



# **MPO POLICY COMMITTEE** **MEETING AGENDA**

**February 25, 2021**  
**10:30 a.m.**

**MPO Office**  
**100 West Broadway, 2<sup>nd</sup> Floor**  
**Farmington, New Mexico**

**AGENDA**  
**FARMINGTON METROPOLITAN PLANNING ORGANIZATION**  
**POLICY COMMITTEE MEETING**  
**February 25, 2021 10:30 AM**

With in-person meeting restrictions still in place, this regular meeting will be held at the MPO Office, 100 W. Broadway, 2<sup>nd</sup> Floor, Farmington with virtual participation provided via a GoToMeeting link that will be published in the final agenda.

<b>ITEM</b>	<b>PAGE</b>
1. <b>Call to Order &amp; Roll Call:</b> Call meeting to order and call roll	
2. <b>Minutes:</b> Approve the minutes from the January 28, 2021 Policy Committee Meeting.	<b>12-19</b>
3. <b>Quarterly Education: Americans With Disabilities Act (ADA)</b> <b>Presented by: Kathryn Leys</b>	<b>1-8</b>
4. <b>Reports from NMDOT</b> a. Update from the Planning Bureau ( <i>Joseph Moriarty</i> ) b. Update from District 5 ( <i>Paul Brasher</i> )	
5. <b>Committee Member Discussion Item(s)</b> <i>No additional discussion items were presented for inclusion on the Agenda</i>	<b>9</b>
6. <b>Information Items</b> a. Proposed Changes to Delineating Metropolitan Statistical Areas b. Farmington to Aztec Trail Proposal Discussion c. Sidewalk Inventory/Map for MPO <b>Presented by: FMPO Staff</b>	<b>10</b>
7. <b>Business from Chairman, Members, and Staff</b>	
8. <b>Public Comment on Any Issues Not on the Agenda</b>	
9. <b>Adjournment</b>	

*The public body may only take action on an item if it is listed for action on the publicly noticed agenda.*

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By using a computer, tablet, or smartphone:**

<https://global.gotomeeting.com/join/667997877>

**or by dialing: 1 (312) 757-3121 and entering access code 667-997-877**

**ATTENTION PERSONS WITH DISABILITIES:** If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the MPO Administrative Assistant at the Downtown Center, 100 W Broadway, Farmington, New Mexico or at 505-599-1466 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the MPO Administrative Assistant if a summary or other type of accessible format is needed.

**FARMINGTON METROPOLITAN PLANNING ORGANIZATION  
Agenda Item #3**

<b>Subject:</b>	Quarterly Education:
<b>Prepared by:</b>	Kathryn Leys, Association MPO Planner
<b>Date:</b>	February 25, 2021

**PRESENTATION**

In 2020, we observed the 30<sup>th</sup> anniversary for the Americans with Disabilities Act (ADA). To recognize this milestone, the MPO is sharing some questions and answers about ADA and Section 504 of the Rehabilitation Act of 1973.

These questions and answers are provided to help FHWA and its State and local transportation department partners better understand roles and responsibilities to provide accessible transportation facilities under the ADA and Section 504 and explain the FHWA's position on the implementation of the ADA and Section 504.

Included in the packet is an edited version of these questions & answers. To access the complete Q&A's or see additional resources, including training opportunities, criteria for developing accessible facilities and, design guidelines visit:

[https://www.fhwa.dot.gov/civilrights/programs/ada/ada\\_sect504qa.cfm](https://www.fhwa.dot.gov/civilrights/programs/ada/ada_sect504qa.cfm).

# Questions and Answers About ADA/Section 504

## Public Agencies Covered By ADA and Section 504

*What do these statutes require public agencies to do?*

These statutes prohibit public agencies from discriminating against persons with disabilities by excluding them from services, programs, or activities. These statutes mean that the agency must provide pedestrian access for persons with disabilities to the agency's streets and sidewalks, whenever a pedestrian facility exists. Regulations implement this requirement by imposing standards for accessible features such as curb cuts, ramps, continuous sidewalks, and detectable warnings.

