

MINUTES
FARMINGTON METROPOLITAN PLANNING ORGANIZATION
TECHNICAL COMMITTEE MEETING
September 13, 2017

Technical Members Present:

Bill Watson, City of Aztec
Cindy Lopez, City of Farmington
David Sypher, City of Farmington
Paul Brasher, NMDOT District 5
Fran Fillerup, San Juan County

Technical Members Absent:

Jason Thomas, City of Bloomfield
Andrew Montoya, Red Apple Transit Manager

Staff Present:

Mary Holton, MPO Officer
Derrick Garcia, MPO Associate Planner
June Markle, MPO Administrative Assistant

Staff Absent:

None

Others Present:

Taylor Clem, City of Farmington
Somie Chavez, FMPO Planning Liaison, NMDOT
Terri Kennedy, Citizen
Larry Hathaway, San Juan County

1. CALL TO ORDER

Mr. Fillerup called the meeting to order at 10:06 a.m.

2. APPROVE THE MINUTES FROM THE AUGUST 9, 2017 TECHNICAL COMMITTEE MEETING

Ms. C. Lopez moved to approve the minutes from the August 9, 2017 Technical Committee meeting. Mr. Sypher seconded the motion. The motion was passed unanimously.

3. PROPOSED TITLE VI PLAN

Subject:	Proposed Title VI Plan
Prepared by:	Mary L Holton, AICP, MPO Officer
Date:	September 13, 2017

BACKGROUND

- The current Title VI was adopted on June 20, 2013.

CURRENT WORK

- The update is due by October 1, 2017, in accordance with the NMDOT Policy & Procedures Manual (PPM).

ACTION ITEM

- The Technical Committee is asked to consider their recommendation to the Policy Committee.

DISCUSSION: Ms. Holton reported that the current draft of the FMPO Title VI Plan. Pages 2-3 of the Agenda show the comments from Mr. Tom Swenk. Mr. Swenk is the City of Farmington's Human Resource Director as well as the Title VI Director for the City and the MPO. One comment from Mr. Swenk was to consider inserting the word "relevant" in a section of the Public Participation Plan section, but adding this word then requires that it be defined. The addition of this word was determined to be unneeded and the draft was not changed.

Ms. Holton said there have been no recent changes since the document was distributed to the Committee last month, but the update should be considered a new document from the previous document from 2013. Ms. Holton stated that several models were used to develop this current FMPO document, such as the City of Farmington's current Title VI Plan and the model in the NMDOT's Policy & Procedures Manual (PPM).

The section in the Plan on reporting a complaint will need to be updated should the NWNMCOG take over as the fiscal agent for the MPO as they would then also become the agency to which any complaint would be reported.

Mr. Fillerup opened the public hearing on the Title VI Plan Update. There were no comments received from those attending the meeting. Mr. Fillerup closed the public hearing.

Ms. C. Lopez moved to recommend approval of the Title VI Plan Update. Mr. Sypher seconded the motion.

AYE: Chair Fillerup, Committee Members Sypher, C. Lopez, Brasher.

NAY: None

Abstained: Committee Member Watson

Absent: Committee Members Thomas and Montoya

4. STATUS OF TIP PROJECTS

Subject:	Status of TIP Projects
Prepared by:	Derrick Garcia, MPO Associate Planner
Date:	September 5, 2017

BACKGROUND

- The STIP Protocols, finalized in early 2014, indicate that each MPO shall develop a process to monitor the progress and status of each project in the first two years of the TIP. These monthly reviews help correct inconsistencies in the TIP, STIP, the MPO's MTP, Agreement Request Forms (ARFs), etc.

