

**CURRY COUNTY NEW MEXICO
RESOLUTION NO. 2019-96**

**APPROVING A WATER PROJECT FUND LOAN/GRANT AGREEMENT
IN THE AMOUNT OF \$2,868,106, INCLUDING A LOAN AMOUNT OF \$286,811
(LOAN), AND A GRANT AMOUNT OF \$2,581,295 (GRANT), FOR WATER PROJECT
FUND LOAN/GRANT NO. WPF-4817 (LOAN/GRANT) TO FINANCE THE FINISHED
WATER THREE (FW3) PIPELINE CONSTRUCTION PROJECT (FW3 PROJECT)
AND OTHER DETAILS CONCERNING THE LOAN/GRANT AGREEMENT;
RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION
INCONSISTENT WITH THIS RESOLUTION; AUTHORIZING THE TAKING OF
OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF
THE LOAN/GRANT AGREEMENT; AND CONFIRMING MATCHING FUNDS FOR
THE FW3 PROJECT**

WHEREAS, the municipalities of Clovis, Elida, Grady, Melrose, Portales, Texico, and the County of Curry serving as members (Members) of the Eastern New Mexico Water Utility Authority (ENMWUA) for the purpose of planning, designing, constructing, and operating the Eastern New Mexico Rural Water System (ENMRWS) to provide a sustainable long-term water supply to the Members for municipal and industrial uses; and,

WHEREAS, the New Mexico Finance Authority (Finance Authority) approved on May 23, 2019 the Loan/Grant for ENMWUA's FW3 Project; and

WHEREAS, the Members have previously acknowledged and approved by ordinances or resolutions certain outstanding loans between the ENMWUA and the Finance Authority and have approved and established local contributions, subject to adjustment from time to time by the ENMWUA, payable by the Members and pledged to the ENMWUA for use by the ENMWUA for payment of principal, interest, and any other amounts due under the ENMWUA's outstanding and future loans, including the Loan; and

WHEREAS, all planning, design, engineering, and easement acquisition for a bid package portion of the FW3 Project have been completed; and,

WHEREAS, preparation of bid package, request for proposals for the FW3 Project, evaluation and scoring of proposals, are the next steps in the process; and,

WHEREAS, the ENMWUA is prepared to proceed with constructing a bid package portion of the FW3 Project; and,

WHEREAS, the ENMWUA is committed to pledge two million, five hundred thousand dollars (\$2,500,000.00) in non-state funds toward the construction of the FW3 Project as match to the Loan/Grant funds awarded by the Water Trust Board as required by the Water Trust Board and the Finance Authority; and,

WHEREAS, pursuant to ENMWUA Resolution No. 2019-04 of the ENMWUA Board local ENMWUA member funds, state of New Mexico funds, and federal Bureau of Reclamation funds will be used as the match for the FW3 Project.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of Curry County approves the execution and delivery by ENMWUA and the Members of a Loan/Grant Agreement in the form presented at this meeting with such changes not inconsistent with this Resolution as may be approved by Authorized Officers of the ENMWUA and the other documents related to the transaction, and authorizes, ratifies and affirms the designation of local ENMWUA funds by the ENMWUA Board of Directors as the match for the FW3 Project, which funds will be reimbursed in part by federal Bureau of Reclamation funds when such funds are received.

PRESENTED, DISCUSSED AND ADOPTED: this 19 day of December, 2019 at a meeting of the governing body of Curry County held in Clovis, New Mexico.

GOVERNING BODY OF CURRY COUNTY, NEW MEXICO



(Attest)

By: *Ami Holand*

By: *Carl Pearson*

Chair, Curry County, New Mexico