

**NEW MEXICO  
DEPARTMENT OF TRANSPORTATION**

**TRANSPORTATION COMMISSION MEETING**



**November 18, 2021**

**Center of Recreational Excellence (CORE)  
4827 North Lovington Highway  
Hobbs, NM 88240**

**NEW MEXICO STATE TRANSPORTATION COMMISSION**  
**Center of Recreational Excellence (CORE)**  
**4827 North Lovington Highway**  
**Hobbs, NM 88240**  
**November 18, 2021**  
**8:00 a.m.**

**Agenda**

- 1. Call to Order:** Walter G. Adams, Chairman
  - a. **Establish Quorum**
  - b. **Pledge of Allegiance**
- 2. Approval of Agenda:** Walter G. Adams, Chairman
- 3. Approval of Minutes:** Regular Meeting of September 30, 2021
- 4. Introductions:** Walter G. Adams, Chairman
  - a. **Elected Officials**
  - b. **Commission Members**
  - c. **NMDOT Executive Staff**
- 5. Welcoming Remarks:** Walter G. Adams, Chairman
- 6. Public Comment**
- 7. District Two Update:** Francisco Sanchez, P.E., District Two Engineer, NMDOT
- 8. Staff Briefings**
  - a. **Secretary Report:** Michael Sandoval, Cabinet Secretary, NMDOT
  - b. **FHWA Report:** Rodolfo Monge-Oviedo, Deputy Division Administrator, FHWA
  - c. **New NMDOT Website Introduction/Launch:** Marisa Maez, Communication Director, NMDOT
- 9. Finance Reports**
  - a. **Financial Status Update:** Mallery Manzanares, Acting Administrative Services Director, NMDOT
  - b. **Approval of Budget Adjustment Request (BAR) No. 10 – Payroll:** Mallery Manzanares, Acting Administrative Services Director, NMDOT
  - c. **Approval of BAR No. 11 – Local Government Road Fund Waiver:** John Romero, P.E., Highway Operations Division Director, NMDOT
  - d. **FY2022 Transportation Project Fund Financial Hardship Match Waiver Program:** Clarissa Martinez, POD State Grants Manager, NMDOT
  - e. **FY2021/2022 Local Government Road Fund Equipment Hardship Waiver Program:** Clarissa Martinez, POD State Grants Manager, NMDOT

- f. **New Mexico Finance Authority (NMFA) Report:** Mark Lovato, Investment Manager, NMFA

#### **10. Policy Reports**

- a. **Proposed Dedication of Bridge No. 6367 Located on NM 400 over Interstate 40 in McKinley County as the “John I. King Memorial Bridge”:** Lisa Vega, P.E., District Six Engineer, NMDOT
- b. **Approval and Adoption of Resolution 2021-02 (NOV) Extending the Term of Use of the “Jal Route” as a Temporary, Negotiated, Alternate Southern WIPP Route:** Rick Padilla, P.E., Executive Director of Highway Operations
- c. **Approval of Proposed 2022 STC Meeting Schedule:** Michael Sandoval, Cabinet Secretary, NMDOT

#### **11. Adjournment**

# **Agenda Items 1-2**

1. Call to Order: Walter G. Adams, Chairman
  - a) Establish Quorum
  - b) Pledge of Allegiance
2. Approval of Agenda: Walter G. Adams, Chairman



# **Agenda Item 3**

Approval of Minutes:  
Regular Meeting of  
September 30, 2021

**NEW MEXICO STATE TRANSPORTATION COMMISSION  
MEETING**

**McKinley County Courthouse  
207 West Hill Street  
Gallup, NM 87301  
September 30, 2021**

The New Mexico State Transportation Commission (STC or Commission) held a regular meeting on September 30, 2021, at the McKinley County Courthouse, Gallup, New Mexico. Chairman Adams called the meeting to order at 9:05 a.m. He asked for a roll call to establish a quorum. Mershawn Griego, Office of the Secretary, New Mexico Department of Transportation (NMDOT), proceeded to call the roll. Commissioners Walter G. Adams, Bruce Ellis, Hilma E. Chynoweth, Thomas C. Taylor, and Charles Lundstrom were present.

**Approval of the STC Meeting Agenda**

**Chairman Adams asked for a motion to approve the STC agenda; Commissioner Ellis made a motion to approve the agenda, as presented; Commissioner Chynoweth seconded; motion carried unanimously.**

**Approval of the STC Minutes**

**Chairman Adams asked for a motion to approve the August 26, 2021 STC special video conference meeting minutes; Commissioner Chynoweth made a motion to approve the minutes, as presented; Commissioner Lundstrom seconded; motion carried unanimously.**

**State Transportation Commissioners Present:**

Jennifer Sandoval, Vice-Chair, District One (absent with notice)  
Bruce Ellis, Commissioner, District Two  
Hilma E. Chynoweth, Commissioner, District Three  
Walter G. Adams, Chairman, District Four  
Thomas C. Taylor, Commissioner, District Five  
Charles Lundstrom, Secretary, District Six

**NMDOT Staff Present:**

Michael Sandoval, Cabinet Secretary  
Justin Reese, Deputy Secretary, Business Support  
Rick Padilla, P.E., Executive Director of Highway Operations  
Jerry Valdez, Executive Projects Director  
Kenneth B. Baca, General Counsel  
NMDOT Staff

**Elected Officials and Delegations Present:**

The Honorable Patricia A. Lundstrom, New Mexico State Representative, District 9  
The Honorable Harry Garcia, New Mexico State Representative, District 69  
Edmund Yazzie, Delegate, 24<sup>th</sup> Navajo Nation Council  
The Honorable Louie Bonaguidi, Mayor, City of Gallup  
Seneca Becenti, Iyanbito Chapter President, Navajo Nation  
Michael Schaaf, Gallup City Council, District 2

**Introductions**

Chairman Adams and Michael Sandoval, Cabinet Secretary, NMDOT, welcomed attendees to the STC meeting and invited all elected officials in attendance to introduce themselves.

Chairman Adams thanked the City of Gallup and NMDOT District Six for hosting the STC meeting and, on behalf of the Commission, thanked NMDOT employees for organizing the meeting.

## **Welcoming Remarks and Farewell Wishes**

Chairman Adams acknowledged former NMDOT District Six Engineer Larry Maynard for his 20 years of service as District Engineer.

Chairman Adams asked for a moment of silence for NMDOT employees, John Serna and George Rambo Abeyta, who recently passed away.

Chairman Adams acknowledged and welcomed to the STC meeting Cynthia (Cindy) Vigue, the new Federal Highway Administration (FHWA) New Mexico Division Administrator and Rodolfo Monge-Oviedo, FHWA New Mexico Deputy Division Administrator.

Secretary Sandoval welcomed Ms. Vigue to her new position as the FHWA New Mexico Division Administrator. He informed the STC that she recently moved to New Mexico from New Hampshire, where she previously served as the FHWA Deputy Division Administrator for the state. He also acknowledged Mr. Monge-Oviedo for the fine work he has done with the FHWA New Mexico Division as Deputy Division Administrator.

Secretary Sandoval recognized Larry Maynard, P.E., former NMDOT District Six Engineer, for his 20 years of service as District Engineer. The Secretary presented a video with numerous NMDOT staff members acknowledging Mr. Maynard for his many contributions and congratulating him on his retirement.

Chairman Adams officially announced the appointment of Lisa Vega, P.E., NMDOT, as the Department's new District Six Engineer, and congratulated her.

Secretary Sandoval acknowledged, thanked, and paid tribute to Tamara Haas, P.E., Capital Programs and Investment Division Director, NMDOT, who is also retiring from the Department.

He presented a video recording with comments from various NMDOT employees honoring Mrs. Haas for her numerous contributions to NMDOT and congratulating her on her retirement. Chairman Adams also thanked Mrs. Haas for her years of service and congratulated her on her retirement.

### **Public Comment**

The Honorable Patricia A. Lundstrom, New Mexico State Representative, District 9, stated that she was elected in 2001, currently serves as the first female Chair of the House of Appropriations and Finance Committee and, during this interim, serves as the Chair for the Legislative Finance Committee. When she was elected in 2001, the total General Fund Budget was about \$3 billion. She believes the Legislature will be looking at an amount closer to \$8.5 billion in the January 2022 session, not only from General Fund but other funding sources as well, like the severance tax from the oil and gas industry. In addition to being a State Representative, Chair Lundstrom works in the area of economic development. She believes there is no more important agency for economic development in the State of New Mexico than the Department of Transportation. She welcomed the STC and all meeting attendees and thanked them for coming to Gallup for the meeting.

The Honorable Harry Garcia, New Mexico State Representative, District 69, welcomed the STC, NMDOT and other meeting attendees to Gallup. He thanked Larry Maynard, P.E., former NMDOT District Six Engineer, for his service to the State of New Mexico, and welcomed Lisa Vega, P.E., as the new District Six Engineer. He also thanked STC District Six Commissioner Charles Lundstrom for being an asset to the community and the District.

Carline Murphy, resident of Fort Wingate, stated she attended the STC meeting on behalf of her brother, John I. King, to help initiate and support the proposed dedication of a highway overpass near Fort Wingate in his honor. She identified her family members, also in attendance at the meeting, and Iyanbito Navajo Chapter representatives, Eugene Marshall of the Veterans Organization; Seneca Becenti, Chapter President; and Edmund Yazzie, Delegate, 24<sup>th</sup> Navajo Nation Council.

Linda Bird, Gallup business owner, commented regarding her concern about an overpass scheduled to be constructed over the railroad tracks off Allison Road in Gallup. Her business is located on the street that will be the sole outlet for the overpass. She is not certain the street can handle the traffic. A NMDOT engineer informed her that a traffic study was done in 2010. She thinks that was a long time ago and traffic has greatly increased since then. She encouraged the Commissioners to look at that location, if possible, while they are in Gallup. Chairman Adams responded to her concerns by asking Rick Padilla, P.E., Executive Director of Highway Operations, to notify Ms. Bird of any future public meetings regarding the subject overpass. Secretary Sandoval also responded that NMDOT will review the matter and check into the access issue.

Marc Depauli, resident of Gallup, commented regarding the intersection at US 491, which is the access to Window Rock and Farmington. There are three intersections between I-25 and I-15 in Barstow: I-17 in Flagstaff, Coors Road and US 491. In his opinion because of the volume of traffic (currently, approximately 30,000 vehicles per day), roundabouts don't seem to be the best way to go for the US 491 intersection. Furthermore, the Carbon Coal Road development is anticipating about 13,500 additional vehicles and, in a couple of years, traffic will increase to about 50,000 vehicles per day. Mr. Depauli asked NMDOT to look at the three intersections, consider

ruling out roundabouts, and instead consider different configurations, including overpasses at the subject intersection.

