

MINUTES
FARMINGTON METROPOLITAN PLANNING ORGANIZATION
POLICY COMMITTEE SPECIAL MEETING
March 8, 2017

Policy Members Present: Sherri Sipe, City of Aztec
Dorothy Nobis (Alternate), City of Bloomfield
Nate Duckett, City of Farmington
Paul Brasher, NMDOT District 5
Mark Duncan, San Juan County

Policy Members Absent: Curtis Lynch, City of Bloomfield
Linda Rodgers, City of Farmington

Staff Present: Duane Wakan, MPO Planner
Derrick Garcia, MPO Associate Planner
June Markle, MPO Administrative Assistant

Staff Absent: Mary Holton, MPO Officer

Others Present: Mayor Sally Burbridge, City of Aztec
Steven Saavedra, City of Aztec
Rosa Kozub, NMDOT, Gov't to Gov't Unit
Supervisor
Larry Hathaway, San Juan County

1. CALL TO ORDER

Councilor Duckett called the meeting to order at 1:35 p.m.

Mr. Mark Duncan was welcomed as the new San Juan County representative to the Policy Committee.

2. CONSIDER APPROVAL OF AMENDMENT #5 TO THE FFY2016-2021 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

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| Subject: | FFY2016-2021 TIP Amendment #5 |
| Prepared by: | Duane Wakan, MPO Planner |
| Date: | February 27, 2017 |

BACKGROUND

- On February 22, 2017 the Farmington MPO advertised Amendment #5 to the FFY2016-2021 Transportation Improvement Program (TIP).
- The amendment involves several projects in the TIP as described in the attached notice.

- The Technical Committee will consider the amendment and may make a recommendation at their March 8, 2017 meeting.

AMENDED TIP PROJECTS

- **US 64 Phase V – (CN F100112)** – At the request of NMDOT, removes \$250,000 from STP Flex funds in FY2017 and change the work type from project engineering to construction engineering.
- **US 64 Phase VI – (CN F100113)** – At the request of NMDOT, adds \$1M in PE in FY2017. Accelerate construction schedule by moving NHPP funds (\$14,684,694) from FY2020 to FY2019.
- **East Arterial Route Phase II (F100091)** at the request of the City of Aztec, add \$1M in local non-match funds in FY2017 for construction, add \$680,250 in State Severance Tax funds in FY2017 for construction increasing the total project cost from \$7.3M to \$9M.
- **NM 173 Safety Improvements (F100170)** – Delay project from FY2018 in the amount of \$4,200,000 to FY2021. The new project total is \$4,200,000.00.
- **East Pinon Hills Blvd Extension Phase II (F100101)** – remove \$250,000 CMAQ Flex funds and replace it with \$250,000 in local non-match in FY2017 for project engineering.

CURRENT ISSUES

- NMDOT has informed the MPO staff, the TC and PC chairman, and City of Farmington staff that Phase I and II of the Pinon Hills Bridge extension project over the Animas River is not fiscally constrained. They suggested three options to make it constrained-
 1. Move both phases into the planning years of the TIP (FY2020 and 2021)
 2. Show local bonding capacity or funding mechanism for the project
 3. Remove both phases entirely from the FFY2016-2021 TIP
- Failure to act in one of these options will result in the FMPOs TIP to be non-fiscally constrained and jeopardizes all projects listed in the TIP.

ATTACHMENTS

- The Public Notice advertising Amendment #5.
- TIP Request Change Forms.
- Self-Certification for Amendment #5.

ACTION ITEMS

- It is recommended that the Policy Committee consider approving Amendment #5 to the FFY2016-2021 Transportation Improvement Program (TIP).

DISCUSSION: Mr. Wakan explained the projects shown in Amendment #5 and the Technical Committee discussion on this item held earlier today.

Amendment #5 consists of five changes. All but the second bullet were recommended for approval by the Technical Committee:

US 64 Phase VI – (CN F100113) – At the request of NMDOT, adds \$1M in PE in FY2017. Accelerate construction schedule by moving NHPP funds (\$14,684,694) from FY2020 to FY2019.

#1 - US 64 Phase V – remove \$250,000 from STP Flex funds in FY2017 and change the work type from project engineering to construction engineering (one of the last two-mile sections of the US 64 widening heading west toward Farmington going to Browning Parkway).