TRACKING INFORMATION (2016-2021 TIP)

- | | |
|--|--|
| <ul style="list-style-type: none">▪ Local Agreement Status (ARF)▪ ROW Certification▪ Design Completion 30 - 60 - 90%▪ Environmental Certification▪ Utilities Certification▪ Railroad Certification▪ Archeology Certification | <ul style="list-style-type: none">▪ ITS/Sys ENG Certification▪ Public Involvement Certification |
|--|--|

EXISTING PROJECTS IN FFY2016-2021 TIP

- East Arterial Route, Phase II (F100091)
- East Pinon Hills Boulevard Extension Phase I (F100100)
- East Pinon Hills Boulevard Extension Phase II (F100101)
- East Pinon Hills Boulevard Extension Phase III (F100021)
- US 64 Phase V (F100112)
- US 64 Phase VI (F100113)
- CR 350/390 Intersection (F100210)
- Kirtland Schools Walk Path System (F100270)
- 20th Street Phase III (F100132)
- Foothills Drive Enhancements Phase II (F10099)
- Downtown Complete Streets Project (F10040)
- Anesi Trail (F100221)
- Glade Run Recreation Area Trails (F100240)
- NM 173 (F100170)
- Red Apple Transit Capital/Operating (TF00001)

DISCUSSION ITEM

- This is a discussion item only. Committee members will have an opportunity to provide feedback regarding TIP project status and details.

DISCUSSION: Mr. Garcia asked the Technical Committee members for their project updates:

East Arterial Route

Mr. Watson stated that progress on the Aztec Arterial is moving forward. There have been some funding issues and risk with about 40% of the project that is to be coming from the state legislature in severance tax funds. All the BLM land has been cleared and the 10-acre parcel that was previously the landfill has been captured and now belongs to the City of Aztec.

One parcel from the state land office is being worked through. There is an issue with the private land acquisition as the owner does not have clear title to three parcels. The City of Aztec is working through an attorney on this issue and pursuing both donations and the appraisal process to obtain the needed right-of-way.

Mr. Watson said an agreement had been reached with Armando Armendariz to move the federal funding to FY2018; however, without the severance tax money, the project is in jeopardy.

Mr. Watson added that the private land owner has obtained counsel from a development engineer which has now complicated the acquisition process. The City of Aztec is working with the NMDOT's right-of-way division and they are looking at donation vs. appraisal and payment for the property vs. condemnation. Mr. Watson reported that the City of Aztec is still working toward a December/January bid date.

East Pinon Hills Boulevard - Phases I and II

There were no updates on these projects.

East Pinon Hills Boulevard - Phase III

There was no update on this project.

US 64 - Phases V and VI

Mr. Brasher reported that Phases V and VI of US 64 are in design. NMDOT expects to go to production and final plans in November. There have been some difficulties with rights-of-way and a technical issue with drainage. NMDOT plans to go out to bid in the spring of 2018. Following completion of these two phases, NMDOT plans to continue work on US 64 from the Arizona state line to Shiprock.

CR 350/390 Intersection

Mr. Fillerup reported that this project is in construction.

Kirtland Schools Walk Path

Mr. Fillerup reported that the Kirtland Schools Walk Path has had the 90% review and the agreement has been submitted to NMDOT.

20th Street Phase III

Mr. Sypher stated that is project is in design.

Foothills Drive Enhancements

Mr. Sypher reported that this project is waiting for driveway waiver and then it will proceed to PS&E. Mr. Brasher said the waiver would be addressed at a meeting on Friday.

Downtown Complete Streets

Ms. C. Lopez reported that the consultant is working on the design. Additionally, the City of Farmington is looking at potential funding sources that would allow completion of the entire project. The project is moving forward with the 30% for Phases II and III and the full design for Phase I.

Mr. Garcia mentioned the possibility of applying for a TIGER Grant for this project.

Glade Run Recreation Area

Mr. Fillerup stated that San Juan County would apply for the design and construction cooperative agreement in October.

NM 173

Mr. Brasher stated that this project is currently in the outer years of the STIP due to funding issues as well as the relocation of gas and water lines. The contractor is

working on finishing up the plans so the project is shelf ready when funding does become available.

Mr. Watson said the City of Aztec was recently contacted by NMDOT's utility section and there is an inter-agency agreement for the relocation of the water line. Mr. Watson responded to NMDOT indicating the City of Aztec's position.