Andre King, son of John I. King and resident of Rio Rancho, thanked the STC and NMDOT for allowing he and his family to attend the meeting and bring resolutions forward for a memorial bridge dedication (Exit 33 off I-40 in the Iyanbito/Fort Wingate area) in honor of his father, John I. King, who passed away in January. John I. King worked with Navajo Nation Veterans and the Iyanbito Chapter community.

The Honorable Louie Bonaguidi, Mayor, City of Gallup, welcomed the STC and NMDOT to Gallup. He spoke about the impact the COVID-19 pandemic had on the community. Gallup is located in the middle of five Native American reservations: Navajo, Zuni, Acoma, Laguna, and Hopi. It is a regional shopping area and, as such, was significantly impacted by the pandemic. Gallup's biggest assets are I-40, US 491, NM 602, and the railroad. It appreciates everything NMDOT does for the community.

Seneca Becenti, Iyanbito Chapter President, introduced himself and stated he attended the STC meeting to support the King family and the proposed memorial bridge dedication for John I. King.

Chairman Adams explained the STC's process for dedication requests includes introduction, review, recommendation, and ultimately, a decision. Accordingly, the STC will not decide on the proposed dedication at this meeting.

## **Gallup Mobility**

Michael Sage, Deputy Director, Greater Gallup Economic Development Corporation (GGEDC), gave a presentation that included an overview of the economic development strategy for the Gallup and McKinley County area as it relates to transportation. During his presentation, he discussed transportation infrastructure assets and other infrastructure, trucking, rail, the Energy Logistics Park, the Carbon Coal Road project, US 491, I-40, the Allison Interchange and bridge projects, air passenger service, autonomous vehicles, the creation of a Mobility Investment District and Foreign Trade Zone, as well as developing mobility and amenities for truckers and the traveling public. Gallup's goal is to create a partnership with the ports of Los Angeles and Long Beach whereby Gallup will become a satellite hub or an inland port where cargo can be brought by rail, cleared, and then transported to customers in various other locations.

Representative Patricia Lundstrom pointed out that the overall strategy for the economic development of the Gallup area is based on transportation assets and infrastructure. She intends to introduce a new Public-Private Partnership (P3) bill in the next legislative session, specifically for the development of hydrogen hubs. The intention is to facilitate the development of a hydrogen hub at the Escalante Power Plant in McKinley County, as an alternative fuel source for large trucks. She hopes when the federal money is allocated to NMDOT, that the funds include public works projects. This is critical because it completely changes the supply chain. She reported that reaching out to California provided some significant dividends in that the state now wants to partner with New Mexico. In closing, Representative Lundstrom mentioned the lead consultant on GGEDC's economic development project was unable to attend the STC meeting due to health issues and thus, would be unable to make a presentation. She asked if it could be rescheduled to a later date.



Michael Sage discussed another critical component of the plan for Gallup and McKinley County: workforce development and bridging local residents with the economic opportunities. Through GGEDC's business retention and expansion program – during discussions with industry – workforce was the number one issue raised. GGEDC has developed an industrial workforce program, a 10-week, 240-hour program that offers industry recognized credentials and a career pathway. The curriculum was developed with local industry partners. The intent is to provide an entry point and a pathway for local residents to acquire the skills and certifications needed to work in the local industries.

#### **Discussion Regarding Proposed Dedication of the Bridge Located on NM 400 over I-40**

Representative Harry Garcia and Delegate Edmund Yazzie discussed and asked for the STC's support and consideration in naming the bridge located on NM 400 over I-40 in McKinley County, in honor of John I. King.

Andre King, son of John I. King, spoke about his father and the work he did on behalf of Navajo Nation veterans and the Iyanbito community. He also asked for the STC's consideration in naming the subject bridge in honor of his father.

#### **District Six Update**

A video recording was presented in which Lisa Vega, P.E., District Six Engineer, NMDOT, paid tribute to Larry Maynard, former NMDOT District Six Engineer. She also provided an update regarding District Six, during which she discussed the District's operating budget, projects, maintenance, critical needs, COVID-19 response efforts, and other activities. She reported on the District's Employee Recognition Program and acknowledged recent award winners. She

thereafter introduced Jan Niclas, P.E., District Six Maintenance Engineer, who introduced various crew members of the District Six Patrols.

### **Secretary's Report**

Secretary Sandoval reported that NMDOT District Engineers are preparing proposals for spending the funding that may be allocated to NMDOT in the 2022 legislative session. Proposal categories include major projects, maintenance projects, rest areas and equipment. The intent is to demonstrate NMDOT's needs and priorities. The Department received about \$235 million over the last three years for maintenance projects and almost all of it has been spent.

Secretary Sandoval mentioned the federal transportation bill that could soon be passed by Congress. If passed, the State would receive a minimum of about \$100 million per year in federal funding that would increase in future years. The bill also creates several new programs involving broadband, climate, electric vehicle stations, etc.

Secretary Sandoval reported NMDOT's vacancy rate is presently just over 14%, down from 22% at the time he assumed his position as Cabinet Secretary, about two and a half years ago. He hopes NMDOT will be able to reduce its vacancy rate to 10% - 12% by the time the 2022 legislative session begins, but like the rest of the nation, NMDOT is having a difficult time finding people to work.

Commissioner Lundstrom asked about the vacancy rate and the status of hiring in District Six. Secretary Sandoval responded that department wide, NMDOT presently has approximately 390 vacant positions. His direction to staff is that when positions are vacated, they are to be

advertised within a week. The advertisements are being placed but the number of qualified applicants is very low.

Representative Harry Garcia asked what NMDOT is doing to address (1) vandalism in District Six; and (2) the back-up of traffic on I-40. Secretary Sandoval responded that NMDOT has security patrolling 24-7 at district offices and the General Office, and has cameras in certain areas. In addition, NMDOT has 24-7 security at the most heavily used rest areas. Regarding I-40, the Secretary stated that NMDOT's guidance going forward is to keep two lanes of traffic open, both east and west, on I-40. NMDOT's plan is to six-lane from Albuquerque to Gallup.

### **FHWA Report**

Secretary Sandoval introduced Cindy Vigue, the new FHWA New Mexico Division Administrator, and invited her to speak.

Ms. Vigue discussed the federal Infrastructure Investment and Jobs Act (H.R.3684). H.R.3684 is going to bring about \$550 billion in new infrastructure investment, about a 29% increase in what was seen in the past with the Fixing America's Surface Transportation Act (FAST Act). H.R.3684 includes programs that are particularly focused on bridges, carbon reduction, resilience and project delivery. It is the largest long-term investment in infrastructure and competitiveness in nearly a century. New Mexico could receive about \$2.5 billion in federal aid highway apportion programs and \$225 million for bridge replacement and repairs over a five-year time span. In addition, New Mexico could receive \$366 million over five years to improve public transportation options across the State. H.R.3684 also invests for New Mexico a potential of \$38 million over five years to support the expansion of an electric vehicle (EV) charging network

across the State, as well as an opportunity to apply for the available \$2.5 billion in grant funding dedicated to EV charging alone. Further, New Mexico could receive a minimum allocation of \$100 million to help provide broadband across the State, including providing access to New Mexicans who presently lack that service. New Mexico could also receive \$38 million over five years for wildfire protection, \$13 million to protect against cyber attacks, \$355 million to improve water infrastructure across the State to ensure that clean, safe drinking water is a right for all New Mexicans. Finally, H.R.3684 could also bring \$90 million for infrastructure development for the State's airports over the next five years.

### **Rio Metro Regional Transit District (RMRTD) Annual Report Regarding New Mexico Rail Runner Express (NMRX)**

Dewey Cave, Executive Director, Mid-Region Council of Governments (MRCOG) and Executive Director, RMRTD, explained how MRCOG became the fiscal agent for and operator of the New Mexico Rail Runner Express. He also discussed certain improvements made to the NMRX system during the year-long shutdown due to the COVID-19 pandemic, the most important of which was the installation of Positive Train Control (PTC), a major safety enhancement.

Tony Sylvester, Special Projects Manager, RMRTD, presented the NMRX Annual Report regarding NMRX management. The Memorandum of Agreement between NMDOT and RMRTD regarding NMRX management, funding and operation requires RMRTD to provide a report to the STC every year. The report includes information on the NMRX annual operating and capital budgets, annual service plan, the five-year capital maintenance/capital improvement plan, NMRX ridership, and performance targets. Mr. Sylvester highlighted three primary events that occurred

in this last year: (1) the shutdown of service in March 2020 due to the COVID-19 pandemic; (2) completion of the installation and testing of PTC; and (3) the final stages of negotiations for an operations and maintenance contractor for the NMRX.

## **Finance Reports**

### **NMDOT Financial Status Update**

Mallery Manzanares, Budget Director and Acting Administrative Services Director, NMDOT, presented the NMDOT financial status update as of August 31, 2021. NMDOT's combined FY22 budget is presently \$1.5 billion. State Road Fund: To date, NMDOT has received a total of \$109.3 million in revenue and spent \$109.5 million. Restricted Funds: NMDOT's FY22 restricted funds budget is presently \$112.6 million, rollover budget is \$84.1 million, and its combined budget is \$196.7 million. To date, NMDOT has received \$6.9 million in revenue and spent \$6.1 million. Mrs. Manzanares also discussed NMDOT's FY22 cash balances for operating budget funds: Road Fund: \$293.5 million; Restricted Funds: \$66.9 million; and Total Cash Balance: \$360 million. At present, NMDOT's FY22 fund balances ("savings account" amounts) are: Road Fund: \$27.1 million; Restricted Funds: \$48.1 million; and Operating Fund (agency total): \$75.3 million.

### **Approval of FY22 Budget Adjustment Request (BAR) No. 5 - Federal Transit**

Kevin Olinger, Transit Bureau Chief, NMDOT, presented and requested approval of FY22 BAR No. 5 - P565 - Modal. The BAR is required to establish budget authority in Federal Grants and Services (Category 400) in the amount of \$5,681,000, for the Transit Bureau. The funds are

100% federal reimbursable, and are part of the apportionment to the State from the Federal Transit Administration under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) of 2020. This funding, 100% federal, will be utilized to pay for eligible local rural public transportation administrative and operating expenses, with no local match requirements. This BAR is the final request to obligate the CARES Act funding appropriated to New Mexico.

**Chairman Adams asked for a motion to approve FY22 BAR No. 5 - Federal Transit (Modal); Commissioner Taylor made a motion to so approve; Commissioner Chynoweth seconded; motion carried unanimously.**

#### **Approval of FY22 BAR No. 6 - Redistribution**

David Quintana, P.E., Chief Engineer, NMDOT, presented and requested approval of FY22 BAR No. 6 - P562 - PDC. The BAR is required to establish budget authority for the FHWA program. It will increase Contractual Services (Category 300) by \$51.9 million dollars, \$44.4 million of which are federal funds, and \$7.6 million is the State match requirement.

