

**NEW MEXICO
DEPARTMENT OF TRANSPORTATION**

TRANSPORTATION COMMISSION MEETING



NMDOT

December 8, 2022

Via Zoom

NEW MEXICO STATE TRANSPORTATION COMMISSION

Via Zoom

December 8, 2022

9:00 a.m.

Special Meeting 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 November 17, 2022
- 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. Approval of Proposed Amended 2023 STC Meeting Schedule:** Ricky Serna, Cabinet Secretary, NMDOT
- 8. 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
November 17, 2022

**NEW MEXICO STATE TRANSPORTATION COMMISSION
MEETING**

**Grant County Veterans Memorial Business & Conference Center
3031 Highway 180 East
Silver City, New Mexico 88061
November 17, 2022**

The New Mexico State Transportation Commission (STC or Commission) held a regular meeting on November 17, 2022, at the Grant County Veterans Memorial Business and Conference Center, Silver City, New Mexico. Chairman Adams called the meeting to order at 8:31 a.m. He asked for a roll call to establish a quorum. Mershawn Griego, Office of the Secretary, New Mexico Department of Transportation (NMDOT or the Department), proceeded to call the roll. Commissioners Jennifer Sandoval, Bruce Ellis, Hilma Chynoweth, Walter G. Adams and Thomas C. Taylor were present.

Approval of the STC Meeting Agenda

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

Approval of the STC Minutes

Chairman Adams asked for a motion to approve the September 15, 2022 STC regular meeting minutes. Commissioner Ellis made a motion to approve the minutes; Commissioner Chynoweth seconded; motion carried unanimously.

State Transportation Commissioners Present:

Jennifer Sandoval, Vice-Chair, District One
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 (absent with notice)

NMDOT Staff Present:

Ricky Serna, Cabinet Secretary
Trent Doolittle, Deputy Secretary, Highway Operations
Rick Padilla, P.E., Executive Director of Highway Operations
Kenneth B. Baca, General Counsel
NMDOT Staff

Elected Officials and Delegations Present:

The Honorable Howie Morales, Lieutenant Governor
The Honorable Luis M. Terrazas, New Mexico State Representative, District 39
Chris Ponce, County Commissioner, Grant County, District 1

Introductions

Chairman Adams acknowledged and thanked Lieutenant Governor Howie Morales for being present at the meeting. Lieutenant Governor Morales welcomed the STC and NMDOT to Silver City and mentioned he has traveled around the state and seen the work that has been done and thanked the STC for their leadership and working with the Department to ensure the needs of the state are being met. Lieutenant Governor Morales thanked Secretary Ricky Serna, Deputy Secretary Trent Doolittle and NMDOT District One staff members for the work they have done. Recently a bridge between Cliff and Gila was impacted due to flooding and the community was

unable to cross and had to travel four hours to get to the Grant County area. The Lieutenant Governor also thanked the Grant County Prospectors for going above and beyond for a warm welcome to the County.

Ricky Serna, Cabinet Secretary, NMDOT, acknowledged the elected officials and certain others in attendance. Thereafter, the STC Commissioners introduced themselves, and Secretary Serna introduced NMDOT Executive Staff.

Chairman Adams asked Deputy Secretary Doolittle and Gene Paulk, Acting District One District Engineer (D.E.) to meet with the Grant County Commission on resources the NMDOT provides.

Welcoming Remarks

Chairman Adams thanked the Silver City for hosting the STC meeting, and meeting attendees for their participation. Chairman Adams also thanked Tony Trujillo, Director, Freeport McMoran, Associated Contractors of New Mexico (ACNM), and Dan Silva for hosting the reception. Chairman Adams also thanked Western New Mexico University, Julia Morales, Grant County Prospectors, Southwest New Mexico Council of Government, Priscilla Lucero, Bohannon Huston Inc., Souder Miller, Stantec and the Silver City Chamber of Commerce for their hospitality.

Chairman Adams thanked NMDOT employees for attending and for their hard work out in the field.

Public Comment

Brian Jones, Executive Director, Asphalt Paving Association of New Mexico (APANM), mentioned every year APANM's Best of New Mexico Program is open to cities, counties, the

NMDOT and any contractors. Brian asked to encourage applicants for the Best of New Mexico program.

Tribute to Justin Reese, Former Deputy Cabinet Secretary, NMDOT

Chairman Adams and Wayne Sherwood, 2nd Vice President, Grant County Prospectors, introduced and recognized Justin Reese, former Deputy Secretary, NMDOT, for the excellent work he did during his tenure with the NMDOT. The other STC Commissioners also acknowledged and thanked Mr. Reese for his hard work and dedication to the NMDOT and wished him well on his retirement. Chairman Adams and various other NMDOT executive staff members thanked Mr. Reese for his exceptional leadership and presented him with a commemorative plaque. Thereafter, a video of numerous tributes from NMDOT staff members, colleagues and friends was presented, followed by comments from the former Deputy Secretary, and a standing ovation from the STC and meeting participants.