5. MPO OVERVIEW - MPO 101

Subject:	MPO Overview - MPO 101
Prepared by:	Derrick Garcia, MPO Associate Planner
Date:	August 30, 2017

BACKGROUND

- The MPO Overview is part of the new Committee Member Information/Training Manual.
- The MPO 101 PowerPoint will be used as part of new Committee Member Training as well as for engaging and informing the public about the FMPO.

DISCUSSION ITEM

- This is a discussion item only. Committee members will have an opportunity to provide feedback.

DISCUSSION: Mr. Garcia stated that the MPO 101 is a quick overview and introduction to the MPO for newly appointed committee members as well as for the public. Mr. Garcia gave the presentation to the Technical Committee. They asked questions during the presentation and provided their recommendations and feedback (shown below):

What is an MPO?

- Required in Urbanized Areas with 50,000+ people
- Regulated by Federal Legislation that regulates the US Department of Transportation (DOT).
- Federally funded by US DOT.
- A *regional* transportation policy-making and planning body.
- Responsible for regional transportation planning and coordination.
- Federal Regulations mandate that Federal spending on transportation occurs through the "3 C's" Process.
 - Comprehensive
 - Cooperative
 - Continuing

It was explained that, although regulated by Federal legislation, the actual direction to the MPO comes through NMDOT and not Federal Highway Administration (FHWA).

Why an MPO?

- Transportation investment means allocating scarce transportation funding resources appropriately.

- Planning needs to reflect the region's shared vision for its future.
- Requires a comprehensive examination of the region's future investment alternatives.
- As a regional forum, the MPO facilitates collaboration of governments, interested parties, and residents.

Farmington MPO

- MPO was founded in 2004.
- 2015 population of approximately 104,000 people.
- City of Farmington is the MPO's "fiscal agent" a.k.a. the host.
- Member Entities - Joint Powers Agreement (JPA) between:
 - Aztec
 - Bloomfield
 - Farmington
 - San Juan County
- **Vision Statement:** The FMPO vision is for a safe, efficient, and reliable multi-modal transportation system that meets the needs of residents and visitors in the region.
- **Mission Statement:** Provide a forum to develop an effective transportation system to move people and goods safely, economically, and effectively while maintaining a high quality of life.

It was explained that NMDOT is not a member or a signatory of the JPA. The JPA is approved through NMDOT's Department of Finance and Administration (DFA) and, once signed by the DFA, NMDOT is to respect the document. The contract for the grant funding is between the MPO and NMDOT.

Mr. Brasher asked how the boundary map might change if any of the entities were to annex additional land. Ms. Holton replied that the map shows the MPO's current Metropolitan Planning Area (MPA). Any update to the MPA would be addressed in the 2020 Census.

The Technical Committee made several recommendations for updates/changes to the MPO boundary map shown on this slide.

FMPO Partners

- Farmington MPO (Government bodies and the public)
 - City of Aztec
 - City of Bloomfield
 - City of Farmington
 - San Juan County
 - New Mexico Department of Transportation
- Federal Highway Administration (FHWA)
- Federal Transit Administration (FTA)
- Local Transit Providers
 - Red Apple Transit

Mr. Fillerup asked about the inclusion of Navajo Transit as one of the local transit providers since they do come into the area or make connections in the area.

FMPO Structure

Policy Committee

- 6 member body of elected & appointed officials.
- Final decision maker for all MPO issues.

- “The MPO”

Technical Committee

- 7 member body with professional expertise in transportation.
- Represent MPO Member Entities
- Serves as an advisory body to the MPO Policy Committee for transportation issues, primarily technical in nature.
- Assists/provides direction in the development of all MPO deliverables.
- Usually comprised of staff-level officials of local, state, and federal agencies.

Staff (4 Staff Members) *MPO Officer, MPO Planner, MPO Associate Planner, Administrative Assistant.*

Required Planning Documents

- Metropolitan Transportation Plan (MTP)
 - Outlines Region’s transportation system investment priorities and long-range plans.
 - Mechanism for conveying all transportation related goals and projects in a twenty-year horizon.
- Transportation Improvement Program (TIP)
 - Short-term funding document that lists programmed (obligated) projects.
 - Any *funded* transportation project that involves Federal funding or is deemed “Regionally Significant” is required to be in TIP/MTP.
- Unified Planning Work Program (UPWP)
 - Lists studies & tasks to be performed by MPO Staff - operates on a two-year (Federal Fiscal Year) basis.
- Public Participation Plan (PPP)
 - Lays out processes, strategies, and responsibilities for ensuring public input and education.
 - Lists public comment periods for MPO activities that require Policy Committee action.