**Chairman Adams asked for a motion to approve FY22 BAR No. 6 - Redistribution; Commissioner Lundstrom made a motion to so approve; Commissioner Taylor seconded; motion carried unanimously.**

#### **Approval of FY22 BAR No. 7 - NM 109**

David Quintana, P.E., Chief Engineer, NMDOT, presented and requested approval of FY22 BAR No. 7 - P562 - PDC. The BAR is required to establish budget authority for the State program. It will increase Contractual Services (Category 300) by \$3 million dollars to fund the acquisition of right of way and relocations for the NM 109 - Jarales Road/BNSF overpass project

in District 3. BNSF Railway Company contributed \$14.5 million to NMDOT toward the project, specifically to acquire right of way and to design and construct the overpass. The remaining funds will be used for the next phase of the project.

**Chairman Adams asked for a motion to approve FY22 BAR No. 7 - NM 109; Commissioner Chynoweth made a motion to so approve; Commissioner Ellis seconded; motion carried unanimously.**

**Approval of FY22 BAR No. 8 - Coronavirus Response and Relief Supplemental Appropriation Act (CRRSAA)**

Mallery Manzanares, Budget Director and Acting Administrative Services Director, NMDOT, presented and requested approval of FY22 BAR No. 8 - P562 - PDC. The BAR is required to establish budget authority for the Project Design and Construction and Highway Operations Programs. It will increase Contractual Services (Category 300) by \$54 million dollars to fund various design and maintenance projects throughout New Mexico. The funds derive from the approximately \$80 million in CRRSAA funding NMDOT received in FY 2021, and may be used for preventative and routine maintenance, construction, operations, personnel, and/or debt service.

**Chairman Adams asked for a motion to approve FY22 BAR No. 8 - CRRSAA; Commissioner Lundstrom made a motion to so approve; Commissioner Chynoweth seconded; motion carried unanimously.**

### **Approval of FY22 BAR No. 9 - Debt Service**

Mallery Manzanares, Budget Director and Acting Administrative Services Director, NMDOT, presented and requested approval of FY22 BAR No. 9 - P562 - PDC. The BAR is required to increase the budget authority in Contractual Services (Category 300), Other Costs (Category 400) and Other Financing Uses (Category 500) in the total amount of \$313,801,755. The funds are for costs in the amount of \$1,494,118 related to NMDOT's August 11, 2021 bond sale, budget authority in the amount of \$302,402,303 to procure certain projects, and budget authority in the amount of \$9,905,334 to pay NMDOT's debt service obligation for FY22.

**Chairman Adams asked for a motion to approve FY22 BAR No. 9 - Debt Service; Commissioner Taylor made a motion to so approve; Commissioner Ellis seconded; motion carried unanimously.**

### **NMDOT FY23 Budget (Appropriation) Request**

Mallery Manzanares, Budget Director and Acting Administrative Services Director, NMDOT, discussed the July 2021 Road Fund Forecast and State Road Fund and Restricted Funds revenues. She then presented and requested approval of the NMDOT FY23 Budget (Appropriation) Request. The FY23 budget request totals \$1 billion, a \$35.1 million increase from the approved FY22 operating budget. The request is supported by \$520.4 million from State Road Fund revenues, \$85.4 from Restricted Funds Revenues, \$8.3 million from other State agencies (TRD and DFA), and \$437 million from federal sources. The request includes \$652 million to the Project Design and Construction Program, \$277.7 million to the Highway Operations Program, \$46.8 to the Business Support Program, and \$74.6 million to the Modal Program. Mrs. Manzanares



outlined the major differences between the FY22 and FY23 budget requests, and the particulars of each NMDOT program.

**Chairman Adams asked for a motion to approve the NMDOT FY23 Budget (Appropriation) Request; Commissioner Ellis made a motion to so approve; Commissioner Taylor seconded; motion carried unanimously.**

**FY22 Local Governments Road Fund (LGRF) Financial Hardship Match Waiver Program**

Clarissa Martinez, Statewide LGRF Manager, NMDOT, requested approval of the FY22 LGRF Match Waiver Program request. The LGRF Match Waiver Program authorizes NMDOT to distribute up to \$1 million of LGRF money to local entities that can demonstrate financial hardship, for use as all or a portion of their 25% match requirement. The projects identified on the “FY22 LGRF Match Waiver Applicants Selected” list (page 264 in the STC meeting book) were analyzed by the New Mexico Department of Finance and Administration (DFA) and deemed eligible for the LGRF Match Waiver Program. NMDOT is therefore requesting the STC’s approval to distribute LGRF Match Waiver Program funding in the amount of \$981,521 to the identified local entities.

**Chairman Adams asked for a motion to approve the NMDOT FY22 LGRF Match Waiver Program Request; Commissioner Chynoweth made a motion to so approve; Commissioner Lundstrom seconded; motion carried unanimously.**

## **New Mexico Finance Authority (NMFA) Report**

Mark Lovato, Investment Manager, NMFA, provided an update regarding NMDOT's investment portfolio funds under NMFA management and NMDOT/NMFA's outstanding bond debt service as of August 31, 2021. At the beginning of August, NMFA was holding \$1,429,783.68 for debt service. NMDOT made a bond payment in the total amount of \$28,813,936.40 for July and August, leaving a balance of \$30,533,740.61, that NMFA is currently holding for debt service. NMFA is also holding \$302,402,302.63 in NMDOT's 2021A project account (proceeds from the recent bond sale) and \$6,727,436.96 in NMDOT's 2014A project (Highway Infrastructure Fund) account. NMDOT has a \$50 million line of credit at Wells Fargo pursuant to certain agreements with BNSF. A quarterly Commitment Fee payment for the line of credit was made this month (after NMFA's August 31, 2021 report was prepared). NMDOT's current outstanding debt is \$998,200,000. NMDOT's next debt service payment is due on December 15, 2021. It is for interest only, in the amount of \$22,693,658.33.

## **Policy Reports**

### **Interstate 40 (I-40) Plans**

David Quintana, P.E., Chief Engineer, NMDOT, briefed the STC regarding NMDOT's plans to add capacity to I-40 from the New Mexico/Arizona state line to Albuquerque, including adding third lanes in both directions and frontage roads. NMDOT will be issuing a Request for Proposals (RFP) in October for a study to evaluate adding capacity on the subject corridor and implementing any necessary infrastructure to promote the use of autonomous vehicles. The study will also provide recommendations for project prioritization. NMDOT presently has about \$122

million programmed for the project. The funding derives from bond sale proceeds and Districts Three and Six STIP Program funds. NMDOT lacks approximately \$1.9 billion to complete the full build-out of I-40.

**Approval of Proposed Road Transfer Agreement between NMDOT and the City of Las Cruces – NM 188/NM 185**

Trent Doolittle, P.E., District Engineer, District One, NMDOT, presented and requested approval of the proposed Road Transfer Agreement (Agreement) by and between the NMDOT and the City of Las Cruces (City), whereby the NMDOT will transfer ownership and maintenance responsibilities for NM 188/NM 185 (Valley Drive) to the City of Las Cruces. The Agreement releases NMDOT of all responsibility for Valley Drive within the City limits. The subject transfer complies with the provisions of Commission Policy 62, *Additions to and Deletions from the State Highway System* (CP 62). The City has fully executed the Agreement. The STC's approval is required prior to NMDOT's execution of the Agreement.

**Chairman Adams asked for a motion to approve the proposed Road Transfer Agreement by and between the NMDOT and the City of Las Cruces regarding the transfer of ownership and maintenance responsibilities for NM 188/NM 185 (Valley Drive); Commissioner Ellis made a motion to so approve; Commissioner Chynoweth seconded; motion carried unanimously.**

**Approval of Final Rulemaking Action Regarding Proposed New NMDOT Aviation Division Rule 18.11.10 NMAC, *Rural Air Service Enhancement Grant Program***

Pedro Rael, Aviation Division Director, NMDOT, requested the STC's approval to conclude rulemaking action for proposed new Aviation Division Rule 18.11.10 NMAC.

The Rural Air Service Enhancement Act (2021 SB 133) was passed by the Legislature and signed by the Governor. The Act created the rural air service enhancement grant program (Grant Program) within the Aviation Division and directs the Division to administer the Grant Program. The purpose of the proposed new rule is to create the framework for the Division to administer the Grant Program. STC approval of the final rule is necessary to implement the new rule. With STC approval to conclude the rulemaking, NMDOT will file the rule with the New Mexico Commission of Public Records, State Records Center and Archives, for publication in the New Mexico Register. The proposed new rule will become effective upon publication in the New Mexico Register.

The Aviation Division completed all the requisite steps in the rulemaking process, including holding a public hearing to accept oral and written comments on the proposed new Rule. After reviewing the comments, NMDOT determined that none of the comments substantively addressed the proposed new rule; all comments pertained to the operation of the Grant Program. NMDOT did not amend the proposed new rule after reviewing the received comments.

**Chairman Adams asked for a motion to approve final rulemaking action regarding proposed new NMDOT Aviation Division Rule 18.11.10 NMAC, *Rural Air Service Enhancement Grant Program*; Commissioner Chynoweth made a motion to so approve; Commissioner Lundstrom seconded; motion carried unanimously.**

### **Proposed Dedication of NM 522 as the “Senator Carlos R. Cisneros Memorial Highway”**

Paul Brasher, P.E., District Five Engineer, NMDOT, briefed the STC regarding the proposed dedication of NM 522 as the “Carlos R. Cisneros Memorial Highway”. He explained that during the 2020 Regular Legislative Session, the New Mexico Legislature passed Senate Memorial 45 (SM 45) requesting the State Transportation Commission to dedicate the entire length of NM 522, from its junction with US 64 in Taos County to the New Mexico/Colorado state line, as the “Senator Carlos R. Cisneros Memorial Highway”. If the STC grants approval to proceed with the proposed designation, a request to officially dedicate the entire length of NM 522 as the “Carlos R. Cisneros Memorial Highway” will be presented to the Commission at a future meeting.