All State and local governmental agencies must provide pedestrian access for persons with disabilities in compliance with ADA Title II. Federal, State, and local governments must provide pedestrian access for persons with disabilities in compliance with Section 504 standards.

The ADA does not require public agencies to provide pedestrian facilities, however, when a public agency provides a pedestrian facility, it must be accessible to persons with disabilities to the extent technically feasible.

*What is FHWA's responsibility for assuring access for persons with disabilities?*

FHWA is responsible for ensuring access for persons with disabilities in four areas:

1. For surface transportation projects under direct FHWA control: FHWA is responsible for ensuring that project planning, design, construction, and operations adequately address pedestrian access for people who have disabilities.
2. For Federally funded surface transportation projects that provide pedestrian facilities within the public right-of-way: FHWA is responsible for ensuring that the public agencies' project planning, design, and construction programs provide pedestrian access for persons with disabilities. FHWA-funded projects outside of the public right-of-way, such as Transportation Enhancement projects, must also adhere to these requirements.
3. For pedestrian facilities within the public right-of-way, or any other FHWA enhancement project, regardless of funding source: FHWA is responsible for investigating complaints.
4. FHWA should provide or encourage accessibility training for Federal, State, and local agencies and their contractors.

FHWA does not have ADA oversight responsibilities for projects outside of the public right-of-way that do not use Federal surface transportation program funds.

*Can a public agency make private individuals or businesses responsible for ADA and Section 504 mandated pedestrian access?*

No. The public agency is responsible for providing access for persons with disabilities. Private entities with joint responsibility for a public right-of-way, such as a private tenant on public property, are responsible for accessibility for persons with disabilities on the public right-of-way under Title II of ADA. The lease or other document creating this legal relationship should commit the private party to ensuring accessibility.

*What is FHWA's authority to implement ADA and Section 504 requirements?*

The DOJ regulations designate the DOT as the agency responsible for overseeing public agencies' compliance with the ADA. The DOT has delegated to the FHWA the responsibility to ensure ADA compliance in the public right-of-way and on projects using surface transportation funds.

### **Transition Plans**

*What should a transition plan include?*

The transition plan must include a schedule for providing access features, including curb ramps for walkways. The schedule should first provide for pedestrian access upgrades to State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas. The transition plan should accomplish the following four tasks:

1. identify physical obstacles in the public agency's facilities that limit the accessibility of its programs or activities to individuals with disabilities;
2. describe in detail the methods that will be used to make the facilities accessible;
3. specify the schedule for taking the steps necessary to upgrade pedestrian access to meet ADA and Section 504 requirements in each year following the transition plan; and
4. indicate the official responsible for implementation of the plan.

*How does the transition plan relate to a public agency's transportation planning process?*

The ADA transition plan is intended to identify system needs and integrate them with the State's planning process. The transition plan and its identified needs should be fully integrated into the public agency's STIP and metropolitan TIP. Agencies should incorporate accessibility improvements into the transportation program on an ongoing basis in a variety of ways:

1. Any construction project that is programmed must meet accessibility requirements when built.
2. Accessibility improvements identified in the transition plan that are not within the scope of an alteration project should be incorporated into the overall transportation planning process. This can be accomplished through the development of stand-alone accessibility projects.
3. As a means to identify ADA compliance needs, during scheduling maintenance activities, the agencies should identify ADA accessibility

needs and incorporate them into the overall transportation planning process.

*What public agencies must make a transition plan?*

The ADA requires any public agency with more than 50 employees to make a transition plan setting forth the steps necessary to make its facilities accessible to persons with disabilities.

*When should the FHWA review an agency's transition plan?*

DOT Section 504 regulation requires FHWA to monitor the compliance of the self-evaluation and transition plans of Federal-aid recipients. The FHWA Division offices should review pedestrian access compliance with the ADA and Section 504 as part of its routine oversight activities as defined in their stewardship plan.

*When and how should a transition plan be updated?*

An agency's transition plan should be updated periodically to ensure the ongoing needs of the community continue to be met. The transition plan should be coordinated appropriately with the STIP and the TIP. Changes to the plan shall be made available to the public for comment. The public agency should specifically target any local community groups representing persons with disabilities for comment, to ensure that the agency is meeting the local priorities of the persons with disabilities in that community.