The Technical Committee discussed the use of the word “or” in the second item under the TIP bullet shown above. They thought the word “or” should be changed to “and”.

The term “regionally significant” shown in this bullet is defined by FHWA and that definition is in the CFRs.

MTP

- Must have a Planning Horizon of at least 20 years
- Updated Every 5-Years
 - Current MTP: 2040. Update to 2045 will begin late 2018/early 2019.
- Plans for all modes of transportation within the region
- Provides a Prioritized Listing of Projects
- All projects funded with federal highway funds **MUST** be consistent with MTP
- Developed with extensive public involvement

TIP

- Includes all federally funded projects and regionally significant projects regardless of funding source
- All projects must be consistent with the MTP
- Covers four fiscally constrained years and two informational years
- Updated every two years in coordination with NMDOT
- Projects recommended by Technical Committee; final approval by Policy Committee

It was noted that NMDOT is working on providing a better and more consistent definition for the words "planning" and/or "informational" years.

Mr. Sypher said he thought there was a caveat that approval by the Policy Committee did not necessarily mean that the state would adopt the TIP. The state could require that funding proof be provided by an entity and, although the entity should be notified of this requirement to provide proof, in the last cycle this did not happen with a City of Farmington project. He thought that "regional significance" and requiring a verification of funding be clarified in the explanation of the TIP process.

Mr. Brasher thought it important to add a reference on the presentation slides to encourage the reader to view the appropriate CFRs in order to gain further clarification on definitions and federal and state requirements.

Mr. Watson stated that he was confused by the phrase "regardless of funding source" shown in the first bullet under the TIP section. He asked if a project is totally funded by the local entity must it still be listed in the TIP. Mr. Garcia explained that having it listed in the TIP was an incentive for receiving potential future matching federal funding. Mr. Watson expressed concern about a project that is totally funded by the local entity theoretically being rejected by the Technical Committee for inclusion in the TIP. It was explained that the first bullet under the TIP section could be clarified to read, "...if a future funding source is desired".

Mr. Garcia said he would re-write the statements on this slide to better clarify the meaning of "regionally significant", "regardless of funding source", and add a footnote to encourage a review of the appropriate CFRs.

TIP Roles & Process - 23 CFR

- (§450.324) - In developing the TIP, the MPO, State(s), and public transportation operator(s) shall cooperatively develop estimates of funds that are reasonably expected to be available to support TIP implementation
- (§450.326) - After approval by the MPO and Governor, the TIP shall be included without change, directly or by reference, in the STIP
- (§450.330) Project selection from the TIP:
 - Once a TIP has been approved, the first year of the TIP shall constitute an "agreed to" list for project selection, unless appropriated Federal funds are significantly less than the authorized amounts or where there is significant shifting of projects between years
 - In non-TMAs, projects using Title 23 USC funds or funds from Title 49 USC Chapter 53, shall be selected by the State and/or public transportation operator in cooperation with the MPO from the approved TIP

The members discussed projects identified by the MPO being included on the TIP and, perhaps, those same projects then not being approved by NMDOT for inclusion in the STIP. The reverse of this was also discussed where NMDOT wants a project listed on the TIP that the MPO is not in agreement with. The CFR states that the TIP shall be included without change. Mr. Watson reiterated his concern regarding a locally funded project being rejected by the MPO for inclusion on the TIP based on the TIP definition above says that the TIP, "Includes all federally funded projects and regionally significant projects regardless of funding source". Mr. Fillerup stated all the questions and concerns were of interest, but asked if the members could agree that since there

is no pending issue as Mr. Watson described, could this be clarified with further discussion of CFR450.326 at a future meeting.