### **Adjournment**

**Chairman Adams asked for a motion to adjourn the regular meeting at 12:56 p.m.; Commissioner Chynoweth made a motion to adjourn the regular meeting; Commissioner Ellis seconded. Motion carried unanimously.**

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**Chairman**

**Walter G. Adams**

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**Secretary**

**Charles Lundstrom**

# **Agenda Item 4**

4. Introductions: Walter G. Adams, Chairman

a. Elected Officials

b. Commission Members

c. NMDOT Executive Staff

# **Agenda Item 5**

Welcoming Remarks: Walter G. Adams, Chairman

# **Agenda Item 6**

## **Public Comment**



# **Agenda Item 7**

## District Two Update

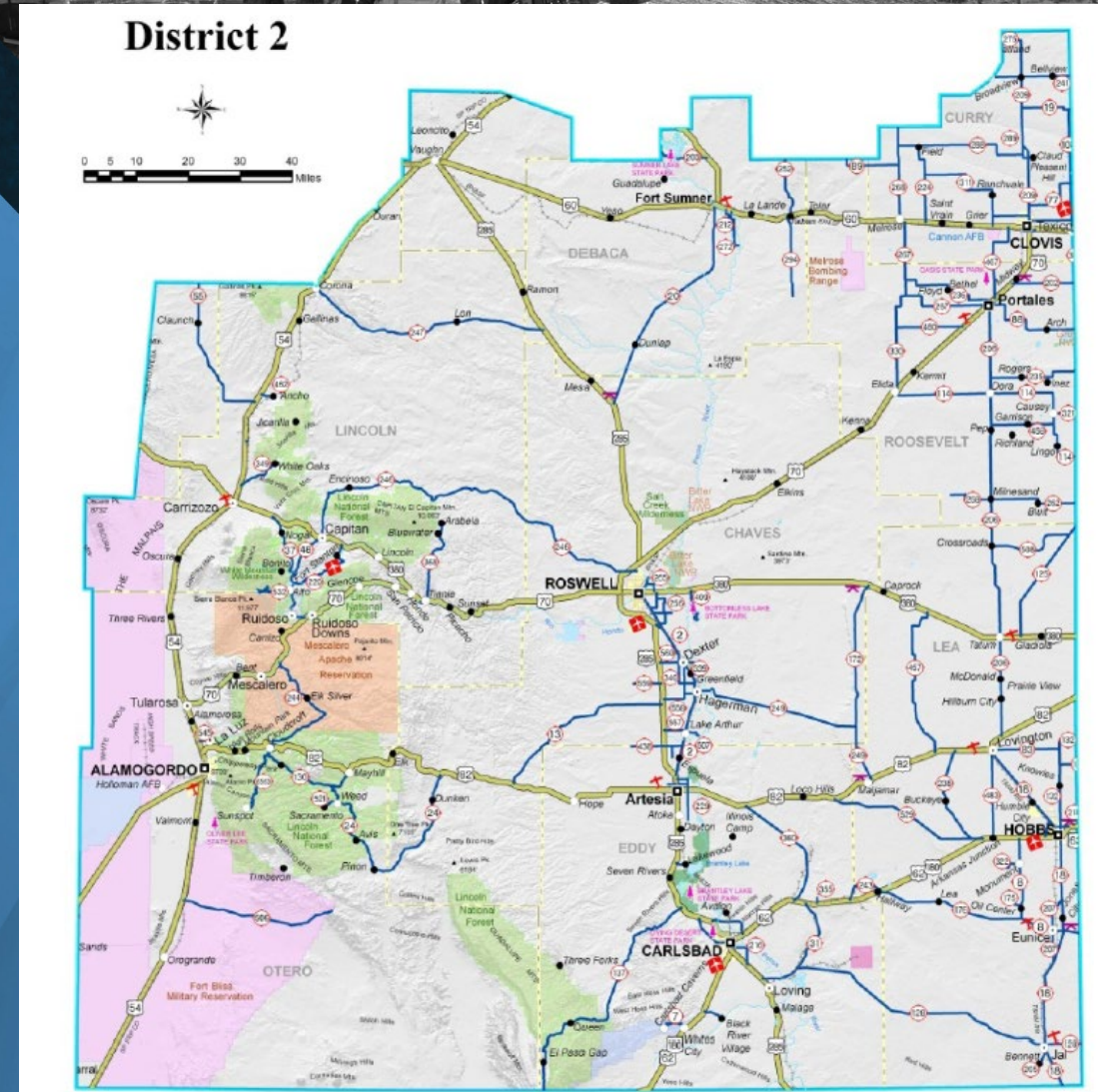
# District Two

State Transportation Commission  
Hobbs, New Mexico  
November 18, 2021



## District Two (SENM)

- Chaves, Lincoln, Otero, Eddy, Lea, Roosevelt, Curry, De Baca, and parts of Guadalupe and Torrance Counties
- 7750 lane miles, with the most 4 lane non interstate miles in the State
- 137 communities served
- 16 maintenance patrol yards, 2 special crews, 6 project construction offices
- 329 FTE's, 185 maintenance, 76 construction, 47 business support and 21 engineering





# Construction Work

## Lea County

- NM 176, MP 0-10, 10-26, Pavement Rehabilitation, \$27 million
- NM 128, MP 11-28, Roadway Rehabilitation, \$10 million – complete
- NM 128, MP 28-38, 38-51, Rehabilitation, \$26 million
- US 82, MP 171-172, Reconstruction (Downtown Lovington), \$23 million
  - Groundbreaking, October 6<sup>th</sup>





# Construction Work

## Lea County

- NM 18, MP 0-7, MP 22-32, Rehabilitation, \$14 million - complete

## Eddy County

- US 82, MP 107-139, Reconstruction, \$62 million – complete



# Construction Work

## Eddy County

- US 285, MP 0-7, Reconstruction, \$44 million
- US 285, 16-17, Bridge Reconstruction, \$16 million

US 285 Drone Video



# Construction Work

## Lincoln County

- US 54, Downtown Carrizozo, Reconstruction, \$9 million
  - Groundbreaking, September 29<sup>th</sup>





# Construction Work

## Lincoln County

- US 70, MP 264-275, Pavement Rehabilitation, \$11 million
- US 70, MP 275-285, Pavement Rehabilitation, \$9 million
- US 70, MP 277-278, Bridge Preservation, \$1.5 million
- NM 532, MP 6-7, Curve Improvements, \$1.5 million – complete
- US 54, MP 73-74, Bridge Replacement, \$9 million
- US 70, MP 231, & US 380, MP 65, Dynamic Message Signs, \$1 million
- Downtown Ruidoso, Sidewalk Improvements, \$500K





# Construction Work

## Otero County

- US 54, MP 69-78, Reconstruction, \$31 million – complete
- US 54, MP 3, Intersection Realignment, \$3.5 million - Alamogordo

## Guadalupe County

- US 60, MP 266-267, Bridge Preservation, \$2 million

## Curry County

- NM 108, MP 7, Bridge Preservation, \$5 million



# FY 2022 - Statewide Transportation Improvement Program (STIP)

CN	STIP Amount	Termini	Letting Date	County
2102163	\$38,072,000	US 285, MP 17.2 - 22	Oct. 2021	Eddy
2102162	\$48,331,000	US 285, MP 6.7 - 17	Dec. 2021	Eddy
2104320	\$1,830,000	US 62/180/Hidalgo Rd - Intersection	Dec. 2021	Eddy
2104550	\$1,100,000	US 60, MP 272.4 – 273.4	Jan. 2022	Guadalupe
2104520	\$750,000	US 380, MP 87.6 – 88.6	Apr. 2022	Lincoln
2104490	\$13,600,000	US 285, MP 22 - 24	July, 2022	Eddy
2104540	\$1,100,000	US 60 – Cannon AFB Overpass	Aug. 2022	Curry
2102112	\$19,562,500	US 54, MP 151.6 – 158.9	Sept. 2022	Lincoln
2102113	\$17,387,000	US 54, 157.9 – 163.7	Sept. 2022	Lincoln
2101351	\$21,150,000	US 60, 385.5 – 388.7	Oct. 2022	Curry
2101352	\$23,550,000	US 60, 386.5 – 388	Oct. 2022	Curry
2104670	\$850,000	NM 200/US 62/180 - Intersection	Oct. 2022	Eddy
		038 Total	Investment	\$187,282,500



# Maintenance Work

## Facebook Video – Mayhill Maintenance Patrol Improving Safety

The Mayhill Highway Maintenance Patrol is brush cutting in Otero County. Brush cutting helps to remove dangerous, visual obstacles and creates clear lines of sight. Make sure to give our crews room while they make your roads safer.



# Maintenance Work

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## Flooding

District Two highway maintenance operators assist emergency responders, moving debris, and monitoring the roads throughout the region to keep the traveling public safe.



040

**NMDOT**



# Maintenance Work

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These are a few views from our personnel. The 16 maintenance patrols pretreat certain areas before a storm to jumpstart our response. They diligently work to keep the public safe.



Snow Removal





District Two employees and family members picked up trash during two litter cleanup events picking up **17,000 pounds** of trash, which is **8 tons** of trash. The District also started a campaign in February to change drivers' behavior with **“Share the Love, Don’t Litter!”**



# Maintenance Work

Litter pickup



# Contract Maintenance and District Internal Projects

Pavement Improvement Projects	
Route	Process
US 60 MP 360-368	Hot In-Place Recycling (Repaving)
US 54 MP 56.6-37.6	HIR/OGFC
US 70 MP 212-206.2	Plant Mix Wearing Course Overlay
US 285 MP 77.3-74.5	Plant Mix Wearing Course Overlay
US 285 MP 80-88	Plant Mix Wearing Course Overlay
NM 18 69.5-72	2" Mill Inlay
NM 311 MP 20.9-22.8	2" Overlay
Sycamore to Sunset in Roswell	2" Mill Inlay
NM 48 Various locations MP 4-6.7	2" Mill Inlay

Pavement Improvement Maintenance Projects Districtwide

# Maintenance Work

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Pavement Rehabilitation Project Downtown Roswell – video