### **Projects Covered by the ADA and Section 504**

*What projects must provide pedestrian access for persons with disabilities?*

Any project for construction or alteration of a facility that provides access to pedestrians must be made accessible to persons with disabilities.

*What projects constitute an alteration to the public right-of-way?*

An alteration is a change to a facility in the public right-of-way that affects or could affect access, circulation, or use. Projects altering the use of the public right-of-way must incorporate pedestrian access improvements within the scope of the project to meet the requirements of the ADA and Section 504. These projects have the potential to affect the structure, grade, or use of the roadway. Alterations include items such as reconstruction, rehabilitation, widening, resurfacing, signal installation and upgrades, and projects of similar scale and effect.

*What activities are not considered to be alterations?*

The DOJ does not consider maintenance activities, such as filling potholes, to be alterations. The DOJ does consider resurfacing beyond normal maintenance to be an alteration.

The FHWA has determined that maintenance activities include actions that are intended to preserve the system, retard future deterioration, and maintain the functional condition of the roadway without increasing the structural capacity. These activities include, but are not limited to, joint repair, pavement patching (filling potholes), shoulder repair, signing, striping, minor signal upgrades, and repairs to drainage systems.

### **Timing of Accessibility Improvements**

*Does a project altering a public right-of-way require simultaneous accessibility improvements?*

Yes. An alteration project must be planned, designed, and constructed so that the accessibility improvements within the scope of the project occur at the same time as the alteration.

The ADA does not stipulate how to perform simultaneous accessibility improvements. For example, a public agency may select specialty contractors to perform different specialized tasks prior to completion of the alteration project or concurrently with an ongoing project.

*Can a public agency delay compliance with the ADA and Section 504 on alteration projects through a systematic approach to schedule projects?*

No. All pedestrian access upgrades within the scope of the project must occur at the same time as the alteration.

*When does the scope of an alteration project trigger accessibility improvements for people with disabilities?*

The scope of an alteration project is determined by the extent the alteration project directly changes or affects the public right-of-way within the project limits. The public agency must improve the accessibility of only that portion of the public right-of-way changed or affected by the alteration. If a project resurfaces the street, for accessibility purposes the curbs and pavement at the pedestrian crosswalk are in the scope of the project, but the sidewalks are not. Any of the features disturbed by the construction must be replaced so that they are accessible. All remaining access improvements within the public right-of-way shall occur within the schedule provided in the public agency's planning process.

*Do maintenance activities require simultaneous improvements of the facility to meet ADA standards?*

No. Maintenance activities do not require simultaneous improvements to pedestrian accessibility under the ADA and Section 504. However, in the development of the maintenance scope of work identified accessibility needs should be incorporated into the transition process.

*When should accessible design elements be incorporated into projects in the public right-of-way?*

FHWA encourages the consideration of pedestrian needs in all construction, reconstruction, and rehabilitation projects. If a public agency provides pedestrian facilities, those facilities must be accessible to persons with disabilities. A public agency is not relieved of its obligation to make its pedestrian facilities accessible if no individual with a disability is known to live in a particular area. This is true regardless of its funding source.

### Cost

*How does cost factor into a public agency's decision in its transition plan concerning which existing facilities must comply with ADA and Section 504 pedestrian access requirements?*

For existing facilities requiring accessibility improvements as scheduled in the transition plans, the public agency must provide accessibility improvements unless the cost of the upgrades is unduly burdensome. The test for being unduly burdensome is the proportion of the cost for accessibility improvements compared to the agency's overall budget, not simply the project cost.

The decision that pedestrian access would be unduly burdensome must be made by the head of a public agency or that official's designee, accompanied by a written statement of the reasons for the decision.

*For a new project or an alteration project planned outside of the transition plan, with ADA accessibility improvements required within the scope of the project, can cost be a reason to decide what ADA-required improvements will be completed?*

No. Cost may not be a reason to fail to complete, construct or delay constructing a new facility so that the facility is readily accessible to and useable by persons with disabilities under the ADAAG standards. A public agency must complete any ADA-required accessibility improvements within the scope of an alteration project to the maximum extent feasible.

