

MINUTES
FARMINGTON METROPOLITAN PLANNING ORGANIZATION
SPECIAL POLICY COMMITTEE MEETING
July 19, 2017

Policy Members Present:

Sherri Sipe, City of Aztec
Eric Strahl (Alt), 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:

Mary Holton, MPO Officer
June Markle, MPO Administrative Assistant

Staff Absent:

Derrick Garcia, Associate Planner

Others Present:

Julie Baird, Assistant City Manager, City of
Farmington
Jessica Griffin, NMDOT, Planning Division
Rosa Kozub, NMDOT Liaison
Jeff Kiely, Executive Director, NWNMCOG
Fran Fillerup, Technical Committee Chair, San
Juan County

1. CALL TO ORDER

Councilor Duckett called the meeting to order at 1:38 p.m.

**2. APPROVE THE MINUTES FROM THE JUNE 14, 2017 POLICY COMMITTEE
SPECIAL MEETING**

Mr. Duncan moved to approve the minutes from the June 14, 2017 Policy Committee meeting. Commissioner Sipe seconded the motion. The motion was approved unanimously.

3. FFY2018-2023 TIP UPDATE

Subject:	FFY2018-2023 TIP Update
Prepared by:	Derrick Garcia, Associate Planner
Date:	July 5, 2017

BACKGROUND

- On July 2, 2017 the Farmington MPO advertised the update to the FFY2018-2023 Transportation Improvement Program (TIP).
- The update involves several projects in the TIP as described in the attached notice.
- During the Two Year Update of the TIP and STIP the NMDOT S/TIP Procedures Manual allows for changes /updates to be made between June 30th and August 15th.
- NMDOT has requested a change be made to two of their projects (F100112 and F100113).
- The Technical Committee reviewed NMDOT's proposed changes during their July 12, 2017 meeting and recommended to Policy Committee that the changes be adopted.

AMENDED TIP PROJECTS

- Below is the list of projects seeking an update. For more details about each specific update please see the attached material.
 - F100112 (NMDOT) US 64 Phase V
 - F100113 (NMDOT) US 64 Phase VI
- This update can be viewed on the MPO website at: <http://www.fmtn.org/DocumentCenter/View/14212>

FUTURE WORK

- Upon Policy Committee approval, update TIP Database and deliver to NMDOT.

ACTION ITEMS

- Open a public hearing on TIP Update.
- Staff and Technical Committee recommends the Policy Committee consider approval of the Update to the FFY2018-2023 Transportation Improvement Program (TIP), PC Resolution 2017-4, and the Self-Certification for the FFY2018-2023 TIP.

DISCUSSION: Ms. Holton reported that most of the FFY2018-2023 Transportation Improvement Program (TIP) was approved in June except for two recent project changes. These changes were to add funding to Phases V and VI of the US64 project and were requested by District 5 and the STIP Coordinator. Changes to this new TIP are allowed up until mid-August.

Ms. Holton stated that PC Resolution 2017-4 captures the entire TIP as well as the changes being discussed today. The Technical Committee recommended approval at their meeting on July 12.

Councilor Duckett opened the public hearing on the changes to the FFY2018-2023 TIP. Receiving no public comments, Councilor Duckett closed the public hearing.

ACTION: Commissioner Sipe moved to approve the Update to the FFY2018-2023 Transportation Improvement Program (TIP), PC Resolution 2017-4, and the Self-

Certification for the FFY2018-2023 TIP. Mr. Duncan seconded the motion. The motion was passed unanimously.

4. LETTER TO NMDOT REQUESTING FMPO INPUT INTO DISTRICT 5 PROJECT PRIORITIZATION PROCESS

Subject:	Letter to NMDOT Requesting FMPO Input into District 5 Project Prioritization Process
Prepared By:	Mary Holton
Date:	July 10, 2017

DISCUSSION ITEMS

The Technical Committee has requested for the Policy Committee to send a letter to the Deputy Secretary Anthony Lujan and Chief Engineer Armando Armendariz requesting that FMPO be permitted to participate and provide input into the prioritization process of District 5 prior to the setting of priorities by the District. The Policy Committee is requested to authorize the Chairman to review and sign the letter.

DISCUSSION: Ms. Holton turned this item over to the Technical Committee Chair, Fran Fillerup.