#2 - US 64 Phase VI – add \$1,000,000 in project engineering in FY2017 and accelerate construction schedule by moving \$14,684,694 in NHPP funds from FY2020 to FY2019, a planning year of the TIP.

Mr. Wakan reported on the Technical Committee discussion and Rosa Kozub's e-mail regarding additional opportunity for public comment if the TIP differs significantly from the original advertisement. In this case, where was the extra \$1M in project engineering coming from and this could not be answered. According to the advertisement, this \$1M was new funds. Because this differed from the original advertisement, the Technical Committee advised not including this in their recommended approval of Amendment #5.

Mr. Brasher later confirmed that the \$1,000,000 would be subtracted from the \$14,684,694 and moved into project engineering. However, since the public meeting had already been held and closed, this clarification could not be considered and the recommendation to exclude this project from TIP Amendment #5 was sustained.

#3 – East Aztec Arterial, Phase II – connects US 550 to NM 173 – City of Aztec requested to add \$1M in local non-match (local road fund source) funds in FY2017 for construction add \$680,250 in State Severance Tax funds in FY2017 (unspent funds from Phase IB) for construction. Total project cost increases from \$7.3M to \$9M.

#4 – NM 173 – NMDOT has requested to delay this project from FY2018 to FY2021. The project total is \$4,200,000.

#5 – East Pinon Hills Boulevard–Phase II – the City of Farmington requested to remove the \$250,000 in CMAQ-Flex funds and replace it with local non-match in FY2017 for project engineering.

Mr. Wakan reported on a recent meeting held with NMDOT to review and address a Corrective Action Plan (CAP). Part of that meeting was to address Phases I and II of Pinon Hills Boulevard and those projects not being fiscally constrained. NMDOT instructed to move both of these Phases into the planning year of the TIP (2020 and 2021); have the City of Farmington provide their bonding capacity to fund these projects to keep them in the existing years of the TIP, or; remove these two phases from the TIP entirely.

Mr. Wakan stated that the City of Farmington did notify the MPO that they wanted to move Phases I and II of the Pinon Hills Boulevard into the planning years; however, the original advertisement was published prior to this notification from the City of Farmington and it did not specify this change. The MPO wants to comply with the CAP and is working to get the TIP fiscally constrained; however, due to this change not allowing the opportunity for public comment as it was not part of the original advertisement, it could not be included as part of Amendment #5.

The Technical Committee recommended approval of TIP Amendment #5 minus Phase VI of US 64 (F100113 – seconded bullet).

Mr. Brasher explained Phase VI of US 64 (F100113) and NMDOT's plan to combine Phases V and VI which would complete the final two phases of the project from milepost 54 to 58 (at Browning Parkway in Farmington). The \$1M change for Phase VI will actually be coming from the statewide design budget and is not new money. Mr. Brasher did not have this information available to him prior to the Technical Committee's consideration, public hearing, or approval of Amendment #5.

Mr. Wakan also added that this \$1M TIP change for Phase VI of US 64 being considered for approval differed significantly from the original advertisement. So, just as the changes to Phases I and II of Pinon Hills Boulevard were rejected for consideration, Phase VI of US 64 was deleted from Amendment #5.

Mr. Wakan referred to the public comments received from Mr. Kent Musgrove on March 4, 2017 that were forwarded to all Policy and Technical Committee members. Mr. Wakan referenced some of Mr. Musgrove's comments and noted that his comments were noted during the public hearing held during the Technical Committee meeting.

Mr. Wakan stated that an out of cycle TIP amendment could be approved by NMDOT and Phases I and II of Pinon Hills Boulevard to comply with the CAP and release the last quarter's reimbursement. This Phase VI of US 64 could be corrected during the upcoming amendment cycle on May 1.

Mr. Brasher offered that if the reason this change was not approved as part of Amendment #5 was the lack of information, could this change now be considered. Mr. Garcia thought the exclusion came because the clarification on the \$1M came after the public hearing had been closed and thus no further public comment could be offered or considered. Mr. Wakan stated the MPO wanted to ensure compliance with the CFR regarding the opportunity to receive public comment, but added that the Policy Committee could choose to take different direction than that recommended by the Technical Committee. The advertisement said "adds \$1M in PE in FY2017". Mr. Brasher noted that this was accurate and the question raised by the Technical Committee was where the \$1M coming from.

