

Open Discussion

Mr. Melton welcomed our new Board Member Elect Tod Roberts. He reported Mr. Roberts accompanied him in attending Colonias Day in Santa Fe. The trip went well, and Mr. Melton has high hopes for our new District 5 Board Member.

Adjournment

Mr. Stull moved to adjourn at 9:19 a.m., with a second from Dr. Anderson. The Chair called for a vote on the motion. The motion carried by roll call vote 3-0.

Kurt Anderson	Date
Secretary/ Treasurer	



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The following are the minutes of the Regular Board Meeting of the Doña Ana Mutual Domestic Water Consumers Association Board of Directors, February 1, 2018 convened at 9:00 A.M. in the Doña Ana Mutual Domestic Water Consumers Association Board Room located at 5535 Ledesma Dr., Las Cruces, NM 88007:

Call to Order & Roll Call

President Melton called the meeting to order at 9:00 a.m. and called roll:

Vice President – Jamie Stull, Present

Secretary/Treasurer – Dr. Kurt Anderson, Present

Board Member – Raymond Ponteri, Absent

A Quorum was declared

Others in Attendance:

Executive Director – Jennifer Horton

Legal Counsel – Joshua Smith

Community Members – Tod Roberts and Steve Newby

Approval of Agenda

Dr. Anderson moved to approve the agenda for the February 1, 2018 Regular Board Meeting as presented; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. The Chair called for a vote on the motion. The motion carried by roll call vote 3-0.

Minutes

Dr. Anderson moved to approve the Regular Board Meeting Minutes of January 4, 2018 as presented; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion to which none was brought forward. The Chair called for a vote on the motion; the motion carried by roll call vote 3-0.

Dr. Anderson moved to approve the Special Board Meeting Minutes of January 9, 2018 as presented; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion to which none was brought forward. The Chair called for a vote on the motion; the motion carried by roll call vote 3-0.

New Members & New Meters

Mr. Stull moved to approve the New Members and New Meters list as presented; the motion was seconded by Dr. Anderson. The Chair called for discussion of the motion. Executive Director Jennifer Horton advised we have fifteen (15) names on the list; ten (10) are new members, and four (4) are new meters. The Chair called for a vote on the motion; the motion carried by roll call vote 3-0.

Customer Issues and Public Input

Mr. Steve Newby approached the Board of Directors to discuss the policy regarding tampering fees and the potential to educate our membership on the severity of this fee if there is any damage to Association property. Mr. Newby experienced a leak and upon attempting to turn off his angle valve, it broke. Mr. Newby is now aware of the need to have an angle valve installed on his side of the meter, and now would like to try to educate the public so that others do not experience the same issues he has had. Ms. Horton suggested we start featuring a policy in each of our newsletters to try to continue to bring awareness to our membership. He would also request a housekeeping lesson to

our Operations staff when servicing Association items while on a members property. Ms. Horton advised we have addressed this concern and stressed the importance of good housekeeping.

Board President Report

Mr. Melton reported we attempted to hold our Annual Meeting, however we were unable to meet quorum. This forced us to recess until March 28, 2018. Dr. Anderson has requested the costs for the Annual Meeting.

Staff Reports

Ms. Horton advised we had a line break in Radium Springs that caused an emergency water outage. The line to our force main also broke over the holiday weekend and is very tender at this point. The entire line will need to be replaced in the near future.

We have implemented new procedures for testing to level up a certification in operations. The goal is to better prepare our staff for obtaining their new certifications.

New Business

None

Unfinished Business

"I, James Melton, having been elected to the Board of Directors of the Doña Ana Mutual Domestic Water Consumers Association do solemnly swear that I will support the Constitution of the United States and the constitution and laws of the State of New Mexico, and will faithfully and impartially discharge the duties of this office to the best of my ability."