Mr. Fillerup stated that at the last Technical Committee meeting held last week, Staff reported that the outer years of the new FFY2018-2023 TIP are already being worked on NMDOT's District 5. They are identifying projects they want to fund five or six years from now.

The local agencies have repeatedly asked what it took to receive federal and state funding for a local lead agency project such as the East Blanco Bridge in Bloomfield, the East Arterial Route in Aztec, the bridge across the Animas as part of the Pinon Hills Boulevard extension, and the CR5500 Bridge in San Juan County. The entities have asked for information on what funds are available and what programs could fund some of these projects that are not on stated or federal highways. Mr. Fillerup said the understanding by the entities to date is that there is some funding in the Surface Transportation Program (STP) but other funds are off limits and will go to projects on state highways. No additional information has been provided by District 5 representatives and when a project application is submitted (i.e.: request submitted last year for funding for bridge on CR5500), no response is received.

Mr. Fillerup said the local agencies want to know if money is available, how the money is applied for, and do the local projects qualify. The District 5 representatives on the Technical and Policy Committees have been asked these questions and they have said they are not really responsible for setting priorities within District 5 and that it is done at a higher level. When asked about projects being funded, District 5 has said that the information is available when the STIP is posted on the NMDOT website. Mr. Fillerup commented that, at this point, it is too late to have any input into the selection process.

At the Technical Committee meeting on July 12, the Committee was informed that District 5 is already working on programming projects for the outer years of the STIP. Mr. Fillerup said this was disheartening to hear since District 5 knew the local entities were interested in being involved in these discussions even if the funding will be going to state highways. The entities want to know about this and participate in the discussion with District 5 on where the funding is being spent in the MPO area.

The Technical Committee reached consensus on asking the Policy Committee to send a letter to Deputy Secretary Lujan to ask for cooperation from his office to ensure FMPO is invited to participate in STIP project and funding discussions. Mr. Fillerup said that NMDOT representation on the Policy and Technical Committees had been added in 2015 and believed this was a good partnership. Federal language in the CFRs speaks to cooperation and coordination in ongoing planning work. The Technical Committee does not believe this has been happening and wants to achieve this partnership with NMDOT.

Ms. Holton said this recent request by the Technical Committee actually builds on the position taken in PC Resolution 2017-1 that was just adopted earlier this year. The Resolution will be included in the letter to emphasize the MPO's position. Ms. Holton said the letter has not been written yet and Staff will work with Mr. Fillerup on developing the language for the letter before it is presented to the Policy Committee. For this item today, the Policy Committee is being asked to authorize the Policy Committee Chair to sign the final letter.

Commissioner Sipe recommended the use of strong language in the letter to help avoid expensive projects in the region like the widening of US 64. The MPO Committees have frequently discussed their desire to have the US 64 money moved to more regionally significant projects. Ms. Holton said the Policy Committee Chair will review the letter before it is signed.

Councilor Duckett thanked the Technical Committee for bringing this issue forward. He noted the need for collaboration in the planning process, establishing trust, and acknowledging the priorities set by the MPO.

The Policy Committee gave their consensus to Staff to move forward with drafting this letter and then to allow Chairman Duckett to sign the letter.

5. NMDOT REPORTS

District 5 – Paul Brasher

Mr. Brasher reported that the last two phases of the US 64 project are coming up. Phase V (F100112) is basically ready to go and, with some economy to be gained and less anticipated inconvenience to drivers, NMDOT has decided to combine Phase V and Phase VI (F100113). Phase VI is currently in the design process and District 5 expects the combined package of Phase V and VI going to letting in November at a total anticipated cost of \$31,000,000-\$32,000,000. Over the next few years, District 5 plans to work on a 22-mile stretch of US 64 between Shiprock and the Arizona state line.

Work on NM 170 from CR 574 to the Colorado state line is expected to begin next year following the launch of the final phases of US 64. Due to increased mining activity in Colorado, many heavy trucks are moving through New Mexico to reach the railhead in Gallup.

Commissioner Sipe asked about the project on NM 173. Mr. Brasher explained that District 5 thought there would be HSIP funding available for this project. Unfortunately, the project was not determined to be as much of a safety project as originally thought. Mr. Brasher said the project was deemed to be more of a reconstruction or expansion project than normally seen for a safety project. Additionally, there were complications with relocation of a water line as well as some differing opinions on who would be responsible for moving a gas line that was in the way of the project. The project is still planned for the future.