Mr. Sypher asked that the wording in the statement below be clarified because he did not believe that it was actually the Governor who approved the TIP, rather that this was the function of the Transportation Commission:

- (\$450.326) - After approval by the MPO and Governor, the TIP *shall* be included without change, directly or by reference, in the STIP

UPWP

- Listing of tasks to be completed by MPO; includes costs and funding sources
- New UPWP approved every two federal fiscal years
- Follows the approved Planning Procedures Manual
- Used to evaluate MPO performance
- MPO Staff provides quarterly progress reports and Annual Performance and Expenditure Report to NMDOT and FHWA

There was discussion on whether there was any reporting to or direct response from FHWA to the MPO. All MPO reporting is provided to NMDOT who, in turn, provides all necessary documentation to FHWA.

MPO Product Comparison

<u>Task</u>	<u>Time Horizon</u>	<u>Update Required</u>
UPWP	2 years	2 years
TIP	4 years	2 years
MTP	20 years	5 years

There was a recommendation made by Mr. Sypher that the "Update Required" section for the TIP be clarified as it is actually discussed by the committees frequently and is amended at least quarterly. He thought this information was important especially for a new technical committee member to understand.

PPP

- Guides Public Participation Activities
- Encourages active public participation in identifying and commenting on transportation issues, plans, programs, and projects at every stage of the MPO planning process

FMPO Activities

This final slide highlights some of the past and current MPO activities and is focused more toward public information.

6. REPORTS FROM NMDOT

Planning Bureau - Somie Chavez

Ms. Chavez reported on an amendment to rules governing highway and bridge construction. Several workshops on the changes were held in August and a hearing on the changes will be scheduled soon.

FHWA has released a call for applications for 2017 TIGER grants. Webinars regarding the application process are planned for today and 9/19/17 with grant applications due on 10/16/17.

The MPO Quarterly is being hosted by Santa Fe on October 3-4.

District 5 - Paul Brasher

Mr. Brasher reported that NMDOT has a project to design and replace a wood frame bridge on NM 574 located just east of 170. The bridge spans a 100-year flood hazard zone and the project was postponed for a year as NMDOT planned how to accommodate a potential flood under the bridge. This work has been completed and the design drawings are expected by the end of February 2018. Construction on the bridge is planned to begin next summer.

Mr. Fillerup asked if the environmental phase had been initiated. Mr. Brasher stated that it was being done now. Mr. Fillerup said he would be interested in attending the public hearing once that has been scheduled and asked for the environmental review to be a part of the meeting. Mr. Brasher said they are looking into this and how best to accommodate all the residents who live in the area.

Mr. Fillerup asked if the bridge would remain open during construction. Mr. Brasher replied that it did not look like it would be able to remain open during construction as the bridge is too narrow and weak to allow traffic to cross during construction. NMDOT is aware that closing the bridge will create a serious detour, but due to right-of-way width issues, providing a parallel crossing is not feasible.

7. COMMITTEE MEMBER DISCUSSION ITEMS

Subject:	Committee Member Discussion Items
Date:	September 5, 2017

DISCUSSION ITEMS

1. David Sypher: Discussion of maintenance agreements between NMDOT and local entities.

Mr. Sypher shared some of the draft agreements proposed by the City of Farmington for maintenance and signal work throughout the city. One of the drafts was a combined agreement for both signals and maintenance. Unfortunately, NMDOT's attorneys required that these be individual agreements and would not consider a combined agreement.

The City of Farmington as well as the other Technical Committee members present stated they were desirous of having maintenance agreements with NMDOT for work performed by the entities on state roads through the region.

Mr. Sypher recommended holding a meeting or workshop with NMDOT and the entities to work out a preliminary basic agreement that could be used by all and then refined for each individual entity and the roads in that area. Mr. Brasher said he was willing to arrange for individual meetings to begin some initial discussions. He stated that there would likely be others within NMDOT that would need and want to be included in these discussions. Mr. Fillerup agreed that a joint meeting of all the entities and NMDOT was preferred rather than holding four separate meetings. A joint meeting would allow for broader, more inclusive discussions among all the entities interested in developing a maintenance agreement with NMDOT.