*What role does the "maximum extent feasible" standard play for ADA accessibility requirements in altered projects?*

In an alteration project, the public agency must incorporate the ADA accessibility standards to the maximum extent feasible. The feasibility meant by this standard is physical possibility only. A public agency is exempt from meeting the ADA standards in the rare instance where physical terrain or site conditions restrict constructing or altering the facility to the standard.

Cost is not a factor in determining whether meeting standards has been completed to the maximum extent feasible. No particular decision-making process is required to determine that an accessibility improvement is not technically feasible, but the best practice is to document the decision to enable the public agency to explain the decision in any later compliance review.

*What should a public agency do when it does not control all of the public right-of-way required to provide access for persons with disabilities?*

The public agency should work jointly with all others with interests in the highway, street, or walkway to ensure that pedestrian access improvements occur at the same time as any alteration or new project. The ADA encourages this cooperation by making each of the public agencies involved subject to complaints or lawsuits for failure to meet the ADA and Section 504 requirements.

## Funding

What sources of funding may be used to comply with ADA and Section 504 requirements?

ACTIVITY	Federal Funding Opportunities for Pedestrian Projects and Programs															
	NHS	STP	HSIP	RHC	TE	CMAQ	RTP	FTA	TrE	BRI	402	PLA	TCSP	FLH	BYW	SRTS
Pedestrian plan		*	*			*						*	*			
Paved shoulders	*	*	*	*	*	*				*			*	*	*	
Shared-use path/trail	*	*	*		*	*	*			*			*	*	*	*
Recreational trail							*							*		
Spot improvement program		*	*		*	*							*			*
Maps		*			*	*					*		*			*
Trail/highway intersection	*	*	*		*	*	*						*	*	*	*
Sidewalks, new or retrofit	*	*	*	*	*	*		*	*	*			*	*	*	*
Crosswalks, new or retrofit	*	*	*	*	*	*		*	*				*	*	*	*
Signal improvements	*	*	*	*	*	*							*			*
Curb cuts and ramps	*	*	*	*	*	*							*			*
Traffic calming		*	*	*									*			*
Safety brochure/book		*			*	*					*		*			*
Training	*	*	*		*	*	*				*		*			*

NHS National Highway System	TrE Transit Enhancements
STP Surface Transportation Program	BRI Bridge (HBRRP)
HSIP Highway Safety Improvement Program	402 State and Community Traffic Safety Program
RHC Railway-Highway Crossing Program	PLA State/Metropolitan Planning Funds
TE Transportation Enhancement Activities	TCSP Transportation and Community and System Preservation Program
CMAQ Congestion Mitigation/Air Quality Program	FLH Federal Lands Highways Program
RTP Recreational Trails Program	BYW Scenic Byways
FTA Federal Transit Capital, Urban & Rural Funds	SRTS Safe Routes to School

Each program has its own specific requirements and provisions. Further details on these sources of funding may be found in the following memo: *Flexible Funding for Highways and Transit and Funding for Bicycle & Pedestrian Programs*, February 6, 2006, at [www.fhwa.dot.gov/hep/guidance/flexfund.cfm](http://www.fhwa.dot.gov/hep/guidance/flexfund.cfm)

To access to the complete Q&A's or see additional resources visit [https://www.fhwa.dot.gov/civilrights/programs/ada/ada\\_sect504qa.cfm](https://www.fhwa.dot.gov/civilrights/programs/ada/ada_sect504qa.cfm)

**FARMINGTON METROPOLITAN PLANNING ORGANIZATION  
Agenda Item #5**

<b>Subject:</b>	Committee Member Discussion Items
<b>Date:</b>	February 25, 2021

**DISCUSSION ITEMS**

There were no additional discussion items provided by Policy Committee members for inclusion on the Agenda.