"I, Gregory Roberts, having been elected to the Board of Directors of the Doña Ana Mutual Domestic Water Consumers Association do solemnly swear that I will support the Constitution of the United States and the constitution and laws of the State of New Mexico, and will faithfully and impartially discharge the duties of this office to the best of my ability."

Dr. Anderson nominated Mr. Melton to continue as Board President. Mr. Stull seconded the nomination. The Chair called for further nominations to which none was brought forward. The Chair called for a vote on the motion. The motion carried by roll call vote 4-0.

Dr. Anderson nominated Mr. Stull to continue as Board Vice President. Mr. Roberts seconded the nomination. The Chair called for further nominations to which none was brought forward. The Chair called for a vote on the motion. The motion carried by roll call vote 4-0.

Mr. Stull nominated Dr. Anderson to continue as Board Secretary Treasurer. Mr. Roberts seconded the nomination. The Chair called for further nominations to which none was brought forward. The Chair called for a vote on the motion. The motion carried by roll call vote 4-0

"I, Kurt Anderson, having been appointed to Secretary Treasurer of the Doña Ana Mutual Domestic Water Consumers Association do solemnly swear that I will support the Constitution of the United States and the constitution and laws of the State of New Mexico, and will faithfully and impartially discharge the duties of this office to the best of my ability."

"I, Jamie Stull, having been appointed to Vice President of the Doña Ana Mutual Domestic Water Consumers Association do solemnly swear that I will support the Constitution of the United States and the constitution and laws of the State of New Mexico, and will faithfully and impartially discharge the duties of this office to the best of my ability."

"I, James Melton, having been appointed to President of the Doña Ana Mutual Domestic Water Consumers Association do solemnly swear that I will support the Constitution of the United States and the constitution and laws of the State of New Mexico, and will faithfully and impartially discharge the duties of this office to the best of my ability."

Open Discussion

Mr. Roberts has been approached by members from his district about the status of the Via Norte Project. Ms. Horton confirmed the contract is still being reviewed and we currently do not have a time frame for when this project will be awarded.

Mr. Melton presented to the Board an opportunity to consider providing all our documents in both English and Spanish. Mr. Smith advised English is the only requirement for providing documents. Ms. Horton reminded the Board that we do disclose on every agenda that if an interpreter or language assistance is needed to please contact Stephanie Nelson for support.

Adjournment

Dr. Anderson moved to adjourn at 10:27 a.m. with a second from Mr. Stull. The Chair called for a vote on the motion. The motion carried by roll call vote 4-0.

Kurt Anderson	Date
Secretary/ Treasurer	



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The following are the minutes of the Special Board Meeting of the Doña Ana Mutual Domestic Water Consumers Association Board of Directors, February 19, 2018 convened at 9:00 A.M. in the Doña Ana Mutual Domestic Water Consumers Association Board Room located at 5535 Ledesma Dr., Las Cruces, NM 88007:

Call to Order & Roll Call

President Melton called the meeting to order at 9:00 a.m. and called roll:

Vice President – Jamie Stull, Present

Secretary/Treasurer – Dr. Kurt Anderson, Present

Board Member – Tod Roberts, Present

A Quorum was declared

Others in Attendance:

Executive Director – Jennifer Horton

Legal Counsel – Josh Smith

Approval of Agenda

Dr. Anderson moved to approve the agenda for the February 19, 2018 Special Board Meeting as presented; the motion was seconded by Mr. Roberts. The Chair called for discussion of the motion. The Chair called for a vote on the motion. The motion carried by roll call vote 4-0.

