

MINUTES
FARMINGTON METROPOLITAN PLANNING ORGANIZATION
POLICY COMMITTEE MEETING
March 13, 2019

Policy Members Present: Sherri Sipe, City of Aztec
Jeanine Bingham-Kelly, City of Farmington
Sean Sharer, City of Farmington
Julie Baird City of Farmington
Dan Flack (Alt.), Town of Kirtland
Larry Hathaway (Alt.), San Juan County

Policy Members Absent: Curtis Lynch, City of Bloomfield
Lawrence Lopez (Alt.), NMDOT
John Beckstead, San Juan County
Glojean Todacheene, San Juan County

Staff Present: Jeff Kiely, Interim MPO Officer
June Markle, MPO Administrative Assistant

Staff Absent: Mary Holton, MPO Officer

Others Present: None

1. CALL TO ORDER

Chair Sharer called the meeting to order at 11:48 a.m.

2. FFY2018-2023 TIP AMENDMENT #6

Subject:	FFY2018-2023 TIP Amendment #6
Prepared by:	Mary L Holton, AICP, MPO Officer
Date:	March 13, 2019

BACKGROUND

- On February 24, 2019 the 15-day public comment period for Amendment #6 to the FFY2018-2023 Transportation Improvement Program (TIP) began and was posted on the MPO's website.
- The Technical Committee forwarded a recommendation of approval of proposed Amendment #6 at their meeting on March 13.

ACTION ITEM

- The Technical Committee and Staff recommend that the Policy Committee consider approval Amendment #6 to the FFY2018-2023 TIP and the Self-Certification for Amendment #6.

APPLICABLE CITATIONS

- § 450.328 TIP revisions and relationship to the STIP.
- (a) An MPO(s) may revise the TIP at any time under procedures agreed to by the cooperating parties consistent with the procedures established in this part for its development and approval. In nonattainment or maintenance areas for transportation-related pollutants, if a TIP amendment involves non-exempt projects (per 40 CFR part 93), or is replaced with an updated TIP, the MPO(s) and the FHWA and the FTA must make a new conformity determination. In all areas, changes that affect fiscal constraint must take place by amendment of the TIP. The MPO(s) shall use public participation procedures consistent with § 450.316(a) in revising the TIP, except that these procedures are not required for administrative modifications.) After approval by the MPO(s) and the Governor, the State shall include the TIP without change, directly or by reference, in the STIP required under 23 U.S.C. 135. In nonattainment and maintenance areas, the FHWA and the FTA must make a conformity finding on the TIP before it is included in the STIP. A copy of the approved TIP shall be provided to the FHWA and the FTA.
- (c) The State shall notify the MPO(s) and Federal land management agencies when it has included a TIP including projects under the jurisdiction of these agencies in the STIP.

DISCUSSION: Mr. Kiely explained that the Transportation Improvement Plan (TIP) is the list of projects proposed for construction over a four-year period by the MPO and agreed to by NMDOT and FHWA. Many changes to a current TIP project required formal amendments where the MPO Technical and Policy Committees must agree to take action.

There are two projects in the proposed Amendment #6 of the FFY2018-2023 TIP. They are the Aztec East Arterial and San Juan County's CR 5500 Bridge Replacement.

San Juan County's CR 5500 Bridge Replacement amendment is to change the project control number (CN) and funding source to reflect State Capital Outlay Award. The Technical Committee recommended approval to the Policy Committee of this requested change.

Commissioner Sipe explained that the Aztec East Arterial change request is to roll over the current funding from FY18 to FY20 due to delays in obtaining private rights-of-way. She further noted that when the project first began, it was proposed to be a two-lane truck bypass. As the project progressed through the system, changes were requested. The City of Aztec wanted to take over Aztec's Main Street and NMDOT would take over

the East Arterial. In order to do that, NMDOT required that the East Arterial be developed into four lanes. This created the right-of-way issues with this project. Recently, the project was found to be still be lacking one piece of the right-of-way. After delays with the family, their trust, and getting current acceptable NMDOT appraisals, the right-of-way has finally been cleared. Mr. Kiely said that these delays and missed NMDOT deadlines for the project have created the need for this project to be formally amended to move the funding to FY20. The FMPO Technical Committee recommended approval to the Policy Committee of this requested change.