**FARMINGTON METROPOLITAN PLANNING ORGANIZATION  
Agenda Item #**

<b>Subject:</b>	Information Items
<b>Prepared by:</b>	FMPO Staff
<b>Date:</b>	February 25, 2021

**INFORMATION ITEMS**

- a. Proposed Changes to Delineating Metropolitan Statistical Areas.**
- b. Farmington to Aztec Trail Proposal.**
- c. Sidewalk Inventory/Map for MPO.** Staff is building a sidewalk inventory/map for the MPO. If there are projects or areas in the region that might benefit from inclusion or be helped in identifying potential work from this data, please let your Technical Committee member or FMPO staff know.
- d. No Policy Committee meeting in March.**

**The draft minutes from the  
January 28, 2021  
Policy Committee meeting  
are on the following pages.**

**MINUTES**  
**FARMINGTON METROPOLITAN PLANNING ORGANIZATION**  
**POLICY COMMITTEE MEETING**  
**January 28, 2021**

Policy Members Present: Rosalyn Fry, City of Aztec  
Julie Baird, City of Farmington  
Jeanine Bingham-Kelly, City of Farmington  
Sean Sharer, City of Farmington  
Glojean Todacheene, San Juan County  
Thomas Wethington, Town of Kirtland

Policy Members Absent: George Walter, City of Bloomfield  
Paul Brasher, NMDOT, District 5  
Steve Lanier, San Juan County

Staff Present: Peter Koeppel, MPO Officer  
Kathryn Leys, MPO Associate Planner  
June Markle, MPO Administrative Assistant

Staff Absent: None

Others Present: Joseph Moriarty, Planning Liaison, NMDOT

*With ongoing health and safety restrictions, all the members present attended via the GoToMeeting link with the exception of Chair Sean Sharer and FMPO Staff who were present in person.*

Chair Sharer reminded the members that, unless an objection is raised, all votes will be presumed to be in the affirmative.

**1. CALL TO ORDER & ROLL CALL**

Chair Sharer called the meeting to order at 10:30 a.m.

A roll call was conducted and those listed above were present on the GoToMeeting link.

**2. APPROVE THE MINUTES FROM THE NOVEMBER 19, 2020 POLICY COMMITTEE MEETING**

Commissioner Todacheene moved to approve the minutes from the November 19, 2020 Policy Committee meeting. Commissioner Fry seconded the motion. The motion passed with no opposition.

### **3. ANNUAL ELECTION OF OFFICERS**

<b>Subject:</b> Annual Election of Officers <b>Date:</b> January 28, 2021
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#### **BACKGROUND**

- Per FMPO Bylaws, each January the Policy Committee selects the Chair and Vice-Chair from its membership. The elected members will serve until the following annual election (January 2022).
- The Chair presides over the meetings and is responsible for the other duties which are outlined in the Committee Bylaws and Operating Procedures document.
- The Vice-Chair presides over the meetings in the absence of the Chair.
- Councilor Sean Sharer has been serving as the current Policy Committee Chair, while Commissioner Sipe served as Vice-Chair.

#### **ELECTION**

- Elect a Policy Committee Chair and Vice-Chair who will serve until January 2022.

#### **ACTION ITEM**

- It is recommended that the Policy Committee accept nominations and the Committee members vote to elect the Policy Committee Chair and Vice-Chair.

**DISCUSSION:** Chair Sharer asked for nominations for Chair of the Policy Committee for 2021:

Commissioner Todacheene nominated Councilor Sharer to continue in the role of Chair of the Policy Committee. Commissioner Fry seconded the motion. There were no other nominations for Chair. The vote to elect Councilor Sharer as Chair of the Policy Committee passed with no opposition.

Councilor Bingham-Kelly offered to accept the Vice Chair position. Chair Sharer officially nominated Councilor Bingham-Kelly as Vice Chair of the Policy Committee. Commissioner Todacheene seconded the motion. There were no other nominations for Vice Chair. The vote to elect Councilor Bingham-Kelly as Vice Chair of the Policy Committee passed with no opposition.