New Business

None

Unfinished Business

Dr. Anderson moved to Approve the Award of Construction for the Via Norte Water Improvements Project to Morrow Enterprise. Mr. Stull seconded the motion. The Chair called for discussion of the motion. Ms. Horton explained the original apparent low bidder was Timberland Construction, however upon review they failed to complete their six good faith efforts per regulation bid requirements. Good faith efforts mean a company must complete advertisements to solicit minority, women owned, and small businesses to sub-contract in rural areas. There is a form that must be filled out, which they did not complete. Based on the documentation they provided, Timberland felt they already qualified for this requirement as a company; which is not how the regulations read and thus resulted in a recommendation for Morrow Enterprise. The Association does not make the decision for the award; this is the recommendation from New Mexico Environment Department and is supported by our funding agency New Mexico Finance Authority. The Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

Open Discussion

Dr. Anderson asked what the potential for any issues are based off this new award for the Via Norte Project. Ms. Horton advised whereas we did not make this decision, we are the contracting agency; if a protest were to arise our legal representation, Mr. Smith, would handle the review and determination. Our engineering firm will handle the notice of award.

Ms. Horton advised we have the New Mexico Rural Water Conference April 16th thru April 19th in Albuquerque. Mr. Stull, Dr. Anderson, and Mr. Melton will attend. Ms. Horton will work on where else we can obtain credit hours for Mr. Roberts to meet Board credit requirements.

Mr. Melton asked about the multiple line breaks that have occurred in Radium Springs recently. Mr. Horton explained the system has electric conduit coming out of the wells, which is causing the pipe to split. This is a result from the old system.

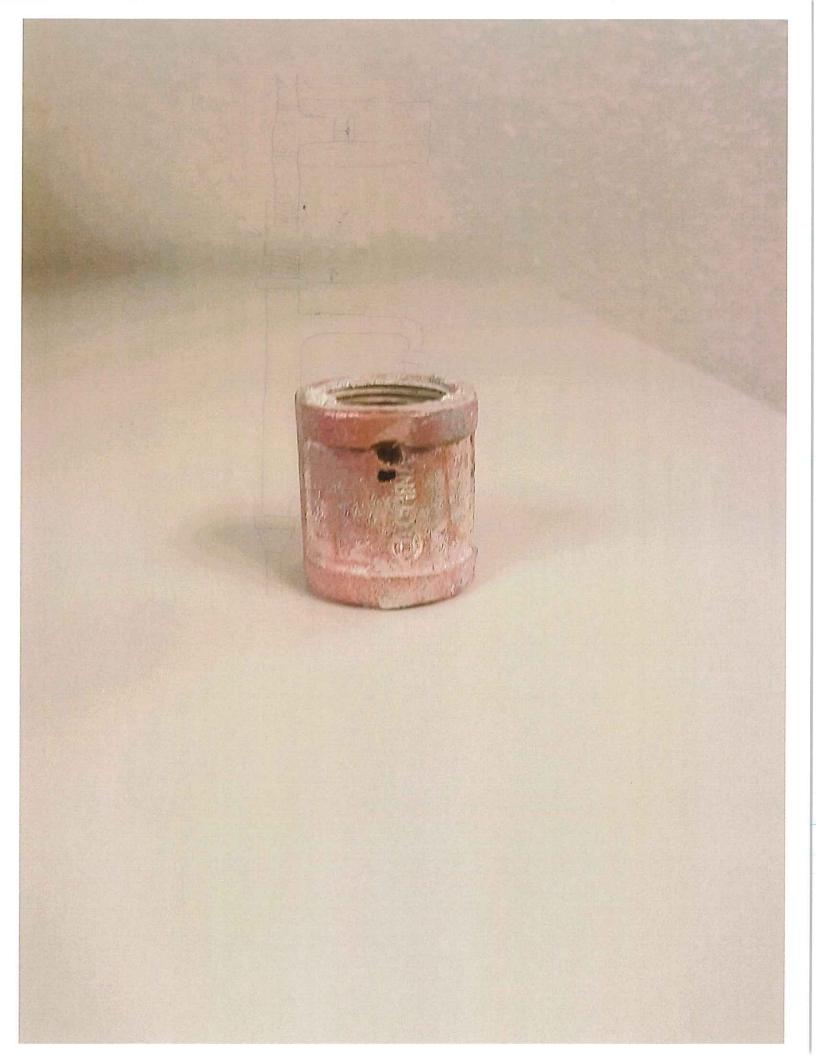
Adjournment	
Mr. Roberts moved to adjourn at 9:15 a	a.m., with a second from Mr. Stull. The
Chair called for a vote on the motion. The motio	n carried by roll call vote 4-0.
Kurt Anderson	Date
Secretary/ Treasurer	