Planning Bureau – Rosa Kozub

Ms. Kozub reported on two personnel changes in the Planning Bureau:

- Shannon Glendenning named as the Recreational Trails Coordinator;
- Wade Patterson named as the Interim TAP Coordinator.

6. COMMITTEE MEMBER DISCUSSION ITEMS

Subject:	Committee Member Discussion Items
Date:	July 10, 2017

DISCUSSION ITEMS

There were no items brought forward by Policy Committee members for this meeting.

7. INFORMATION ITEMS

Subject:	Information Items
Prepared by:	Mary Holton, AICP, MPO Officer
Date:	July 1, 2017

INFORMATION ITEMS

- a. **Staff Training.** STIP Procedures Update Meeting. Mary Holton and Derrick Garcia attended NMDOT training and updates on the STIP procedures in Albuquerque on June 30.
- b. **Metropolitan Transportation Plan (MTP).** Derrick Garcia is currently working with members of the Tech Committee on potential updates to Chapters 4, 5, and 9 of the 2040 MTP.

DISCUSSION: Ms. Holton mentioned the updated new committee member packets that were made available to all Policy and Technical Committee members and alternates. Actual training for the new committee members will be forthcoming in the near future.

Mr. Garcia and Ms. Holton attended the STIP Procedures Update Meeting on June 30. A draft of the new procedures was provided with the agenda and once the final version is made available by NMDOT that will be distributed to all Policy and Technical Committee members. Staff will present training for the Technical Committee members on the new procedures and a briefing on the training will be provided to the Policy Committee. The new information is expected to be released at any time and will become effective on October 1.

Mr. Garcia has begun working with the Technical Committee to update Chapters 4, 5, and 9 of the 2040 MTP. He will be meeting one-on-one with the Technical Committee members to get their input on changes to these chapters. An amendment to the 2040 MTP may not be ready for consideration until October or November.

8. DISCUSSION/DIRECTION: PROPOSED NEW JOINT POWERS AGREEMENT AND COMMITTEE BYLAWS & OPERATING PROCEDURES

Subject:	Discussion/Direction: Proposed New Joint Powers Agreement and Committee Bylaws & Operating Procedures
Presented By:	Julie Baird, Farmington Assistant City Manager
Date:	July 10, 2017

DISCUSSION ITEM

The following is the discussion/direction on the proposed new JPA, the Committee Bylaws, and the change in fiscal agency between the Policy Committee members, Ms. Julie Baird, Assistant City Manager for Farmington, Mr. Jeff Kiely, Executive Director for the NWNMCOG, and others present at the meeting:

- Continue discussions on the proposed fiscal agency change and proposed changes to the JPA and Committee Bylaws;
- Review NWNMCOG proposal;
- Discuss and seek Policy Committee agreement to revising the date of changeover from October 1 to January 1;
 - October 1 is the beginning of federal fiscal year, but January 1, 2018 is more feasible
 - COG concurs with this delay in transition
 - City of Farmington is prepared to continue as fiscal agent until the process is completed
 - Explore with COG a hiring process to fill MPO Planner vacancy
- COG anticipates making no radical changes in how the MPO operates or in Staff support;
- Reviewing how a COG will interact with the MPO committees, staff, and NMDOT;
- Some COGs do run MPOs;
 - COGs are typically not as big as municipal or county governments
 - Floating MPO expenses until they are reimbursed is a consideration

- Met with Pinnacle Bank and have agreed in principal to establish a line of credit mechanism to covers a quarter's worth of MPO expenses and be able to pay bills as expenses come in
- NWNMCOG does own their own building and this asset allows for private market financing to help cover MPO expenses until state reimbursement received
- Staffing differences from municipal government to a COG staffing structure:
 - Met with current MPO staff in June; anticipate making no radical changes
 - How to handle MPO Planner vacancy
 - COG could hire that person in consultation with Policy Committee and then lend that position back to the MPO and the City of Farmington until transition finalized
 - COG is not a red-tape organization and would want to work with MPO staff in the same manner either in person or via Skype
 - The current office space would continue to be available for the MPO and there is also enough space for COG staff to meet and work out of when they are here
 - Have not reviewed the pay classification/charts as yet; may require a special classification category the COG has not used in some time; this would allow for a higher level of pay then the COG would typically pay
- COG is working with Planning Bureau to ensure the transition is feasible and that all the protocols and staff are in place

Questions

- When does a decision need to be made that this transition is the direction that is desired?