### **4. NATIONAL PERFORMANCE MANAGEMENT MEASURES FOR HIGHWAY SAFETY IMPROVEMENT PROGRAM (PM 1)**

<b>Subject:</b> National Performance Management Measures for Highway Safety Improvement Program (PM 1)
<b>Prepared by:</b> Peter Koeppel, MPO Officer
<b>Date:</b> January 28, 2021

### BACKGROUND

- 23 CFR §490 Subpart B – *National Performance Management Measures for Highway Safety Improvement Program (see attached)*.
- The FHWA requires that MPOs establish targets for five (5) safety performance measures for all public roads in the MPO planning area within 180 days after the State establishes each target.
- The five Performance Measures to be considered are: 1) Number of Fatalities, 2) Number of Serious Injuries, 3) Fatalities per 100 Million VMT (Vehicle Miles Traveled) or Fatality Rate, 4) Serious Injuries per 100 Million VMT (Vehicle Miles Traveled) or serious injury rate, and, 5) Number of Non-Motorized Fatalities and Non-Motorized Fatalities and Serious Injuries.
- The first three targets are common measures and must be identical to the targets established for the Highway Safety Plan (HSP).
- MPOs may either: Agree to support State targets **OR** Establish specific numeric targets for a safety performance measure (number or rate).
- Reporting is done on an annual basis, leaving the choice to adopt State standards vs. establish MPO specific targets up to the MPO Policy Committee each year.
- The Technical Committee recommended their approval on January 13, 2021.

### CURRENT ISSUES & RECOMMENDATIONS

- This item is being presented to both committees in November for their information. It will be brought back to both the Technical and Policy Committees in January for their recommendation/approval.
- Staff recommends that the state targets be adopted for 2021.
- FMPO Policy Committee action is due no later than February 27, 2021.

### ACTION ITEM

- The Technical Committee and Staff recommend approve PM 1 and Policy Committee Resolution 2021-1

### APPLICABLE CITATIONS

Requirement for MPOs to establish performance targets for Federal-aid highway measures and public transportation established by USDOT.

- 23 USC 134(h)(2)
- 49 USC 5303(h)(2)
- 49 USC 5304(d)(2)

Requirements to include discussion in the metropolitan and statewide improvement program as to how the planned program will achieve State/MPO targets:

- 23 USC 134(j)(2)(D)
- 23 USC 135(g)(4)
- 49 USC 5303(j)(2)(D)
- 49 USC 5304(g)(4)

**DISCUSSION:** Mr. Koeppel reported that this item had been presented to the Committee in November to provide background information on the federal performance measures PM 1 – Safety and PM 2 – Infrastructure Condition.

The performance measures are tied to national goal areas set by the FAST Act in order to improve investment decision-making, improve return on investments and resource allocation, demonstrate link between funding and performance, and improve system performance.

The goals and measures of PM 1-Safety is to achieve a significant reduction in traffic fatalities and serious injuries on all public roads (neighborhood streets to interstate highways) and this also includes bicycles and pedestrians:

- Number of fatalities;
- Rate of fatalities per 100 vehicles miles traveled (VMT);
- Number of serious injuries;
- Rate of serious injuries per 100 million VMT;
- Number of non-motorized fatalities and non-motorized serious injuries

The USDOT establishes the performance measures; the states set their performance targets, and then the MPOs set their targets. The MPOs may concur with the state targets or choose to set their own.

The Technical Committee and Staff recommend that the FMPO adopt the state’s 2021 safety targets for the FMPO:

PERFORMANCE MEASURE	2021 Target
Number of Total Fatalities	411.6
Number of Serious Injuries	1030.5
Rate of Fatalities per 100 million VMT	1.5
Rate of Serious Injuries per 100 million VMT	3.7
Number of Non-motorized Fatalities and Serious Injuries	200

Chair Sharer opened the public hearing; no comments were received; the public hearing was closed.

**ACTION:** Chair Sharer moved to approve the PM 1 Safety Targets and Policy Committee Resolution 2021-1. Councilor Bingham-Kelly seconded the motion. The motion was approved with no opposition.

