

New Mexico Finance Authority  
207 Shelby St.  
Santa Fe, NM 87501  
(505) 984-1454

**Minutes of the Colonias Infrastructure Board Meeting**  
September 17, 2020  
Teleconference/Zoom Meeting

**Voting Members Present:**

|  |   |
|--|---|
| Doug Moore Chairman                      | Senate Minority Leader Appointee                        |
| Oscar Vasquez Butler, Vice Chair         | Senate President Pro Tempore Appointee                  |
| Marquita Russel, Secretary               | New Mexico Finance Authority                            |
| Mary Helen Garcia (Arrived @ 10:33 a.m.) | House of Representatives Minority Leader Appointee      |
| Orlando Antonio Jimenez                  | Speaker of the House of Representatives Appointee       |
| Steven Deal                              | New Mexico Environment Department Designee              |
| Tonantzin Roybal                         | New Mexico Dept. of Finance and Administration Designee |

**Non-Voting Members Present:**

|                          |  |
|--------------------------|--|
| Jay Armijo               | South Central Council of Governments           |
| Hubert Quintana Designee | Southeastern NM Economic Development District  |
| Donna Maestas-DeVries    | New Mexico Mortgage Finance Authority Designee |
| Leandro Cordova          | New Mexico Counties Designee                   |
| Priscilla Lucero         | Southwest NM Council of Governments            |

**New Mexico Finance Authority Staff:**

Bryan Otero, Legal and Compliance Counsel  
Angela Quintana, Senior Program Administrator  
Michael Vonderheide, Managing Director, Program Administration  
Anthony Silva, Database Analyst  
Joe Maldonado, Senior Administrative Assistant

1. **Call to Order and Roll Call:** Chairman Doug Moore called the Colonias Infrastructure Board (“CIB”) meeting to order at 10:03 a.m. Roll call was taken, and a quorum was established.
2. **Approval of Agenda:** Member Russel made a motion to approve the agenda removing Item #6, Consideration and Recommendation of Request for Time Extension to Socorro County, Project No. 4629-CIF18 as amended, seconded by Member Jimenez. The motion passed unanimously by a 6-0 roll call vote.

3. **Approval of May 20, 2020, Board Minutes:** Member Jimenez made a motion, seconded by Member Deal to approve the minutes of the May 20, 2020 meeting as presented. The motion passed unanimously by a 6-0 roll call vote.
4. **Chairman's Report:** Chairman Doug Moore decided to forgo the report, no further discussion.
5. **Consideration and Recommendation of Request for Extension:** City of Bayard, Project No. 4627-CIF18, presented by Ms. Angela Quintana, Senior Program Administrator.

The City of Bayard is requesting a time extension for Colonias Infrastructure Fund award 4627-CIF18.

The City secured funding on November 30, 2018, for a Water Infrastructure project in an amount not to exceed \$171,000 (90% grant/10% loan). The approved scope of work is for design and construction of the #3 well including savaged pump, drop pipe and electrical controls. The current balance is \$165,804.99.

The scope of work for design, topographic and utility surveying and water right transfer has been completed. In January 2020, the City, after five months, received the required electrical information from PNM. The City has since gone out to bid twice with the bids coming in higher than project estimates. The City plans to receive bids in the "open market" for completion of this project.

The City is requesting a six-month extension from the current expiration date of November 30, 2020, until May 30, 2021, to complete the awarded project.

Pursuant to Section 1.3-Project Continuation Policy of the Colonias Project Management Policies, the Board requires applicants that have received prior awards to certify completion of all projects prior to approval of a new award, subject to certain limitations. The request for this time extension does not waive the policy for any current or future funding cycles.

The Project Review Committee has reviewed this request and concurs with staff's recommendation.

Staff recommends approval of an extension from November 30, 2020 to May 30, 2021, to complete Project No. 4627-CIF18.

**Member Jimenez made a motion, seconded by Member Vasquez-Butler, to approve staff's recommendation for an extension from November 30, 2020 to May 30, 2021. The motion passed unanimously by a 6-0 roll call vote.**

6. **Consideration and Recommendation of Request for Time Extension:** Socorro County, Project No. 4629-CIF18, Item removed from the agenda.

**7. Consideration and Recommendation of Request for Time Extension:** Catron County, Project No. 4639-CIF18, presented by Ms. Angela Quintana, Senior Program Administrator.

Catron County (“County”) is requesting a time extension for Colonias Infrastructure Fund award 4639-CIF18.

The County secured funding on December 7, 2018, for a Roads and Drainage Infrastructure project in an amount not to exceed \$535,103 (90% grant/10% loan). The approved scope of work is for design and construction of road improvements on Foster Road in Reserve. The current balance is \$513,532.32.