New Members and Meters										
Name	Address	Tap In Fee	Water Rights	Men	nbership	Тах	Sewer	Other Fees	To	otal Fees
Michael Floyd	2812 Sarah Lee Wooten			\$	75.00	\$ 3.75			\$	78.75
David Driscoll	10284 Tuscany Dr			\$	75.00	\$ 3.75			\$	78.75
Joseph Ortega	3058 San Elizario			\$	75.00	\$ 3.75			\$	78.75
Rudy Rodriguez	1415 Georgianna Ct			\$	75.00	\$ 3.75			\$	78.75
Yessica De La O	545 Thorpe			\$	75.00	\$ 3.75			\$	78.75
Evelyn Mcmaster	10010 San Marcos			\$	75.00	\$ 3.75			\$	78.75
Teresa Baca	3042 San Lorenzo Ct			\$	75.00	\$ 3.75			\$	78.75
Autumn Perez	1606 Santa Thomas			\$	75.00	\$ 3.75			\$	78.75
Mark A Rizzo	932 Calle Calmado			\$	75.00	\$ 3.75			\$	78.75
Thomas L Kirschbaum	8076 Willow Bloom			\$	75.00	\$ 3.75			\$	78.75
Ronald Surlak	1418 Fairway Village Dr			\$	75.00	\$ 3.75			\$	78.75
Armando Almaraz	3058 San Lorenzo			\$	75.00	\$ 3.75			\$	78.75
Jodi Webb	2938 San Miguel			\$	75.00	\$ 3.75	_		\$	78.75
Manuel Amaya	2937 San Miguel			\$	75.00	\$ 3.75			\$	78.75
								Total:	\$	1,102.50



Request to Address the Board of Directors

Date: 4th 13, 2018
Account Number: 02-01255-05 Phone Number: 575-644-969 / (Janet)
Account Number: 02 - 01255 - 05 Phone Number: 575 - 644 - 969 / (Janet)
Name: Janet or Platael Martinez
Service Address: 235 Dona Ana School Road
I, Johnt and or Rafae request to be heard at the next regular monthly Board of Directors Meeting*. I would like to address the Board of Directors on the following concerns: On Jan. 25, 2018 an employer of DAMDWCA informed us that our water had been shut off. He stated that we had a lack leading to excessive water usage, near the road that we would have to repair. Upon examining the lead I found the culprit to be a cast copper connection between meter and insta Shut off valve put in by Done And water employees. I understand that this office will contact me, by phone or email no later than the Tuesday before the meeting scheduled on March 1, 2018, with an approximate time to appear before the Board of Directors.
*Please indicate all that apply below to address your concerns: Time Requested
Customer Signature Janet Martinez Doña Ana MDWCA Dona Ana MDWCA Representative FEB 13 2018, Dona Ana MDWCA Representative







House Service shut of 236 Donla and red. Janet ex David Martinez Meter



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February 6, 2018

Doña Ana Mutual Domestic Water Consumers Association is requesting a quote for the following paving jobs:

3 rectangular patches (1) 5475 El Camino Real, (2) Intersection of Camino De Nosotros/ El Camino Real and (3) 3875 Westview Ave.

- 1: Size- 6' x 28'
- 2: Size- 7' x 20'
- 3: Size- 7' x 20'

All patches require the following:

- Removal of asphalt and underlying material to accept the new pavement section below.
- 12 inches of Sub grade prep
- New 8 inches of base coarse and 3 inches of Type B Hot Mix with prime coat on base course and tack on exposed HMAC and curb edges.
- Material testing per Doña Ana County standards, results to be provided to Doña Ana MDWCA and Doña Ana County
- Stripe new asphalt to match on existing asphalt
- Saw cut for even edge anywhere there is not an existing joint
- Contractor is responsible for all traffic control which must be submitted to and approved by Doña Ana County Engineering Department
- Contractor is responsible for removal and proper disposal of roadway materials

Quotes are due by close of business (5:00 pm MST) on Friday, February 16, 2018.