# State Funded Projects

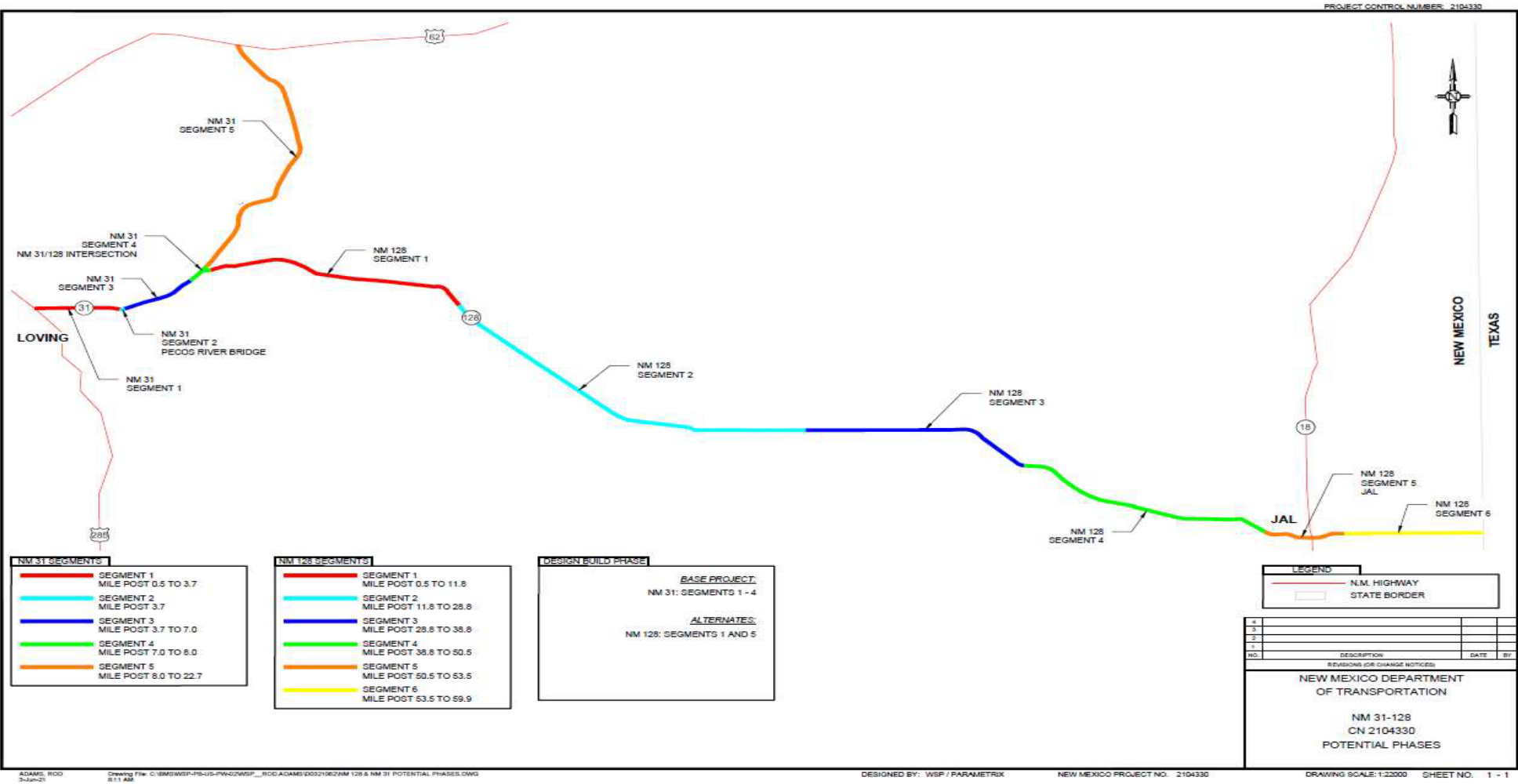
Laws of 2021 General Fund Appropriations		
Location	Scope of Work	Cost
US 60 MM 385-388.7	Reconstruction, Drainage and ADA Improvements Downtown Clovis	\$21,000,000.00
US 54 MM 38.7 – 47.8	Pavement Rehabilitation – Completed	\$1,800,000.00
US 70 MM 208 - 212	Pavement Preservation – Ongoing	\$1,700,000.00
US 285 MM 80 – 88	Pavement Preservation – Ongoing	\$2,500,000.00
NM 18 MM 68 – 71	Pavement Rehabilitation – Plan Spring 2022	\$1,000,000.00
	TOTAL	\$28,000,000.00
Laws of 2020 Chapter 83 Section 9 Item 1 General Fund Appropriations		
Location	Scope of Work	Cost
US 70 MM 264-275	Pavement Rehabilitation - Ongoing	\$12,000,000.00
US 54 MM 88-97 & 107-118	Pavement Rehabilitation – Completed	\$6,000,000.00
US 82 MM 43-53	Pavement Preservation – Completed	\$2,000,000.00
	TOTAL	\$20,000,000.00

# NM 31/128 Design Build Project

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# NM 31/128 Design Build Project





# Best Practice

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Best Practice, Bridge Crew – Reusable CWB/Bridge Rail Forms & Reusable Metal Jack Stands - video

# Employee



Jessica Crane, Engineer - video



# Supervisor



Mariano Valencia, Corona Maintenance Patrol - video

## Crew



IT – Frank Banda and Georgina Ramirez – video



# Thank you

Francisco Sanchez, District Engineer  
NMDOT District Two  
4505 West Second Street  
Roswell, NM 88201  
Phone: (575) 840-3035



# **Agenda Item 8**

## Staff Briefings

# **Agenda Item 8a**

## Secretary Report

# Commission Brief

**SUBJECT:** Secretary Report

**PRESENTER:** Michael Sandoval, Cabinet Secretary, NMDOT

**BACKGROUND:**

**ACTION:** No Action

# **Agenda Item 8b**

## **FHWA Report**

# Commission Brief

**SUBJECT:** FHWA Report

**PRESENTER:** Rodolfo Monge-Oviedo, Deputy Division  
Administrator, FHWA

**BACKGROUND:**

**ACTION:** No Action

# **Agenda Item 8c**

New NMDOT Website  
Introduction/Launch



# Commission Brief

**SUBJECT:** New NMDOT Website Introduction/Launch

**PRESENTER:** Marisa Maez, Communication Director, NMDOT

**BACKGROUND:**

**ACTION:** No Action

# **Agenda Item 9**

## Finance Reports

# **Agenda Item 9a**

## Financial Status Update

# Commission Brief

**SUBJECT:**

**FY22 Operating Budget and Financial Report – October 31, 2021**

**PRESENTER:** Mallery Manzanares, Acting Administrative Service  
Director

**BACKGROUND:**

**ACTION:** No Action

	A	B	C	D	E		F	G		
1	FY2022 NMDOT Financial Summary as of October 31, 2021									1
2										2
3	STATE ROAD FUND ONLY									3
4	(Dollars in Millions)									4
5										5
6		Begin FY22	+FY22	+FY22	COMBINED		Actual FY22			6
7		OPBUD	Rollover	BARS	FY22 BUDGET		Rev/Exp	PCT		7
8	Revenues									8
9	CURRENT INFLOWS									9
10	State Funds	\$ 493.2	\$ -	\$ -	\$ 493.2		\$ 99.6	20.2%		10
11	FHWA Funding	\$ 369.1	\$ 480.7	\$ 44.4	\$ 894.2		\$ 159.8	17.9%		11
12	Transfer From Other Agency	\$ 12.0	\$ -	\$ -	\$ 12.0		\$ 12.00	100.0%		12
13	Fund Balance Reserves	\$ 29.0	\$ 142.1	\$ 61.6	\$ 232.7		\$ -	0.0%		13
14	1) TOTAL INFLOWS (REVENUES):	\$903.3	\$622.8	\$106.0	\$1,632.1		\$271.4	16.6%		14
15										15
16	Expenditures									16
17	CURRENT OUTFLOWS:									17
18	Personnel Services	\$ 169.4	\$ -	\$ -	\$ 169.4		\$ 60.9	36.0%		18
19	Contractual Services	\$ 444.9	\$ 592.9	\$ 106.0	\$ 1,143.8		\$ 141.2	12.3%		19
20	Other Operating Costs	\$ 134.1	\$ 29.9		\$ 164.0		\$ 30.7	18.7%		20
21	CAT 500 Transfer Out	\$ -	\$ -	\$ -	\$ -		\$ -	0.0%		21
22	Debt Service	\$ 154.9	\$ -	\$ -	\$ 154.9		\$ 58.5	37.8%		22
23	2) TOTAL OUTFLOWS - EXPENDITURES:	\$903.3	\$622.8	\$106.0	\$1,632.1		\$291.3	17.8%		23



	A	B	C	D	E		F	G		
1	FY2022 NMDOT Financial Summary as of October 31, 2021									1
2										2
3	RESTRICTED FUNDS ONLY									3
4	(Dollars in Millions)									4
5										5
6		Begin FY22	+FY22	+FY22	COMBINED		Actual FY22			6
7		OPBUD	Rollover	BARS	FY22 BUDGET		Rev/Exp	PCT		7
8										8
9	CURRENT INFLOWS:									9
10	21170- Transportation Project Fund (Restricted)	\$ 41.1	\$ -	\$ -	\$ 41.1		\$ 12.3	29.9%		10
11	21170- Transportation Project Fund Reserves	\$ -	\$ -	\$ -	\$ -		\$ -	0.0%		11
12	20200- Highway Infrastructure Fund (Restricted)	\$ 3.6	\$ -	\$ -	\$ 3.6		\$ 1.7	47.2%		12
13	20200- Highway Infrastructure Fund Reserves	\$ -	\$ -	\$ -	\$ -		\$ -	0.0%		13
14	20300- Local Gov't Road Fund (Restricted)	\$ 24.8	\$ -	\$ -	\$ 24.8		\$ 5.2	21.0%		14
15	20300- Local Gov't Road Fund Reserves	\$ -	\$ 23.4	\$ -	\$ 23.4		\$ -	0.0%		15
16	20500- Aviation Fund - Federal (Restricted)	\$ 5.7	\$ -	\$ -	\$ 5.7		\$ 1.0	17.5%		16
17	20500- Aviation Fund Balance Reserves	\$ -	\$ 10.4	\$ -	\$ 10.4		\$ -	0.0%		17
18	Traffic Safety Funds (5 Restricted Funds)	\$ 2.4	\$ 1.9	\$ -	\$ 4.3		\$ 0.5	11.6%		18
19	Traffic Safety Fund Balance Reserves	\$ -	\$ -	\$ -	\$ -		\$ -	0.0%		19
20	10010- NHTSA Funding-(Reimbursement Basis)	\$ 15.8	\$ 10.1	\$ -	\$ 25.9		\$ 3.5	13.5%		20
21	10030- FTA Funding-(Reimbursement Basis)	\$ 19.2	\$ 38.3	\$ 5.7	\$ 63.2		\$ 4.5	7.1%		21
22	89300- State Infrastructure Bank Reserves	\$ -	\$ -	\$ -	\$ -		\$ -	0.0%		22
23	1) TOTAL INFLOWS (REVENUES):	\$112.6	\$84.1	\$5.7	\$202.4		\$28.7	14.2%		23
24										24
25	CURRENT OUTFLOWS:									25
26	Personnel Services	\$ 2.1	\$ -	\$ -	\$ 2.1		\$ 0.6	28.6%		26
27	Contractual Services	\$ 13.3	\$ 7.1	\$ -	\$ 20.4		\$ 3.2	15.7%		27
28	Other Operating Costs	\$ 93.6	\$ 77.0	\$ 5.7	\$ 176.3		\$ 11.5	6.5%		28
29	CAT 500 Transfer Out	\$ -	\$ -	\$ -	\$ -		\$ -	0.0%		29
30	Debt Service	\$ 3.6	\$ -	\$ -	\$ 3.6		\$ 1.3	36.1%		30
31	2) TOTAL OUTFLOWS (EXPENDITURES):	\$112.6	\$84.1	\$5.7	\$202.4		\$16.6	8.2%		31