The design has been completed and the project has gone out to bid. The County Commission awarded the project on August 13, 2020, and a Notice of Award was issued to Sierra Valley Contractors on August 25, 2020. Construction is projected to commence on September 14, 2020, with anticipated substantial completion by November 29, 2020. Barring any unforeseen construction conditions/events, final payments are expected by December 29, 2020.

The County is requesting a two-month extension from the current expiration date of December 7, 2020, until February 7, 2021, to allow sufficient time for project closeout.

Pursuant to Section 1.3-Project Continuation Policy of the Colonias Project Management Policies, the Board requires applicants that have received prior awards to certify completion of all project prior to approval of a new award, subject to certain limitations. The request for this time extension does not waive the policy for any current or future funding cycles.

The Project Review Committee reviewed this request and concurs with staff’s recommendation.

Staff recommends approval of an extension from December 7, 2020 to February 7, 2021, to complete Project No. 4639-CIF18.

**Chairman Moore made a motion, seconded by Member Jimenez, to approve staff’s recommendation for an extension from December 7, 2020 to February 7, 2021. The motion passed unanimously by a 6-0 roll call vote.**

**8. Consideration and Recommendation of Request for Time Extension:** La Luz MDWCA & MSA, Project No. 4640-CIF18, presented by Ms. Angela Quintana, Senior Program Administrator.

La Luz Mutual Domestic Water Consumers Association & Mutual Sewage Works Association (“Association”) is requesting a time extension for Colonias Infrastructure Fund award 4640-CIF18.

The Association secured funding on November 21, 2018, for a Water Infrastructure project in an amount not to exceed \$689,629 (90% grant/10% loan). The approved scope of work is for

design and construction of a new water well to replace the existing well #5. The full balance remains.

The design has been completed with funds from Capital Outlay. The project was bid in April 2020 and re-bid on June 13, 2020, with additive alternatives due to the bids coming in higher than available funding from the April bids. The project was awarded on July 16, 2020, with a pre-construction meeting held on August 4, 2020. The Association anticipates substantial completion by November 7, 2020.

Since the construction has begun the Association is requesting a six-month extension from the current expiration date of November 21, 2020, until May 21, 2021, to allow sufficient time barring any significant delays for project closeout.

Pursuant to Section 1.3-Project Continuation Policy of the Colonias Project Managements Policies, the Board requires applicants that have received prior awards to certify completion of all projects prior to approval of a new award, subject to certain or future funding cycles.

The Project Review Committee reviewed this request and concurs with staff's recommendation.

Staff recommends approval of an extension from November 21, 2020 to May 21, 2021, to complete Project No. 4640-CIF18.

**Member Jimenez made a motion, seconded by Member Russel, to approve staff's recommendation for an extension from November 21, 2020 to May 21, 2021.**

*Member Garcia joined the meeting at approximately 10:33 a.m. as announced by Member Jimenez; however, Member Garcia never unmuted her microphone and did not vote on any item presented at the Board meeting.*

Board discussion ensued regarding the concern of the multiple time extension requests on design and construction projects. Chairman Moore requested staff look at time frames for design/construction projects within the last few years to determine whether current timelines for project completion are sufficient.

**The motion passed unanimously by a 6-0 roll call vote.**

**9. Consideration and Recommendation of Request for Time Extension:** Lower Rio Grande PWWA, Project No. 4645-CIF18, presented by Ms. Angela Quintana, Senior Program Administrator.

Lower Rio Grande Public Works Water Authority ("Authority") is requesting a time extension for Colonias Infrastructure Fund award 4645-CIF18.

The Authority secured funding on October 26, 2018, for a Water Infrastructure project in an amount not to exceed \$145,860 (80% grant/ 20% loan). The approved scope of work is for design and construction of the High Valley well improvements. The current balance is \$122,935.26.

The design has been completed and the project went out to bid in March 2020. Since no bids were received, the Authority re-bid and all bids received exceeded the Engineer's estimate of probable construction costs resulting in rejection of all bids. The Authority has since sought quotes from three well drilling firms and contracted with D&J Drilling on June 25, 2020.

The Authority anticipates completion of the project by the expiration date of October 26, 2020. Barring any unexpected delays, the Authority is requesting an extension of six-months from the current expiration date of October 26, 2020, until April 26, 2021.

Pursuant to Section 1.3-Project Continuation Policy of the Colonias Project Management Policies, the Board requires applicants that have received prior awards to certify completion of all projects prior to approval of a new award, subject certain limitations. The request for time extension does not waive the policy for any current or future funding cycles.

The Project Review Committee has reviewed this requested and concurs with staff's recommendation.

Staff recommends approval of an extension from October 26, 2020 to April 26, 2021, to complete Project No. 4645-CIF18.