Please send the quote to Margo Lopez at Margo@dawater.org. If you have any questions please contact me at (575) 526-3491.

CrossTown Construction

Las Cruces, NM 88005

Estimate

Date	Estimate #
2/6/2018	1716

Name / Address	
Dona Ana Water	
P.O. Box 866	
Dona Ana, NM 88032	

Description		Total
Project- 3875 Westview Ave 7' x 20' 1) Traffic Control- with permit 2) Saw Cut Clean- 3) Mobilization-		2,950.00Т
4) Remove existing asphalt and base and legally dispose of- 5) Grade and recompact subgrade- 12 inches 6) New 8" Base Course- 7) Prime & Tack Coat- 8) New 3" Asphalt- 9) New Stripping (Match Existing) 10) Proctor and Denistys included		
Dona Ana County Sales Tax		637.18
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		,
		- 176
All work shall be satisfactory completed.	Total	\$10,076.94

Phone #	Fax#	E-mail
575-523-6101	575-527-5098	crosstown1984@msn.com

CrossTown Construction

Las Cruces, NM 88005

Estimate

Date	Estimate #
2/6/2018	1716

Name / Address	
Dona Ana Water	3,445.00
P.O. Box 866	
Dona Ana, NM 88032	
**	

Description	Total
Project- 5475 El Camino Real 6' x 28' 1) Traffic Control- with permit 2) Saw Cut Clean- 3) Mobilization- 4) Remove existing asphalt and base and legally dispose of- 5) Grade and recompact subgrade- 12 inches 6) New 8" Base Course- 7) Prime & Tack Coat- 8) New 3" Asphalt- 9) New Stripping (Match Existing) 10) Proctor and Denistys included	3,539.76T
Project- Camino De Nosotros/ El Camino Real 7' x 20' 1) Traffic Control- with permit 2) Saw Cut Clean- 3) Mobilization- 4) Remove existing asphalt and base and legally dispose of- 5) Grade and recompact subgrade- 12 inches 6) New 8" Base Course- 7) Prime & Tack Coat- 8) New 3" Asphalt- 9) New Stripping (Match Existing) 10) Proctor and Denistys included	2,950.00T
All work shall be satisfactory completed.	Total

Phone #	Fax#	E-mail
575-523-6101	575-527-5098	crosstown1984@msn.com

Page 1



Renegade Construction LLC

Margo Lopez

Re: Dona Ana County Road Repairs – Las Cruces, NM

Date: February 16, 2018

Proposal

This proposal is based on our interpretation of the email sent to us by Margo Lopez as well as our visit to the sites.

We hereby propose to furnish the material and labor necessary for the completion of:

5475 Camino Real:

• 28' x 6' - 12" subgrade prep, 8" base course, 3" asphalt, tack coat edges, saw cut and remove existing asphalt.

Intersection of Camino De Nosotros and Camino Real:

 20' x 7' - 12" subgrade prep, 8" base course, 3" asphalt, tack coat edges, saw cut and remove existing asphalt.

Westview Ave:

• 20' x 7' - 12" subgrade prep, 8" base course, 3" asphalt, tack coat edges, saw cut and remove existing asphalt.

Due to volatile material prices for material, our proposal is based on material pricing on the date of this proposal. Any material price increases after the proposal date will be considered as a changed condition and will result in an increase to our proposal.

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawing and specifications submitted for the above work and completed in a substantial workmanlike manner for the sum of: Twenty Thousand Four Hundred Twenty Five & 00/100 Dollars (\$ 20,425.00)

Our estimate does not include

- Wire utilities or trenching for wire utilities (Electrical, Telecommunications, etc.)
- Utilities of any nature
- Dewatering
- Demolition other than described above
- Concrete work of any nature

Payment per periodic progress payments with balance due in full upon completion.