Mr. Sypher said he would revise the combined draft agreement and pull out the signal data and only reflect maintenance issues. He would then share it with Mr. Brasher and the other member entities. This document could provide a good starting point for this discussion. Mr. Brasher said he would arrange a meeting in the next several weeks to get these discussions kicked off.

2. Bill Watson: Discussion of East Arterial project.

Mr. Watson said he wanted the record to reflect that the City of Aztec had not requested that NMDOT funding for the East Arterial Route be moved to FY2019. This error (typo) in the current and new TIPs led to some issues with NMDOT, but he believes they have now been resolved.

Mr. Garcia reported that Rebecca Maes informed Mr. Watson as well as the MPO that correcting the date back to FY2018 could be processed by the MPO with an administrative modification once the new FFY2018-2023 is approved. Based on e-mail correspondence between Ms. Maes, Mr. Watson, and the MPO, as well as today's discussion, Mr. Garcia will make the administrative modification today to correct the date to FY2018 on the current TIP and, then once the new STIP has been approved by FHWA, he will also correct the date to FY2018 in the FFY2018-2023 TIP.

8. INFORMATION ITEMS

Subject:	Information Items
Prepared by:	Mary Holton, AICP, MPO Officer and Derrick Garcia, Associate Planner
Date:	August 30, 2017

INFORMATION ITEMS

- a. **Title VI / ADA Transition Plan Compliance.** Each entity needs to ensure they have submitted an approved (by local governing body) a Title VI Plan to NMDOT for review. In addition, each entity must also submit an ADA Policy and/or ADA Transition Plan to NMDOT by December 22, 2017.
- b. **2018 New Mexico State Rail Plan Presentation.** Mr. David Nelson, Rail Planner with NMDOT provided a presentation on the 2018 New Mexico State

Rail Plan at the Policy Committee meeting on August 24. Comments and questions are encouraged and can be sent to: rail.plan@state.nm.us

- c. **Policy Committee Meeting of August 24, 2017.** Attached are the draft minutes from the Policy Committee Meeting held on 8/24/17 and attended by Anthony Lujan, Armando Armendariz, Lawrence Lopez, and Rebecca Maes with NMDOT.
- d. **Update on JPA and Committee Bylaws.** The Policy Committee is continuing their review of the draft JPA and Committee Bylaws. These are expected to be ready for consideration of approval by both committees in October.

DISCUSSION:

- a. This informational item is a reminder from NMDOT to ensure each MPO entity has submitted an approved Title VI Plan to NMDOT as well as providing their ADA Policy and/or ADA Transition Plans to NMDOT by December 22.
- b. At the Policy Committee meeting on August 24, Mr. David Nelson, Rail Planner with NMDOT presented an overview of the state's proposed rail plan. A summary of that presentation is in the draft Policy Committee minutes from that meeting which are included as part of today's agenda (pages 27-43). Comments and questions are encouraged and can be sent to rail.plan@state.nm.us
- c. The Policy Committee on August 24 was attended by Anthony Lujan, Armando Armendariz, Lawrence Lopez, and Rebecca Maes with NMDOT. There was a discussion on the recent letter to NMDOT on the need for transparency sent by the Policy Committee but requested by the Technical Committee.
- d. The Policy Committee agreed to continue discussions with the NWNMCOG on the fiscal agency transition. They also are continuing their review of the JPA and Committee Bylaws which will hopefully be ready for final consideration in October.
- e. TIGER Grant Application information (e-mail sent to Technical Committee members last week):
 - Funded through USDOT
 - \$500 M discretionary grant funded through 2020
 - Projects may not be less than \$5M and not greater than \$25M (rural areas can request a \$1M grant)
 - Webinars on 9/13 and 9/19/17
 - Application deadline is 10/16/17

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

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

11. ADJOURNMENT

Ms. C. Lopez moved to adjourn the meeting. Mr. Watson seconded the motion. The motion was passed unanimously. Mr. Fillerup adjourned the meeting at 12:02 p.m.



Fran Fillerup, Chair



June Markle, Administrative Assistant