Board discussion ensued regarding the timeline from costs estimates at time of application submission to project implementation as well as rising costs for construction especially in the field of drilling. Questions regarding the delay of project implementation for Project No. 4645-CIF18 were answered by Karen Nichols from Lower Rio Grande PWWA.

Ms. Nichols explained the process and delays during the different bidding periods for the project.

**Member Russel made a motion, seconded by Member Vasquez-Butler, to approve staff's recommendation for an extension from October 26, 2020 to April 26, 2021. The motion passed unanimously by a 6-0 roll call vote.**

**10. Consideration and Recommendation of Reallocation of Returned Funds: Grant County, Project No. 5170-CIF20, presented by Ms. Angela Quintana, Senior Program Administrator.**

Staff requests approval to reallocate returned funds from Grant County ("County") 2020 award 5170-CIF20 to the 2021 application cycle.

Section 6.3 of the Colonias Infrastructure Board (“CIB”) Project Management Policy (“Policy”) provides that conditional awards returned by the borrower or rescinded by the Board may be reallocated to a different qualified project. The Policy allows the Board to utilize such funds either for a project that applied in the most recent cycle or held for the next award cycle.

The County was conditionally awarded funding in the 2020 Colonias funding cycle for a wastewater infrastructure project in an amount not to exceed \$36,407. The project was for a Preliminary Engineering Report for the Indian Hills sewer extension. The County’s requested amount for planning the initial submission did not include the cost of a required geotechnical information report, therefore the amount awarded is not sufficient to move the project forward. The County has formally returned the 2020 award.

On May 20, 2020, the Colonias Board awarded 27 projects in the 2020 cycle. Four of those projects were phased to accommodate available funding:

| <b>Awardee</b>   | <b>Project Type</b>           | <b>Requested Amount</b> | <b>Awarded Amount</b> |
|--|-------------------------------|-------------------------|-----------------------|
| 5180-CIF Lordsburg (Design only)                           | Water Infrastructure          | \$1,810,000             | \$236,000             |
| 5181-CIF Lordsburg (Design only)                           | Water Infrastructure          | \$1,200,000             | \$278,000             |
| 5168-CIF Dona Ana MDWCA (Planning only)                    | Water Infrastructure          | \$718,729               | \$93,533              |
| 5191-CIF Sunland Park (design/construct stand-alone phase) | Roads/Drainage Infrastructure | \$1,600,000             | \$1,209,639           |

In addition, the following applications were not recommended for funding:

| <b>Application</b>          | <b>Requested Amount</b> |
|-----------------------------|-------------------------|
| Otero County                | \$1,200,000             |
| Village of Loving           | \$1,100,000             |
| Grant County (Arenas Rd)    | \$197,000               |
| Grant County (North Hurley) | \$144,000               |

The Project Review Committee has reviewed this request and concurs with staff’s recommendation.

Because the amount being returned will not complete a stand-alone phase and/or project, staff recommends that the awarded funds from 2020 Project No. 5170-CIF20 be held and made available for the next funding cycle, the 2021 Colonias funding cycle.

Member Deal made a motion, seconded by Member Jimenez, to approve reallocating returned funds from Grant County 2020 award 5170-CIF20 to the 2021 application cycle. The motion passed unanimously by a 6-0 roll call vote.

11. **Consideration and Approval of Resolution, Notification and Certification of Need for Issuance of Severance Tax Revenue Bonds for Qualified Projects**, presented by Ms. Angela Quintana, Senior Program Administrator

Chairman Moore made a motion, seconded by Member Jimenez to approve the Resolution as presented. The motion passed unanimously by a 6-0 roll call vote.

12. **Consideration and Approval of 2021 Application Timeline** - presented by Ms. Angela Quintana, Sr. Program Administrator.

### Colonias Infrastructure Board 2021 CIF Application Cycle Timeline

| Date*   | Activity                          | Task   |
|---|-----------------------------------|--|
| <b>2020</b>   |                                   |  |
| September 10  | Project Review Committee          | <ul style="list-style-type: none"> <li>• Recommendation on Time Extensions;</li> </ul>   |
| September 17  | <b>Colonias Board Meeting</b>     | <ul style="list-style-type: none"> <li>• Consideration of Time Extensions;</li> <li>• Board Business;</li> <li>• Certification of need for October Bond;</li> <li>• 2021 Application Timeline</li> </ul> |
| October 21  | 2020 Funding Cycle – RTP deadline | Deadline to submit RTP items for securing funding in 2020 cycle.   |
| November 17   | Policy Committee                  | <ul style="list-style-type: none"> <li>• Review current policies</li> </ul>  |
| December 8  | Policy Committee                  | <ul style="list-style-type: none"> <li>• Policy recommendations</li> </ul>   |
| December 8  | Project Review Committee          | <ul style="list-style-type: none"> <li>• Board Business;</li> <li>• Time Extension recommendations</li> </ul>  |
| December 15   | <b>Colonias Board Meeting</b>     | <ul style="list-style-type: none"> <li>• Board Business;</li> <li>• Policy Recommendations;</li> <li>• Time extension recommendations</li> </ul>   |
| <b>2021</b>   |                                   |  |
| <i>2021 Legislative Session (January 19 – March 20, 2021)</i> |                                   |  |