Councilor Duckett noted that the advertisement was general in nature and did not specifically mention where the additional \$1M was coming from. He asked what the consequences might be of not approving this project in Amendment #5 and would it simply come up during the next amendment cycle. Mr. Brasher said NMDOT would rather not wait. The advertisement showed that \$1M was going to be added but not necessarily the source of that money. He thought the advertisement was not false and the issue arose with communication from District 5. He asked for the Policy Committee to consider approving this project as part of Amendment #5.

Commissioner Sipe thought that since the project was not being defunded, the additional \$1M was not new money and that approval would not be out of compliance with the CFR, approval should be considered. Councilor Duckett agreed.

Councilor Duckett said, in regard to being more specific about where funds are coming from, he noted that the East Arterial Route showed "local non-match funds". He asked if

more specific information needed to be provided for NMDOT. Mr. Wakan said NMDOT had not instructed him that more information was required. He will ensure that this information is accurately entered into the TIP database. Mr. Brasher added that he was not aware of any issues with this project's changes.

Councilor Duckett said that NM 173 was in dire need of attention and asked for an update to that planned safety improvement project now being delayed until 2023. Mr. Wakan said there were line of sight and shoulder issues that were to be addressed. Mr. Brasher added that the project began with improvements to 1.5 miles of the roadway which was then expanded to three miles. NMDOT hoped to pay for these improvements with HSIP funding; however, the safety committee met and said the project did not qualify for HSIP funds. The project will be done but not with HSHIP funding. Additionally there were issues over responsibility for the relocation of gas and water lines along the route.

Councilor Duckett recognized City of Aztec Mayor, Sally Burbridge who asked to speak. Mayor Burbridge asked if there had been any discussions about the safety project on NM 173 and the installation of a signal at its intersection with US 550. This intersection has become more dangerous with the construction of the retail facility on the south side of US 550 at that intersection. Mr. Brasher replied that he did not know if a signal study had been conducted or if a signal might be warranted. He said the NM 173 project was to tackle as many miles as possible for the project. Commissioner Sipe added that once the East Arterial route is completed, all that traffic will exit at this same intersection as well. Mr. Brasher said he would see if a signal warrant study had been conducted and take another look at the intersection issues.

Councilor Duckett stated that he was in favor of approving Amendment #5 as written. He asked if there was any further comment from the floor on this Amendment. Besides the e-mail comments provided on March 4, 2017 by Mr. Kent Musgrove, no other public comments were received.

ACTION: Commissioner Sipe moved to approve Amendment #5 to the FFY2016-2021 Transportation Improvement Program (TIP). Mr. Brasher seconded the motion. The motion was passed unanimously.

Mr. Duncan then moved to approve the self-certification to the FFY2016-2021 Transportation Improvement Program (TIP). Commissioner Sipe seconded the motion. The motion was approved unanimously.

3. BUSINESS FROM THE CHAIRMAN, MEMBERS AND STAFF

Commissioner Sipe requested that a copy of the Joint Powers Agreement (JPA) be provided to each of the Policy Committee members. She thought it was important for this document to be periodically reviewed and edited, and asked that it be sent in a format to allow for editing by the members. Commissioner Sipe thought that several items had been raised at recent meetings that would benefit from a review of the JPA. There was consensus from the Policy Committee members on receiving an editable copy of the JPA and discussion of any recommended revisions would be had at a later meeting.

Mr. Brasher reported that he planned to prepare a draft maintenance agreement for the City of Aztec to be reimbursed by NMDOT for addressing road conditions, cleaning of drop inlets, sweeping, plowing, striping, and other along US 550 and US 516 routes through the city. Mr. Brasher will customize an agreement for the City of Aztec to review and consider. He could not promise that any agreement would be reached.

Everyone wished Duane Wakan the best with his move to Boise, Idaho. Mr. Brasher said that he recognized the passion and effort put into the Complete Streets Design Guidelines and said that a great guide for the MPO had been produced. Mr. Wakan said it had been a pleasure to serve the Policy Committee members and he wished the best for the FMPO.

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

4. BUSINESS/PUBLIC COMMENT FROM THE FLOOR

There was no business or public comment on any issue not on the agenda from the Floor

5. ADJOURNMENT

Councilor Duckett adjourned the meeting at 2:15 p.m.



Councilor Duckett, Chair



June Markle, Administrative Assistant