CASH BALANCES FOR OPERATING BUDGET FUNDS													
(Balances based on data from SHARE Trial Balances on October 31 ,2021)													
NMDOT-FUNDS	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21
ROAD FUND (10040,20100)	242,340,759	252,610,625	249,975,322	262,389,873	264,512,827	263,869,626	252,866,516	274,284,475	322,707,343	322,046,941	293,490,628	386,878,699	356,330,673
Local Government Road Fund (20300) Restricted	35,323,484	36,592,090	35,345,970	36,340,782	36,897,945	37,559,847	37,496,003	37,505,689	35,885,625	37,470,586	37,209,644	38,144,292	39,041,538
Transportation Project Fund (21170) Restricted												8,133,328	12,251,416
Highway Infrastructure Fund (20200) Restricted	2,559,629	2,437,200	2,350,715	2,770,482	2,013,520	1,824,571	1,660,414	1,611,420	2,680,607	2,854,489	2,795,850	3,424,214	3,858,964
State Infrastructure Fund (89300) Restricted	10,873,303	10,878,028	10,878,028	10,884,181	10,884,181	10,884,181	10,884,181	10,884,181	10,993,181	10,996,287	11,089,516	11,089,516	11,089,516
Aviation Fund (20500) Restricted	12,912,616	13,184,201	12,769,683	13,035,602	12,882,067	12,894,832	12,595,857	12,938,517	13,329,393	13,230,707	12,134,955	12,261,344	12,622,946
Traffic Safety Funds (10020,20600,20700,20800) Restricted	1,130,164	2,683,448	2,703,187	2,779,178	2,829,329	2,924,256	2,910,010	2,981,217	3,000,030	3,028,789	2,928,217	3,114,623	3,215,188
National Highway Traffic Safety Adminstration (10010) Federal/Restriced	(1,559,152)	(2,021,833)	(863,716)	(1,698,627)	(495,097)	(1,359,564)	(2,556,458)	(614,880)	(1,575,148)	(2,417,960)	(1,179,066)	(1,646,385)	(1,730,172)
Federal Transit Administration (10030) Federal/Restricted	(1,621,326)	(1,803,660)	(2,581,570)	(1,587,911)	(2,649,197)	(1,901,197)	(2,558,399)	(2,219,027)	(2,896,373)	(1,705,833)	(213,289)	(1,096,245)	(2,736,922)
Ingition Interlock (82600) Restricted	2,076,107	2,067,278	2,030,971	2,040,791	2,001,647	1,985,444	2,282,249	2,259,064	2,242,988	2,216,639	2,191,267	2,212,394	2,229,065
RESTRICTED FUND TOTALS	61,694,827	64,016,751	62,633,268	64,564,478	64,364,394	64,812,370	62,713,856	65,346,183	63,660,302	65,673,705	66,957,095	75,637,082	79,841,540
TOTAL CASH BALANCES	304,035,586	316,627,377	312,608,590	326,954,350	328,877,221	328,681,996	315,580,372	339,630,658	386,367,645	387,720,646	360,447,724	462,515,781	436,172,213

1	FY22 FUND BALANCES AS OF JUNE 30, 2022						1
2				(Less)		"Projected"	2
3		Un-Audited	(Less)	Encumbrance	(Less)	Unbudgeted	3
4		Fund Balances	Re-Budgeted in	Rollover-Non-Federal	FY22	Fund Balances	4
5	<u>NMDOT-FUNDS</u>	<u>6/30/2021</u>	<u>Begin FY22 Budget</u>	<u>FY21/22 Budget</u>	<u>BARS &amp; OPRS</u>	<u>6/30/2022</u>	5
6	Unrestricted:						6
7	ROAD FUND (20100)+ INVENTORY (10040)	377,978,080	(28,969,900)	(142,078,577)	(178,640,117)	28,289,486	7
8							8
9							9
10	Restricted Funds:						10
11	NHTSA (10010)	0		0		0	11
12	DRIVER IMPROVEMENT (10020)	166,632		(78,693)		87,939	12
14	FTA (10030)	0		0		0	14
15	HIF (20200)	3,444,994		0		3,444,994	15
16	LOCAL GOVT (20300)	39,527,376		(23,328,398)		16,198,978	16
17	AVIATION (20500)	13,526,429		(10,392,903)		3,133,526	17
18	MOTORCYCLE (20600)	88,380		(88,380)		0	18
19	DWI PREVENTION (20700)	1,088,032		(370,501)		717,531	19
20	STATE TRAFFIC SAFETY (20800)	1,529,892		(1,312,081)		217,811	20
21	DOE (43100)	0		0		0	21
22	SIB (89300)	22,136,772		0		22,136,772	22
23	INTERLOCK (82600)	2,245,417		(109,331)		2,136,086	23
24	Total Restricted Funds:	83,753,923	0	(35,680,287)	0	48,073,637	24
25							25
26	TOTAL OPERATING FUND BALANCES	<u>461,732,003</u>	<u>(28,969,900)</u>	<u>(177,758,864)</u>	<u>(178,640,117)</u>	<u>76,363,123</u>	26

# **Agenda Item 9b**

Approval of Budget Adjustment  
Request (BAR) No. 10 - Payroll

# Commission Brief

**SUBJECT:**

**FY22 BAR #10 P562, P563, P564 & P565 – Agency**

**PRESENTER:** Mallery Manzanares, ASD

**BACKGROUND:**

An FY22 BAR is required to increase the budget authority in Personnel Services and Employee Benefits (CAT 200), by \$15,107,400.00. These funds are needed to cover any payroll related shortfalls, continue on-going recruitment efforts, and be prepared for overtime during the winter and spring activities.

- P562- \$2,191,300.00
- P563- \$11,716,100.00
- P564- \$700,000.00
- P565- \$500,000.00

**ACTION: Request BAR Approval**



# **Agenda Item 9c**

Approval of BAR No. 11  
- Local Government Road  
Fund Waiver

# Commission Brief

**SUBJECT:**

**FY22 BAR #11 P562 – PDC**

**PRESENTER:** John Romero, Operations Division Director

**BACKGROUND:**

An FY22 BAR is required to increase the budget authority in the Other Category (CAT 400) by \$500,000.00 for the Local Government Road Fund.

Annually, the department conducts a Hardship Auction for Local Governments. The Hardship Auction gives Local Governments an opportunity to purchase surplus equipment no longer needed by NMDOT. These funds will be distributed to Local Governments who qualify for financial assistance.

The funds are supported by the Local Government Fund Balance.

**ACTION: Request BAR Approval**

# **Agenda Item 9d**

FY2022 Financial  
Hardship Match Waiver  
Program Transportation  
Project Fund

# Commission Brief

**SUBJECT:** FY2022 FINANCIAL HARDSHIP MATCH WAIVER PROGRAM  
TRANSPORTATION PROJECT FUND

**PRESENTER:** Clarissa Martinez, POD  
State Grants Manager

## **BACKGROUND:**

- ▲ The Transportation Project Fund authorizes the Department to distribute a portion of TPF money to entities that can demonstrate financial hardship, for use to cover the locals 5% match fund requirement.

**ACTION:** Commission Approval

### Transportation Project Fund - Match Waiver

FY	District	Project #	Entity Name	NMDOT waiver approved	Sum of Entity Waiver Amount
2022	1	LP10014	Town of Mesilla	Yes	18,445.91
		LP10011	Village of Santa Clara	Yes	240,500.00
		LP10029	Town of Hurley	Yes	22,100.00
	1 Total				281,045.91
	4	LP40030	Town of Springer	Yes	17,500.00
		LP40024	City of Tucumcari	Yes	50,000.00
		LP40014	Village of Angel Fire	Yes	28,650.00
		LP40015	Village of Angel Fire	Yes	72,350.00
		LP40029	County of Mora	Yes	285,000.00
		LP40019	Village of Maxwell	Yes	52,500.00
		LP40016	San Miguel County	Yes	165,836.74
		LP40011	San Miguel County	Yes	69,759.19
		LP40013	Village of Cimarron	Yes	47,500.00
		LP40020	City of Las Vegas	Yes	191,234.30
		LP40012	Village of Eagle Nest	Yes	51,150.00
		LP40018	Village of Roy	Yes	27,950.00
		LP40021	Guadalupe County	Yes	23,750.00
		LP40022	Guadalupe County	Yes	23,750.00
		LP40025	City of Santa Rosa	Yes	48,881.00
		LP40026	City of Santa Rosa	Yes	8,134.00
		4 Total			
	6	LP60022	Navajo Nation	Yes	194,494.90
		LP60017	Navajo Nation	Yes	122,500.00
		LP60021	Village of Milan	Yes	165,557.46
		LP60028	Village of Reserve	Yes	16,300.00
	6 Total				498,852.36
Grand Total					1,943,843.50

### Transportation Project Fund - Match Waiver

FY	District	Project #	Entity Name	NMDOT waiver approved	Sum of Entity Waiver Amount	
2022		1	LP10019	Village of Williamsburg	No	56,085.72
		1 Total				56,085.72
		4	LP40017	Town of Clayton	No	75,000.00
		4 Total				75,000.00
		5	LP50025	Taos Pueblo	No	190,556.90
		5 Total				190,556.90
Grand Total						321,642.62



# **Agenda Item 9e**

FY2021/2022 Equipment  
Hardship Waiver  
Program Local  
Government Road Fund

# Commission Brief

**SUBJECT:** FY2021/2022 EQUIPMENT HARDSHIP WAIVER PROGRAM  
LOCAL GOVERNMENT ROAD FUND

**PRESENTER:** Clarissa Martinez, POD State  
Grants Manager

## **BACKGROUND:**

- ▲ 67-3-28.2 Local Government Road Fund authorizes the Department up to Five Hundred Thousand dollars of LGRF money to purchase at fair market value, for municipalities and counties that can demonstrate financial hardship, automotive, major road and miscellaneous equipment that would otherwise be sold at auction by the department as unusable for department purposes

**ACTION:** Commission Approval

## FY22 ENTITIES SELECTED FOR EQUIPMENT HARDSHIP SALE

Tajique Land Grant	Village of Floyd
Manzano Land Grant	Village of House
Village of Mosquero	Town of Springer
Rio Chama Land Grant	Village of Encino
Chilili Land Grant	Town of Lake Arthur
Tome Land Grant	Village of Magdalena
Anton Chico Land Grant	Village of Wagon Mound
Ceboleta Land Grant	Village of Folsom
Village of Fort Sumner	Village of Grady
Town of Vaughn	Harding County
Village of Willard	Village of Cimarron
Village of Des Moines	Village of Melrose
Village of Reserve	City of Moriarty
Town of Elida	Village of San Jon
Torrance County	City of Tucumcari
Village of Maxwell	City of Santa Rosa
Village of Corona	City of Portales
Village of Roy	Guadalupe County
Village of Pecos	County of De Baca
Town of Mountainair	Valencia County