Chair Sharer opened the public hearing. No comments were received. Chair Sharer closed the public hearing.

ACTION: Commissioner Sipe moved to approve Amendment #6 to the FFY2018-2023 TIP and the Self-Certification for Amendment #6. Mr. Hathaway seconded the motion. The motion was passed unanimously.

3. FFY2019-2020 AMENDMENT #2 AND POLICY COMMITTEE RESOLUTION 2019-3

Subject:	FFY2019-2020 UPWP Amendment #2 and Policy Committee (PC) Resolution 2019-3
Prepared by:	Mary Holton, AICP, MPO Officer
Date:	March 13, 2019

BACKGROUND

- The MPO maintains a Unified Planning Work Program which sets forth the tasks the MPO will undertake in a given fiscal year.
- The Policy Committee approved the MPO's two-year FFY2019-2020 UPWP on June 28, 2018 and approved the first amendment (administrative) in December 2018.
- This second amendment is necessary as NMDOT's Transit Bureau has informed the MPO that FFY2017 and FFY2018 unexpended 5303 funds will carry-over for use in FFY2019. The MPO has estimated that the carry-over funds total \$116,208.73 (\$92,966.98 in carryover funds plus the required local match of \$23,241.74). While the UPWP amendment addresses some minor changes/corrections, it also proposes to devote the additional funds where possible to the Major Transportation Plan and new Transit Studies.
- On February 27, 2019 the 15-day public comment period for Amendment #2 to the FFY2019-2020 Unified Planning Work Program (UPWP) began and was posted on the MPO's website.
- The Technical Committee recommended approval of the proposed amendment and PC Resolution 2019-3 on March 13, 2019.

CURRENT WORK and ATTACHMENTS

- A copy of the FTA award letter dated December 26, 2018.
- A “red-lined copy” of the proposed revised pages/sections of the current FFY2019-2020 UPWP to be changed by Amendment #2 is enclosed.
- Proposed Policy Committee Resolution 2019-3.

RECOMMENDATIONS, APPLICABLE CITATIONS, CONSEQUENCES OF NON-COMPLIANCE

- The Technical Committee and MPO Staff recommends that the MPO Policy Committee consider approval of Amendment #2 to the FFY2019-20 UPWP and Policy Committee (PC) Resolution 2019-3.
- The NMDOT Policy and Procedures Manual requires the submittal of an Amendment on a quarterly basis (March 15; June 15; September 15 (in odd-numbered FFYs); December 15).
- The following citation is applicable: § 450.308 Funding for transportation planning and unified planning work programs. See next page for the citation.
- Consequences of not following this citation: The MPO would be in violation of § 450.308. NMDOT would likely add the violation to the MPO’s Corrective Action Plan (CAP) which would extend the CAP and potentially delay reimbursements to the fiscal agent.
- §450.308 Funding for transportation planning and unified planning work programs.

- (a) Funds provided under 23 U.S.C. 104(d), 49 U.S.C. 5305(d), and 49 U.S.C. 5307, are available to MPOs to accomplish activities described in this subpart. At the State's option, funds provided under 23 U.S.C. 104(b)(2) and 23 U.S.C. 505 may also be provided to MPOs for metropolitan transportation planning. At the option of the State and operators of public transportation, funds provided under 49 U.S.C. 5305(e) may also be provided to MPOs for activities that support metropolitan transportation planning. In addition, an MPO serving an urbanized area with a population over 200,000, as designated by the Bureau of the Census, may at its discretion use funds sub-allocated under 23 U.S.C. 133(d)(4) for metropolitan transportation planning activities.

(b) An MPO shall document metropolitan transportation planning activities performed with funds provided under title 23 U.S.C. and title 49 U.S.C. Chapter 53 in a unified planning work program (UPWP) or simplified statement of work in accordance with the provisions of this section and 23 CFR part 420.