**5. NATIONAL PERFORMANCE MANAGEMENT MEASURES FOR ASSESSING PAVEMENT CONDITION AND BRIDGE CONDITION (PM 2)**

**Subject:** National Performance Management Measures for Assessing Pavement Condition and Bridge Condition (PM 2)  
**Prepared by:** Peter Koeppel, MPO Officer  
**Date:** January 28, 2021

## BACKGROUND

- 23 CFR §490 Subpart C – *National Performance Management Measures for Assessing Pavement Condition* and 23 CFR §490 Subpart D – *National Performance Management measures for Assessing Bridge Condition* (see attached).
- The FHWA required that MPOs establish four-year targets for six (6) performance measures and revisit those targets at the 2-year performance period midpoint. Those six performance measures to be considered are:
  - 1) Percentage of interstate pavements on the NHS in good condition;
  - 2) Percentage of interstate pavements on the NHS in poor condition;
  - 3) Percentage of non-interstate pavements on the NHS in good condition;
  - 4) Percentage of non-interstate pavements on the NHS in poor condition;
  - 5) Percentage of bridges on the NHS in good condition; and
  - 6) Percentage of bridges on the NHS in poor condition.
- NMDOT has adjusted two 2021 targets – percentage of NHM bridge deck area in poor condition and percentage of Interstate pavements in good condition.
- MPOs may: Agree to support State target **OR** establish their own targets. In 2018 the FMPO adopted some of its own targets for PM 2.
- PMs with adjusted state targets for 2021:
  - BRIDGES on National Highway System (NHS) –
    - 2.5% FMPO target for bridge deck area in poor condition [vs. State at 3.3% (2021)]
  - PAVEMENT on Interstate NHS
    - Not applicable to FMPO
- PMs without adjusted state targets for 2021:
  - BRIDGES on National Highway System (NHS) –
    - 10% FMPO target for Bridges in Good condition [vs. State at 30.0% (2021)]
  - PAVEMENT on Non-Interstate/NHS –
    - 34.2% target for Pavement in Good condition
    - 12.0% target for Pavement in Poor condition
- Reporting is for the final two years of the four-year performance period.
- The Technical Committee recommended their approval on January 13, 2021.

## ACTION ITEM

- The Technical Committee and MPO Staff recommend that the Policy Committee consider approval of NMDOT's PM 2 Targets for 2021 and PC Resolution 2021-2.

## APPLICABLE CITATIONS

Requirement for MPOs to establish performance targets for Federal-aid highway measures and public transportation established by USDOT.

- 23 USC 134(h)(2)
- 49 USC 5303(h)(2)
- 49 USC 5304(d)(2)

Requirements to include discussion in the metropolitan and statewide improvement program as to how the planned program will achieve State/MPO targets:

- 23 USC 134(j)(2)(D)
- 23 USC 135(g)(4)
- 49 USC 5303(j)(2)(D)
- 49 USC 5304(g)(4)

**DISCUSSION:** Mr. Koepfel explained that Performance Measure 2 (PM 2) was the Infrastructure Condition and was to maintain the highway infrastructure asset system in a state of good repair by addressing:

Pavement Condition

- Percentage of pavements on the Interstate system in good condition;
- Percentage of pavement on the Interstate system in poor condition;
- Percentage of pavements on the non-Interstate National Highway System (NHS) in good condition;
- Percentage of pavement on the non-Interstate NHS in poor condition.

Bridge Condition

- Percentage of NHS bridge deck area classified as in good condition;
- Percentage of NHS bridge deck area classified as in poor condition.

Mr. Koepfel stated that these targets apply to the National Highway System (NHS) and not to local, neighborhood streets. The targets for the Interstate system do not apply to the FMPO as there are no interstate roadways in the region. The FMPO targets match NMDOT’s targets except for the Percentage of bridges on the NHS in Good condition where the FMPO target is lower which was recommended by NMDOT.

Performance Measure	NMDOT 2-Year Target	NMDOT 4-Year Target	FMPO 2-Year Target	FMPO 4-Year Target
Percentage of bridges on the NHS in Good condition	36.0 %	30.0%	10.0%	10.0%
Percentage of bridges on the NHS in Poor condition	3.3%	3.3%	3.3%	3.3%
Percentage of Interstate pavements on the NHS in Good condition	57.3 %	55.0%	n/a	n/a
Percentage of Interstate pavements on the NHS in Poor condition	4.5%	5.0%	n/a	n/a
Percentage of Non-Interstate pavements on the NHS in Good condition	35.6 %	34.2%	34.2%	34.2%
Percentage of Non-Interstate pavements on the NHS in Poor condition	9.0%	12.0%	12.0%	12.0%

Mr. Koepfel noted that both the Technical Committee and Staff recommended approval of the proposed targets noted above.