# **Agenda Item 9f**

## New Mexico Finance Authority (NMFA) Report

# Commission Brief

**SUBJECT: NMFA Report**

**PRESENTER: Mark Lovato, Managing Director of Investments, NMFA**

**BACKGROUND:**

**ACTION: No Action**

*New Mexico Finance Authority report to*  
**State Transportation Commission**

**Agenda for November 18, 2021**

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1. NMDOT Combined Investment Summary ending Oct 31, 2021
  2. NMDOT/NMFA Debt Service outlook to Dec 15, 2021, as of Oct 31, 2021
- 



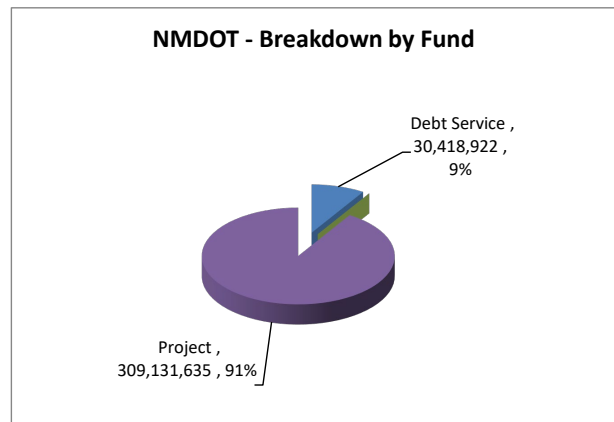
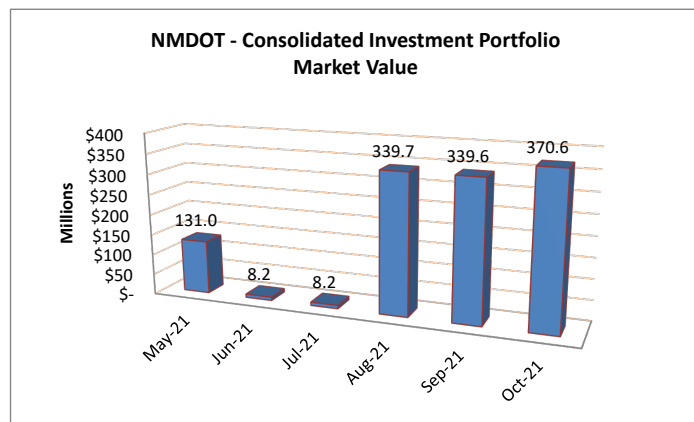


# INVESTMENT OF NM DEPT OF TRANSPORTATION BONDS NMDOT - BOND SERIES PORTFOLIO SUMMARIES

**October 31, 2021**

<u>NMDOT BOND SERIES DEBT SERVICE - Portfolio Summary</u>							
<u>Bond Series</u>	<u>Beginning Balance</u>	<u>Bond Payment Set Aside Pmt</u>	<u>Interest</u>	<u>Ending Balance</u>	<u>Next Bond DS Pmt 12/15/2021</u>	<u>Final Maturity</u>	<u>Call Date</u>
2012 Senior	20,079,902.71	19,992,936.38	168.67	40,073,007.76	3,415,575.00	6/15/2026	6/15/2022
2014 A Sub	794,486.21	505,227.28	6.67	1,299,720.16	1,389,375.00	6/15/2032	6/15/2024
2014 B1 Senior	584,961.93	558,000.00	4.91	1,142,966.84	1,534,500.00	6/15/2027	6/15/2024
2014 B2 Sub	435,962.98	424,090.92	3.66	860,057.56	296,250.00	6/15/2027	6/15/2024
2018 A Sub	6,225,537.42	6,105,681.82	52.29	12,331,271.53	10,438,125.00	6/15/2030	6/15/2028
2020 A Senior	2,123,115.51	1,228,000.00	17.83	3,351,133.34	1,579,500.00	6/15/2025	
2021 A Sub	174,955.71	2,201,185.18	1.48	2,376,142.37	4,040,333.33	6/15/2030	
<b>TOTAL</b>	<b>30,418,922.47</b>	<b>31,015,121.58</b>	<b>255.51</b>	<b>61,434,299.56</b>	<b>22,693,658.33</b>		

<u>NMDOT BOND SERIES PROJECT/OTHER FUNDS - Portfolio Summary</u>				
<u>Bond Series</u>	<u>Beginning Balance</u>	<u>Draws - Payments</u>	<u>Interest</u>	<u>Ending Balance</u>
2021 A Project	302,404,080.90	-	2,540.38	302,406,621.28
2014 A Project	6,727,553.74	-	56.51	6,727,610.25
<b>TOTAL</b>	<b>309,131,634.64</b>	<b>-</b>	<b>2,596.89</b>	<b>309,134,231.53</b>



<u>NMDOT BOND SERIES LINE OF CREDIT - Portfolio Summary</u>					
<u>Line of Credit</u>	<u>Beginning Balance</u>	<u>Draws - Contributions</u>	<u>Commitment Fee</u>	<u>Ending Balance</u>	<u>Agreement Terms</u>
Wells Fargo	50,000,000.00			50,000,000.00	BNSF Line expires 6/30/2022 LOC started July 2013
Payments	-	-	-	-	Used : 1-mo LIBOR + .77%    Unused : .19% Commitment Fees Paid \$784,111
<b>TOTAL</b>	<b>50,000,000.00</b>	<b>-</b>	<b>-</b>	<b>50,000,000.00</b>	

## NMDOT/NMFA OUTSTANDING BOND DEBT SERVICE

For Period: 1st half Fiscal Year 2022

Bond Series	Current Amount Outstanding	Final Maturity Date	Principal Debt Service Due 12/15/2021	Interest Debt Service Due 12/15/2021	Total Debt Service Due 12/15/2021	Debt Service held as of 10/31/2021	Shortage / Overage as of 10/31/2021
2012 Sr	154,090,000	6/15/26		3,415,575	3,415,575	40,073,008	36,657,433
2014 A Sub	55,575,000	6/15/32		1,389,375	1,389,375	1,299,720	(89,655)
2014 B-1 Sr	61,380,000	6/15/27		1,534,500	1,534,500	1,142,967	(391,533)
2014 B-2 Sub	11,850,000	6/15/27		296,250	296,250	860,058	563,808
2018 A Sub	417,525,000	6/15/30		10,438,125	10,438,125	12,331,272	1,893,147
2020 A Sr	63,180,000	6/15/25		1,579,500	1,579,500	3,351,133	1,771,633
2021A Sub	234,600,000	6/15/30		4,040,333	4,040,333	2,376,142	(1,664,191)
	998,200,000		-	22,693,658	22,693,658	61,434,300	38,740,641
Senior Lien	278,650,000		-	6,529,575	6,529,575		
Subordinate Lien	719,550,000		-	16,164,083	16,164,083		
Total	998,200,000						

# **Agenda Item 10**

## **Policy Reports**

# **Agenda Item 10a**

Proposed dedication of Bridge  
No. 6367 located on NM 400 over  
Interstate 40 in McKinley County  
as the "John I. King Memorial  
Bridge"

# Commission Brief

**SUBJECT:** Proposed dedication of the bridge located on NM 400 over Interstate 40 in McKinley County (Bridge No. 6367), as the “John I. King Memorial Bridge”.

**PRESENTER:** Lisa Vega, District Six Engineer, NMDOT

**BACKGROUND:** On April 11, 2021, May 16, 2021 and August 5, 2021, the Iyanbito Veterans Organization, Iyanbito Navajo Chapter and the Eastern Navajo Agency Veterans Organization, respectively, passed, approved and/or adopted resolutions in support of naming Bridge No. 6367 in honor of John I. King. Thereafter, on August 23, 2021, the resolutions were submitted to the New Mexico State Transportation Commission (STC).

On September 30, 2021, Harry Garcia, New Mexico State Representative, District 69, and Edmund Yazzie, Delegate, 24<sup>th</sup> Navajo Nation Council, appeared before the STC to discuss their support for naming Bridge No. 6367 in honor of John I. King.

John I. King was a native New Mexican of Navajo descent, born July 11, 1953, in Gallup, New Mexico. He enlisted in the United States Navy in 1972, earned the rank of EA3 and served with the Construction Battalion, better known as the Navy Seabees. He was honorably discharged in 1975 and, in recognition of his service, received a National Defense Service Medal. Thereafter, he was employed for over 35 years with the United States Government and served in various engineering, quality assurance and other positions. Mr. King also devoted a significant amount of his time and effort to community service and volunteer work for the Navajo Nation, including serving in Community Liaison and Community Veterans Commander positions. In 2019, he was appointed as the Executive Director of the Navajo Nation Veterans Administration. In addition to his other accomplishments, Mr. King was a gifted and distinguished artist, expert in traditional Navajo water-color style painting.

If the STC grants approval to proceed with the proposed designation, a request to officially dedicate Bridge No. 6367 will be presented to the STC at a future meeting.

**ACTION:** No action is required at this time. This item is for briefing only.

November 18, 2021

# **Agenda Item 10b**

Approval and Adoption of  
Resolution 2021-02  
(NOV), approving  
continued use of a  
temporary negotiated  
alternative Southern WIPP  
route (the "Jal Route")

# Commission Brief

**SUBJECT:** Extending the term of use of the “Jal Route” as a Temporary, Negotiated, Alternate Southern WIPP Route

**PRESENTER:** Rick Padilla, Executive Director of Highway Operations

## **BACKGROUND:**

October 5, 2021, the DOE-CBFO requested NMDOT extend the term of use of the temporary, negotiated, alternate Southern WIPP route (the “Jal Route”) beyond the termination date of December 31, 2021, established by the STC in Resolution No. 2020-04 (NOV), until December 31, 2022.

As justification for continued use of the “Jal Route” instead of the existing, state-designated Southern WIPP route (US 285 to US 62/180), DOE-CBFO identifies several conditions adverse to WIPP transportation safety. These conditions include construction projects, the sinkhole at US 285 and National Parks Highway (U.S. 62), and heavy oilfield traffic.

NMDOT recommends the STC extend the term of the “Jal Route” and allow DOE-CBFO continued use of the “Jal Route” as a temporary, negotiated, alternate Southern WIPP route until December 31, 2022, unless terminated earlier by notice.



**ACTION:** Adopt STC Resolution No. 2021-02 (NOV), approving DOE-CBFO continued use of the “Jal Route” as a temporary, negotiated, alternate Southern WIPP route until December 31, 2022, unless terminated earlier by notice.