(c) Except as provided in paragraph (d) of this section, each MPO, in cooperation with the State(s) and public transportation operator(s), shall develop a UPWP that includes a discussion of the planning priorities facing the MPA. The UPWP shall identify work proposed for the next 1- or 2-year period by major activity and task (including activities that address the planning factors in §450.306(b)), in sufficient detail to indicate who (e.g., MPO, State, public transportation operator, local government, or consultant) will perform the work, the schedule for completing the work,

the resulting products, the proposed funding by activity/task, and a summary of the total amounts and sources of Federal and matching funds.

(d) With the prior approval of the State and the FHWA and the FTA, an MPO in an area not designated as a TMA may prepare a simplified statement of work, in cooperation with the State(s) and the public transportation operator(s), in lieu of a UPWP. A simplified statement of work shall include a description of the major activities to be performed during the next 1- or 2-year period, who (e.g., State, MPO, public transportation operator, local government, or consultant) will perform the work, the resulting products, and a summary of the total amounts and sources of Federal and matching funds. If a simplified statement of work is used, it may be submitted as part of the State's planning work program, in accordance with 23 CFR part 420.

(e) Arrangements may be made with the FHWA and the FTA to combine the UPWP or simplified statement of work with the work program(s) for other Federal planning funds.

(f) Administrative requirements for UPWPs and simplified statements of work are contained in 23 CFR part 420 and FTA Circular C8100, as amended (Program Guidance for Metropolitan Planning and State Planning and Research Program Grants).

DISCUSSION: Mr. Kiely stated that the Unified Planning Work Program (UPWP) is the list of work job tasks that FMPO Staff plan to work on during the two-year program period. This proposed amendment is to allow the carryover of FFY2017 and FFY2018 unexpended FTA 5303 funding. (A red-lined copy showing the proposed changes to the current UPWP is on Pages 13-50 of the Agenda). The MPO has been allowed to carry-forward this additional amount of \$116,208.73 into the present budget with added spending justification for the additional monies. Mr. Kiely said the majority of the additional funds will be used for consulting services and the public involvement plan process in developing the 2045 MTP.

Chair Sharer opened the public hearing. The only public comment was a proposed change to Paragraph 3 under Task 4.1 in Amendment #2 to the UPWP. Ms. Markle read the change proposed by Ms. Holton and requested by MPO Planning Liaison, Joseph Moriarty:

The 2045 Metropolitan Plan is due for adoption in September 2020. A full year is planned to be utilized to prepare this Plan, meaning that work should begin no later than September 2019. The FTA carry-over funds represented in FFY19 Q2 Amendment #2 should assist the MPO to utilize the services of consultants in preparing the MTP. Performance Measures and related reports are required to be adopted as required by FHWA and included in the 2045 MTP.

There were no additional public comments. Chair Sharer closed the public hearing.

Mr. Kiely reported that FMPO Staff and the Technical Committee recommend that the Policy Committee consider approval of Amendment #2 to the FFY2019-2020 UPWP.

ACTION: Commissioner Sipe moved to approve the proposed Amendment #2 to the FFY2018-2023 UPWP and proposed Policy Committee Resolution 2019-3 with the changes as noted. Councilor Bingham-Kelly seconded the motion. The motion was passed unanimously.

4. BUSINESS FROM THE CHAIRMAN, MEMBERS AND STAFF

Mr. Kiely reported that Corin Hooper, who was initially interviewed for the MPO Officer position, has accepted the MPO Planner position. Mr. Hooper expressed some concern with whether the Planner position would be challenging enough for him. Mr. Kiely spoke to the benefits of and opportunities in this dynamic and vibrant community, MPO projects that have yet to be explored, along with the opportunity to potentially be considered in the future for the MPO Officer position.

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

5. PUBLIC COMMENT ON ANY ISSUES NOT ON THE AGENDA

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

6. ADJOURNMENT

Mr. Hathaway moved to adjourn the meeting. Commissioner Sipe seconded the motion. The motion was approved unanimously. Chair Sharer adjourned the meeting at 12:07 p.m.



Sean Sharer, Policy Committee Chair



June Markle, Administrative Assistant