Chair Sharer opened the public hearing; no comments were received; the public hearing was closed.

**ACTION:** Commissioner Fry moved to approve to proposed PM 2 targets as shown and PC Resolution 2021-2. Councilor Bingham-Kelly seconded the motion. The motion passed with no opposition.

**6. REPORTS FROM NMDOT**

**Planning Bureau – Joseph Moriarty**

Mr. Moriarty reported that NMDOT will be issuing a consolidated call for projects for the Transportation Alternative Program, Recreational Trail Program, and the Congestion Mitigation & Air Quality Program in the spring of 2021. There are no funding estimates available currently. More information will be provided as it becomes available.

Mr. Moriarty reported that the Planning Bureau is tracking two proposed bills in the current legislative session related to the Transportation Project Fund, established to fund local transportation projects. HB 117 includes language and proposes \$100,000,000 for the Transportation Project Fund. Senate Bill 20 addresses a mechanism to fund the Transportation Project Fund and making changes to the distribution of the motor vehicle excise tax from the Local Government Road Fund to the Transportation Project Fund. Mr. Moriarty noted that it was very early in the session and changes are likely.

**District 5 – Paul Brasher**

No representative from District 5 was in attendance.

**7. COMMITTEE MEMBER DISCUSSION ITEMS**

<b>Subject:</b>	Committee Member Discussion Items
<b>Date:</b>	January 28, 2021

**DISCUSSION ITEMS**

There were no additional discussion items provided by Policy Committee members for inclusion on the Agenda.

**8. INFORMATION ITEMS**

<b>Subject:</b>	Information Items
<b>Prepared by:</b>	MPO Staff
<b>Date:</b>	January 28, 2021

**INFORMATION ITEMS**

- a. **Critical Urban Freight Corridor Designation.** NMDOT, in coordination with the MPOs is developing a priority critical urban/rural freight corridor network. The purpose is to identify priority rural corridors to increase future freight project funding.
- b. **FFY2022-2027 TIP Development.** The initial Call for Projects was made on December 18, 2020 to provide the submittal deadline for all projects for this new four-year TIP. Staff and the Technical Committee have begun discussing

updates to current projects and/or new projects with the entities, Red Apple Transit, and NMDOT. This will be brought back to the Policy Committee in April as an informational item with considered approval at the May meeting.

**DISCUSSION:** Mr. Koeppel reported that the MPOs are working with NMDOT's Freight Group on the Critical Urban Freight Corridor Designation to develop a priority critical urban/rural freight corridor network. The purpose is to identify priority rural corridors to increase future freight project funding. In our region, US 550 from Aztec to the Colorado state line and a small section of US 64 near Shiprock have been identified as the critical rural freight corridors. The MPOs in the state are now working with NMDOT on the urban part of the freight designation. Every state is allotted a certain number of lane miles to be designated as urban freight miles.

The FMPO has begun working to develop the new FFY2022-2027 Transportation Improvement Program (TIP). The initial Call for Projects was made in December 2020 and Staff and the Technical Committee are discussing updates to current projects and the addition of new projects with the entities, Red Apple Transit, and NMDOT. This will be brought back to the Policy Committee in April as an informational item with considered approval taken at the May meeting.

#### **9. BUSINESS FROM THE CHAIRMAN, MEMBERS AND STAFF**

There was no additional business from the Chairman, Members and Staff.

#### **10. PUBLIC COMMENT ON ANY ISSUES NOT ON THE AGENDA**

There was no public comment on any issues not on the agenda

#### **11. ADJOURNMENT**

Commissioner Todacheene moved to adjourn the meeting. Councilor Bingham-Kelly seconded the motion. The motion passed with no opposition. Chair Sharer adjourned the meeting at 10:50 a.m.

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Sean Sharer, Policy Committee Chair

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June Markle, Administrative Assistant