November 18, 2021

**STATE OF NEW MEXICO**

**STATE TRANSPORTATION COMMISSION**

**RESOLUTION NO. 2021-02 (NOV)**

**EXTENDING THE TERM OF USE OF THE “JAL ROUTE”, AS A  
TEMPORARY, NEGOTIATED, ALTERNATE, SOUTHERN WIPP ROUTE**

**WHEREAS**, on October 5, 2021, the Department of Energy – Carlsbad Field Office (DOE-CBFO) requested the New Mexico Department of Transportation (NMDOT) extend the term of use of the temporary, negotiated, alternate Southern Waste Isolation Pilot Plant (WIPP) Route, (the “Jal Route”) beyond the termination date of December 31, 2021, to December 31, 2022;

**WHEREAS**, most recently, State Transportation Commission (STC) Resolution No. 2020-04 (NOV) authorized temporary use of the “Jal Route”, which is described as follows:

Beginning at the NM/TX border, proceeding west on NM 176 toward Eunice and to the junction of NM 18, then traveling south on NM 18, toward Jal to the junction with NM 128, then continuing west on NM 128 to the south access WIPP road; (*see attached map*)

**WHEREAS**, Resolution No. 2020-04 (NOV) also modified the term of use of the “Jal Route”, extending the availability of the temporary route by setting the termination date as December 31, 2021;

**WHEREAS**, DOE-CBFO requests another term extension to allow DOE to continue to use the “Jal Route” for transport of highway route controlled quantity shipments of transuranic waste bound for the WIPP site near Carlsbad, New Mexico, as a temporary alternative to the preferred, state-designated Southern WIPP route (“US 285”);

**WHEREAS**, as justification for continued use of the “Jal Route” for WIPP shipments, the DOE-CBFO identifies on-going safety concerns related to portions of “US 285” as well as anticipated impacts from a planned, multi-year remediation of a sink hole south of Carlsbad, including road construction lane-shifts and detours, and heavy oil and gas industry traffic impacting the Southern WIPP Route;

**WHEREAS**, the STC and DOE-CBFO may agree to temporary use of an alternative route within New Mexico to allow the shipments of transuranic waste access to the WIPP site pursuant to the controlling federal rules under the Code of Federal Regulations (CFR) Title

49, Section 397, and in accordance with the provisions of the Western Governors' Association WIPP Program Implementation Guide (WPA WIPP-PIG);

**WHEREAS**, CFR Title 49, Section 397.101 permits DOE-CBFO to operate over a route, other than a preferred, state-designated route, where deviation is necessary due to emergency conditions making the designated route unsafe or impossible, and where such deviation complies with criteria minimizing radiological risk and mileage based upon an appropriate route analysis determining the level of radiological risk;

**WHEREAS**, WIPP-PIG, Section XII, "Highway Routing of WIPP Shipments" provides that the state routing agency may determine an alternate WIPP shipment route through a negotiation process with DOE-CBFO, where such negotiated alternate route takes in to account the overall risk to the public, segment lengths, vehicle speeds, population, and other relevant factors and specific conditions;

**WHEREAS**, in accordance with CFR Title 49 Section 397.101 and the WGA WIPP-PIG, NMDOT performed a route analysis of potential alternate southern routes, which currently rates the "Jal Route" as the preferred alternate southern route into the WIPP site;

**WHEREAS**, the Radioactive and Hazardous Materials Act, NMSA 1978, §§ 74-4A-1 through 74-4A-14 (1991), provides exclusive authority to the State Transportation Commission (STC) to designate highway routes for the transportation of radioactive materials;

**WHEREAS**, the STC acknowledges DOE-CBFO's relevant special expertise in this matter as well as its commitment to provide this technical, analytic assistance as part of its obligations to the State of New Mexico under the Memorandum of Agreement between the Western Governors' Association and the U.S. Department of Energy concerning regional protocol for the safe transportation of transuranic waste to and from the Carlsbad WIPP site;

**WHEREAS**, based on the DOE-CBFO assessment that the need for the alternate southern route is both urgent and temporary, NMDOT concurs with DOE-CBFO that continued, temporary use of the "Jal Route" is preferable and best addresses the urgent need for an alternative to the preferred, state-designated Southern WIPP route;

**WHEREAS**, as part of the negotiated alternate route agreement, DOE-CBFO will continue to comply with any conditions related to the use of the temporary route as may be required by the NMDOT, New Mexico State Police Commercial Vehicle Enforcement Bureau (NMSP-CVE), and as may be further identified by the New Mexico Radioactive Waste Consultation Task Force ("Task Force"); and

**WHEREAS**, in accordance with WPA WIPP-PIG, Section XII, continued use of the temporary, negotiated, alternate route is effective upon notice to DOE-CBFO of the STC resolution approving the extension of the term of use of the "Jal Route".

**NOW, THEREFORE, IT IS RESOLVED THAT THE NEW MEXICO STATE TRANSPORTATION COMMISSION** agrees to extend the term of use for the “Jal Route” as a temporary, negotiated, alternate Southern WIPP route; and

**IT IS FURTHER RESOLVED**, that the “Jal Route” is immediately effective and shall terminate on December 31, 2022, unless terminated earlier by notice; and

**IT IS FURTHER RESOLVED**, that the use of the “Jal Route” is conditioned on DOE-CBFO performance of any and all arrangements related to the transportation of transuranic waste along the route as required by the NMDOT, NMSP-CVE, or by the Task Force.

**ADOPTED BY THE STATE TRANSPORTATION COMMISSION IN OPEN MEETING ON NOVEMBER 18, 2021.**

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Walter Adams, Chairman  
District 4

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Jennifer Sandoval, Vice-Chairman  
District 1

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Charles Lundstrom, Secretary  
District 6

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Bruce Ellis, Commissioner  
District 2

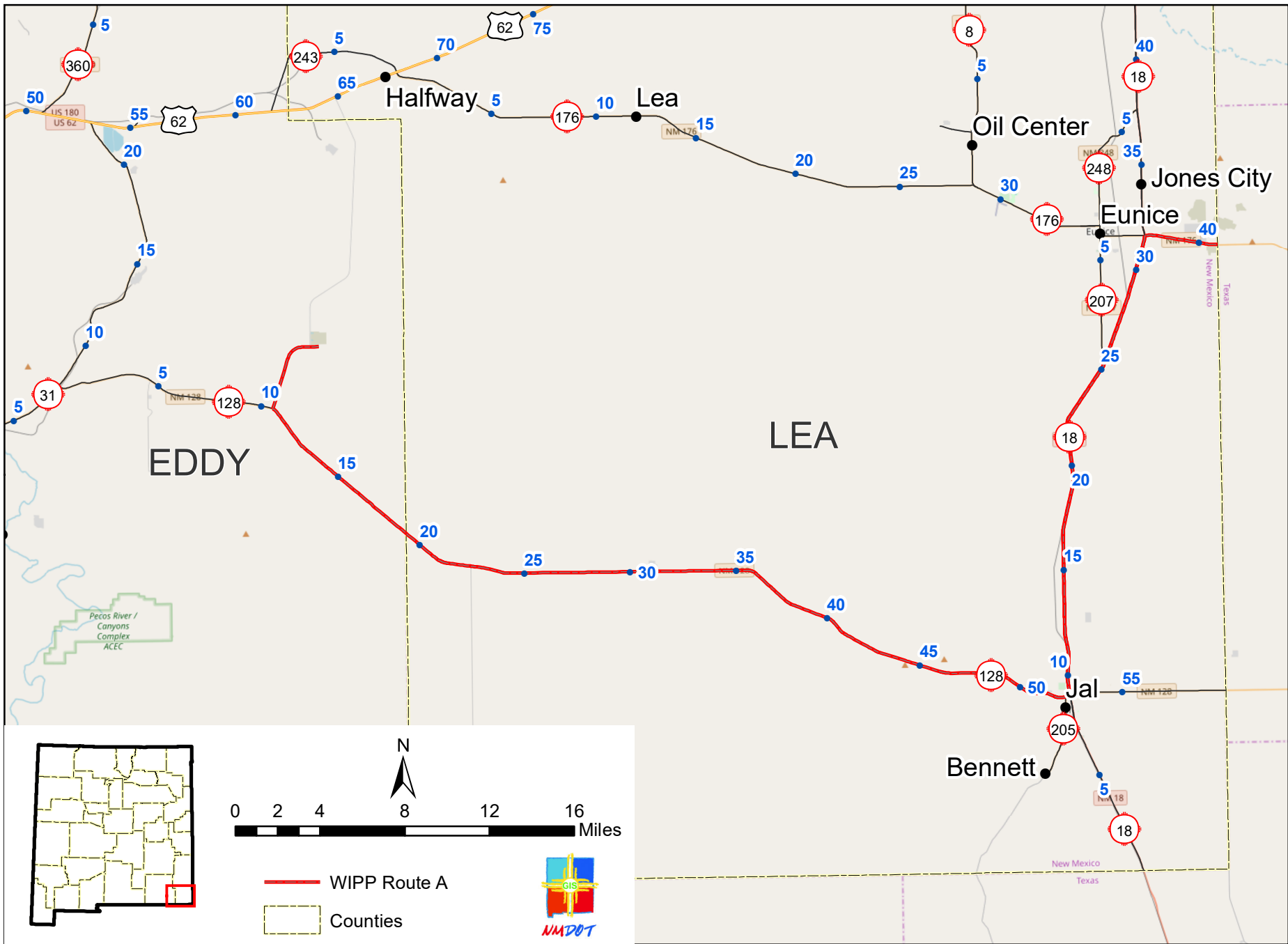
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Hilma E. Chynoweth, Commissioner  
District 3

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Thomas C. Taylor, Commissioner  
District 5

# WIPP Routes



# **Agenda Item 10c**

Approval of Proposed 2022  
STC Meeting Schedule

# Commission Brief

**SUBJECT:** Approval of Proposed 2022 STC Meeting Schedule

**PRESENTER:** Michael Sandoval, Cabinet Secretary, NMDOT

**BACKGROUND:**

**ACTION:** Respectfully Request the STC take Action



**PROPOSED 2022 STC SCHEDULE**  
**NEW MEXICO STATE TRANSPORTATION COMMISSION**  
**LOCATION, DATES DEADLINES**

<b>Date</b>	<b>Location</b>		<b>Agenda deadline</b>	<b>Legal Notice deadline</b>
January 6, 2022	Farmington	(D5)	December 22, 2021	December 27, 2021
March 24, 2022	Roswell	(D2)	March 9, 2022	March 14, 2022
May 19, 2022	Albuquerque	(D3)	May 4, 2022	May 9, 2022
July 21, 2022	Las Vegas	(D4)	July 6, 2022	July 11, 2022
September 15, 2022	Acoma	(D6)	August 31, 2022	September 5, 2022
November 17, 2022	Silver City	(D1)	November 2, 2022	November 7, 2022

Note: All meetings begin at 8:30 am unless specified