ABOVE PRICE DOES NOT INCLUDE: Tax, Permits, Bond, Testing, Impact fees, Fees or development charges.

New Mexico Gross Receipts Tax must be charged unless <a href="https://example.com/type-payment-permits-balance-payment-permits-balance-payment-permits-balance-payment-permits-balance-payment-permits-balance-payment-permits-balance-payment-permits-balance-payment-permits-balance-payment-permits-balance-payment-permits-balance-payment-permits-balance-payment-permits-balance-payment-permits-balance-payment-permits-payment

NM Lic. # 092228

200 Crawford Blvd. Las Cruces, NM 88007, Office: 575.523.2600 Fax: 575.523.5595



4715 N. Hwy 28 Las Cruces, NM 88005 Phone (575)524-2226 NM DOL # 28214139172017 NM License # 392003 GB98, GA98, GF98

February 9, 2018

Ms. Margo Lopez Dona Ana Mutual Domestic Water Consumers Association PO Box 866 Dona Ana, NM 88032

Re: Patching Prices

Dear Ms. Lopez;

J29 Enterprises, LLC is pleased to offer pricing, per your request dated 2/6/18, for pavement patches at:

5475 El Camino Real – Patch Size 6'X28' Intersection of Camino De Nosotros / El Camino Real Patch Size 7'X20' 3875 Westview Patch Size 7'X20'

Price: \$10,590.00

Please let me know if you have any questions.

Respectfully,

J29 Enterprises, LLC

Rachel Corona, P.E.

President

Margo Lopez

rom:

Brett Smith <bre> <bre>brett@smithco.cc>

∍ent:

Thursday, February 15, 2018 11:02 AM

To:

Margo Lopez

Subject:

Re: Paving Quotes 3

Margo:

Thank you for the opportunity to quote work to DAMDWCA; however, at this time we do not have crews available to perform this work. Therefore, I can not submit a quote for the attached work.

Thanks

Brett Smith

From: Margo Lopez

Sent: Tuesday, February 6, 2018 11:13 AM

To: brett@smithco.cc
Co: Margo Lopez

Subject: Paving Quotes 3

Hello Brett!

I have enclosed a letter with a request for a quote on 3 paving jobs listed.

I look forward to hearing back from you by the close of business (5:00 pm MST) Friday, February 16, 2018.

Sincerely,

Margo Lopez margo@dawater.org 575.526.3491 ext 1003 PO BOX 866 Dona Ana, NM 88032 Daniel J. Hortert, AICP 611 Dalrymple Road Las Cruces, NM 88007 dhortert@gmail.com

February 12, 2018

Doña Ana Mutual Domestic Water User's Association % Jennifer Horton, Executive Director 5535 Ledesma Drive Las Cruces, NM 88007

RE: District 3 Board Member Vacancy

Ms. Horton,

Please accept this letter of interest to fill the vacant Board seat for District 3. I bring over 22 years' experience in planning and community development and I believe I would be a great addition to your Board. I possess a Bachelor of Science in Planning and Development from the University of Southern California and I earned a Master of Community Planning degree from the University of Cincinnati.

Over the course of my 22 years, I have been involved in development throughout the desert southwest and I believe I've gained a relatively strong command of water issues as they relate to development and sustainability in the region. I have worked for Doña Ana County since 2011 and have observed a great deal of interaction and progress between the county and the Association. Participating on the Board will strengthen that relationship. I will bring a balanced perspective, and will strive to ensure that my decisions are based on fact and in the best interest of the constituency and the Association.

I hope this information provides you sufficient insight into my experience and what I have to offer the Association. If you have any additional questions, please feel free to contact me the information below.

Best Regards,

Daniel J. Hortert, AICP 575.218.0040