This decision to continue with the transition discussions needs to be made sooner rather than later. Reviewing the JPA and Bylaws offers the opportunity to look at some of the things that might change with this transition. What other information might be needed by the Policy Committee in order to be comfortable in make a vote to proceed.

Councilor Duckett said he was confident based on what has been presented that the City of Farmington, the COG, and NMDOT believe this is a good plan. He noted that having a new fiscal agent gives all the entities a more equitable place at the table. Councilor Duckett said he also did not see an issue with moving the transition to January 1, 2018. It was agreed to go forward with the January 1 transition date.

- How do the entities pay the local match?

The entities are billed at the end of each quarter. The City of Farmington as the current fiscal agent fronts the money and they and NMDOT are billed at the end of each quarter.

- Could the entities pay their local match percentage up front?

This could be done based on an anticipated required match amount. The anticipated annual required match is provided to the committee members when the MPO budget is presented so they can then provide that information to their entity finance directors. This proposal has been incorporated into the draft JPA.

- Is the town of Kirtland allowed to join the MPO since they have not reached 1,500 yet?

Not sure of this. It will have to be researched.

- What would be the cost for the town of Kirtland if they were able to join?

No cost projections have been done, but the JPA proposes a 1% local match which is based on the proportion of Kirtland population within the MPO, but this is negotiable. Extending the transition to January 2018 will allow additional time for these types of issues to be resolved. Additionally, the MPO can provide some historical data on what local matches have been in the past.

- Would the MPO Planner be assigned exclusively to the MPO?

Yes. Both the MPO Planner and the Associate Planner positions would be dedicated to the MPO just as they have been in the past.

- Who would these positions take their assignments from?

The supervisory/administration relationship for the MPO Staff would be with the COG. The exact relationship would need to be worked out, but priorities set by the Technical or Policy Committees would be respected by the COG. MPO Staff would be part of the overall COG team, but they would not be siphoned off to work on COG issues. Additionally, the MPO Officer would be the liaison with the Policy Committee.

- If the entities paid their local match up front would it be done quarterly?

To the extent feasible, each entity could pay their anticipated local match annually or semi-annually. The funds from each would be spent down throughout the year and any excess credited forward or refunded to the entity at the end of the year. The COG would appreciate having some operating funds in the bank while waiting for reimbursement from NMDOT.

- How many planners does the COG have and could those planners help the MPO if needed?

The COG has four staff planners plus the Deputy Director. Yes, the COG is looking at this changeover as a win/win. Technical expertise and/or experience can be shared among COG and MPO staff. Transportation does not exist in a vacuum and many other planning issues affect transportation planning. It is essential to have a good exchange of information and ideas to feed into the overall process.

- Would the MPO Staff remain in the Farmington area?

The City of Farmington has indicated that the current MPO office area could be made available.

- The role of an MPO Officer is vital and there is value to having that person manage/oversee the MPO. Would this role be included in the proposal? Don't

most of the other MPOs have three staff – MPO Officer, MPO Planner, and Associate Planner?

The number of staff varies based on the size of the MPO which directly relates to their population and to their budget. The state receives an apportionment of PL funds from the federal government and that money is distributed to each MPO using a formula that is negotiated together with all the MPOs. FMPO's budget for the past three years has been approximately \$230,000-\$240,000 and there have been times when this entire budget has not been spent by FMPO. The only ways to receive more funding for additional staff would be through negotiation with the other MPOs or having the entities increase their match amount to fund additional positions.

The JPAs from Santa Fe and Mesilla Valley were used as examples in drafting the new FMPO JPA. Mayor Burbidge of Aztec wants to see a stronger MPO Officer, someone involved in the day-to-day activities. Work would be given to the MPO Officer who would then delegate the workload to the other MPO Staff and be responsible for overseeing that work. The MPO Officer would be the liaison with the Policy and Technical Committees. The MPO Officer position has been funded by the City of Farmington and not by the MPO.

The draft JPA is also written so that all the MPO entities would contract with the COG to manage the MPO for the Policy Committee, but the Policy Committee would still set the policies and govern the MPO.