| <b>Date*</b>       | <b>Activity</b>  | <b>Task</b>   |
|--------------------|--|---|
| January 4 – 19     | Notice of Intent Period  | <ul style="list-style-type: none"> <li>Applicant Notice of Intent to Apply due to <a href="mailto:Colonias@nfma.net">Colonias@nfma.net</a></li> </ul>                                   |
| January 28         | <b>2021 Application <u>OPENS</u></b>                               | <b>Online Application <u>Opens</u> January 28, 2021</b>   |
| March 3            | <b>2021 Application <u>CLOSES</u></b>                              | <b>Online Application <u>Closes</u> March 3, 2021, 3:00 pm</b>  |
| March 8-12         | Application Evaluations  | <ul style="list-style-type: none"> <li>Legal Review;</li> <li>Application Completeness;</li> <li>Compliance</li> </ul>  |
| March 12           | Non-compliance Notifications                                       | Applicants notified of non-compliance issues  |
| March 15- April 19 | PMT application review/scoring                                     | PMT application review/scoring  |
| March 30           | Policy & Regulatory Compliance Deadlines; Waiver Request Deadlines | <ul style="list-style-type: none"> <li><b><u>DEADLINE</u></b> to meet regulatory and policy compliance requirements</li> <li><b><u>DEADLINE</u></b> to submit waiver request</li> </ul> |
| April 20           | Project Review Committee   | Recommendations for Waiver Requests   |
| April 27           | <b>Colonias Board Meeting</b>                                      | <ul style="list-style-type: none"> <li>Board Business</li> <li>Project Presentations??</li> <li>Waiver Requests Consideration</li> </ul>  |
| May 11             | Project Review Committee   | Funding Recommendations   |
| May 20             | <b>Colonias Board Meeting</b>                                      | Final funding recommendations to NMFA Board of Directors  |
| June 2021          | NMFA Board Meeting   | Final Approval of CIB Awards  |
| June 2021          | Award/Readiness to Proceed   | Send award letters outlining Readiness to Proceed (“RTP”) items required to secure funding.   |
| Sept 2021          | Project Review Committee   | <ul style="list-style-type: none"> <li>Consideration of Time Extensions</li> <li>Board Business</li> </ul>  |
| Sept 2021          | <b>Colonias Board Meeting- Ruidoso Downs</b>                       | <ul style="list-style-type: none"> <li>Consideration of Time Extensions</li> <li>Board Business</li> </ul>  |
| October 2021       | RTP Deadline   | <b><u>DEADLINE</u></b> to submit RTP items for securing the funding   |

*\*Please Note: Dates are subject to change.*



Member Jimenez made a motion, seconded by Member Vasquez-Butler, to approve the 2021 CIF Application Timeline. The motion passed unanimously by a 6-0 roll call vote.

**13. Upcoming Meetings:**

- Policy Committee – November 17, 2020 10:00 a.m.
- Project Review Committee – December 8, 2020, 9:30 a.m.
- Policy Committee – December 8, 2020 11:00 a.m.
- Colonias Infrastructure Board – December 15, 2020

Public Comments: Edward Lueras from La Luz MDWCA & MSWA thanked the Board for its hard work.

Member Vasquez-Butler directed the Policy Committee to look at easements/ROW criteria. Chairman Moore suggested an agenda item be included at the next Board Meeting allowing Board Member input for Policy Committee discussion.

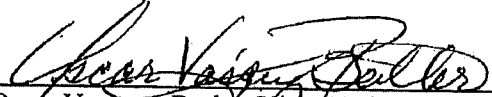
Linda Cooke from Catron County thanked the Board and Staff for all their hard work.

Martin Lopez from Lower Rio Grande PPWA commented on the issue that permits and easements should be considered part of design scope.

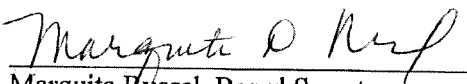
**14. Adjournment:**

Member Deal made a motion to adjourn, seconded by Member Vasquez-Butler. The Motion passed unanimously by a 6-0 roll call vote.

The meeting adjourned at 10:49 a.m.

  
\_\_\_\_\_  
Oscar Vasquez Butler, Vice-Chairman  
Date: December 15, 2020

Attest:

  
\_\_\_\_\_  
Marquita Russel, Board Secretary  
Date: Jan. 6, 2021