In the past when hiring planners for the RTPO, the COG has gotten highly trained, academically strong planners who are not oriented to the administrative or supervisory mindset. The COG would plan work with the Policy Committee to hire a strong professional Senior Planner for the MPO who might also have the needed managerial and supervisory skills. The COG administration would ensure these duties were performed and be directly involved in the process.

- Would the JPA need to be reworked if it is determined the Senior Planner could also perform the MPO Officer duties?

No, the duties would be combined. The JPA is written with a level of flexibility and to allow for whatever works best for the COG and the Policy Committee.

- What would the consequences be to the COG if the NMDOT reimbursement cannot be made in a timely manner? Can the COG's line of credit be used for a longer period than might be anticipated?

The COG would need to discuss this with the bank and structure the line of credit to be able to deal with this possibility. A separate bank account will be established for the MPO, but the line of credit could be combined for both the COG and the MPO. The potential of having to extend the line of credit past three months will need to be discussed with the bank as well as the COG Board.

The COG Board is encouraged and has told Mr. Kiely to continue moving forward to see about making the transition happen. The next Board meeting is on August 2 and they will be provided with an update and their continued agreement will be sought.

- What would be the relationship between the COG Board and the MPO Policy Committee?

There would be a dotted line between the two boards for communication purposes. The COG Board would be involved with a resolution of conflicts, but they would not be involved in administrative or overseeing of policies.

- How will the hiring of personnel be handled? Will this be done by the COG and will they be COG employees?

The hiring will be done by the COG. Hiring decisions could be in consultation with the Policy Committee but on a more informal basis. The COG will manage the MPO, but the Policy Committee would continue to govern it. The day-to-day hiring/firing decisions would be handled by the COG. Although not done in the past, input from the MPO Committees could be sought when hiring a transportation planner.

- Whom would staff go to for legal counsel/advice?

Legal counsel would be provided by the COG as well as the other services that the City of Farmington has absorbed in the past. Ms. Holton and the City of Farmington are working to identify and gather the costs for the non-allocated services for consideration by the COG.

- Will the MPO Committees (or at least some members of the Committees) be given more input into the interview and hiring process for MPO planners?

The COG is amenable to that. They would welcome participation and advice from the Policy Committee, but would want it understood that they would not have direct managerial input to staff. Ms. Holton said that verbiage on staffing to clarify this could be included in the Bylaws.

- How would the MPO and the COG be differentiated? Who would be the liaison between the two agencies?

Mr. Kiely is the Executive Director of the COG and would participate directly with the MPO and would work with the MPO Officer.

- If a yearly local entity match is decided upon, what would be the timeline for the match?

This would likely be done at the beginning of the federal fiscal year. With the transfer of fiscal agency happening on January 1, the match could be a nine month match, followed on October 1 with a full twelve month match. The COG operates on a fiscal year whereas the RTPO (and MPO) operate on the federal fiscal year.

- Could a more frequent review of the MPO budget be provided?

The MPO budget is currently reviewed with the Committees in April and May prior to when the City of Farmington sets their budget in July for the coming fiscal year. Updates are also provided along with the UPWP. The COG would have no problem with provided a quarterly update.

- Will there be a budget for an MPO vehicle and for travel by MPO planning staff?

The COG does not propose any radical operational changes. The current MPO vehicle was funded by the grant and would need to stay with the MPO. Money is budgeted for allowable training and travel and funding for this will stay in the MPO budget even after the transition. PL funds can only be used for MPO functions. All hours submitted for reimbursement will be MPO hours and all expenses must be eligible for reimbursement per PL guidelines.

Ms. Holton asked the Policy Committee members to review the JPA and the Committee Bylaws and let her or Ms. Baird know of any changes or questions they may have. Once the documents have been agreed on they will be presented to the Technical Committee for their consideration and then they will come back to the Policy Committee to seek adoption. The revised documents will also require a 30-day legal noticing followed by presentation to each of the Councils and Commissions for approval and signatures. Mr. Kiely will also have to present the final documents to the COG Board for review and approval.

9. BUSINESS FROM THE CHAIRMAN, MEMBERS AND STAFF

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

10. PUBLIC COMMENT ON ANY ISSUES NOT ON THE AGENDA MP

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

11. ADJOURNMENT

Commissioner Sipe moved to adjourn the meeting. Mr. Duncan seconded the motion. The motion was passed unanimously and Councilor Duckett adjourned the meeting at 3:05 p.m.


Councilor Duckett, Chair


June Markle, Administrative Assistant