Grant County Transportation Priority

Chris Ponce, Commission Chairman, and Charlene Webb, County Manager, welcomed the STC, NMDOT staff and meeting attendees to Grant County and thanked NMDOT staff for their efforts when a bridge on Highway 180 washed out. Mr. Ponce congratulated and thanked Mr. Reese on his retirement and the work he did with NMDOT.

Charlene Webb, County Manager, thanked the NMDOT for their efforts in re-opening the Highway 180 bridge as she is a resident of the Cliff area. Ms. Webb spoke about monsoon season in the Grant County area and the ongoing issue near the Gila on Highway 211 crossing at Bear Creek with flooding and she stated she wanted to start a discussion on how to address the issue. Ms. Webb is concerned this has become a public safety issue and would like to work with District

One on the issue. Chairman Adams asked Deputy Secretary Doolittle to meet with Ms. Webb on options available.

Approval of Proposed Dedication of the “Sgt. Robert W. Baron Memorial Corridor”

Justin Gibson, P.E., District Three Engineer, NMDOT, presented and requested the STC’s approval of the proposed dedication of the (1) mile portion of Interstate 25 from Milepost 254 to Milepost 255 in Sandoval County as the “Sgt. Robert W. Baron Memorial Corridor”. He invited Christine “Kryisia” Baron, wife of the late Robert Baron, to read the proposed resolution aloud to the STC.

Jason Benally, Lieutenant, Sandoval County Sheriff’s Office, Sgt. Baron’s supervisor, spoke in support of the dedication. Chairman Adams offered his condolences. Secretary Serna also expressed his appreciation to the Baron family for allowing the STC to honor Sgt. Baron.

Chairman Adams asked for a motion to approve the proposed dedication of the (1) mile portion of Interstate 25 from Milepost 254 to Milepost 255 in Sandoval County, as the “Sgt. Robert W. Baron Memorial Corridor.” Commissioner Chynoweth made a motion to so approve; Commissioner Taylor seconded; motion carried unanimously.

Request from the City of Albuquerque, Speed Cameras on State-owned Right of Way (ROW)

Ricky Serna, Cabinet Secretary, NMDOT, referenced a letter dated August 18, 2022, from Mayor Keller, City of Albuquerque, requesting STC approval to place automated speed enforcement cameras on Paseo del Norte Boulevard, Tramway Boulevard, and Coors Boulevard, which are currently under the ownership of the NMDOT and authority of the STC. Approval

would allow the NMDOT Secretary to enter into a ROW Use Agreement with the City of Albuquerque (CABQ) to place automated speed enforcement cameras on NMDOT ROW with the following stipulations: (1) the cameras would be placed on fixed and independent infrastructure appropriately, and (2) the agreements include CABQ permission on Coors, Paseo, and Tramway. Secretary Serna referenced Commission Policy 70 (Red Light and Speed Enforcement Cameras), and stated that after the initial request, CABQ was asked to articulate a number of items that would be done in support of the request. Following a legal review by Kenneth Baca, General Counsel, NMDOT and his team, the NMDOT has found no conflict between the CABQ automated speed enforcement ordinance and New Mexico state statutes and provisions related to the State's assessment of fees and the distribution of fees that Secretary Serna provided to the STC. NMDOT requested an opinion from FHWA concerning requirements that fall on NMDOT that will be articulated in the ROW Use Agreement contingent on how the cameras are going to be funded. Pursuant to the policy, and to more formalize this process, NMDOT will develop a plan and strategy for how future requests would be allowed to come to the Secretary for approval to minimize the need for the STC to approve requests in the future. This process would include legal review and an FHWA opinion.

Jennifer Morrow, Deputy Director for Municipal Development, City of Albuquerque, presented on the speed enforcement cameras and the CABQ initiative to eliminate traffic deaths and serious injuries. The CABQ is contracted with Novoa Global, which owns the cameras, to send citations and receive payments. CABQ pays Novoa Global \$7,900 per month per camera for the services. The Albuquerque Police Department (APD) reviews all citations prior to Novoa Global sending citations out. Cameras are self-contained, non-intrusive, and mounted mostly on light poles, and if placed on NMDOT ROW will be a fixed camera and not a portable.

Camera location was determined by data and site feasibility. Ms. Morrow presented data for cameras that are on CABQ roads, including revenue and the costs associated to the program. The citation amount is \$100.00 or people can choose 4 hours of community service. Half of the remaining revenue is remitted to the State Treasurer and 10% is distributed to DWI Drug Court programs and 90% to NM Finance Authority for deposit into the Metro Court Bond Guarantee Fund. The other half of revenue is retained by the CABY for Vision Zero Traffic Safety initiatives. CABQ has 10 active cameras on City owned ROW and is proposing 6 cameras on NMDOT ROW. CABQ apologized for a miscommunication in having placed a camera on Coors, near Fontaine without NMDOT permission and voided the citations that were issued for that area. No citations have been issued on NMDOT property.

Commissioner Ellis asked if CABQ gets to the zero-citation level how is the CABQ going to fund the program. Jennifer Morrow stated to end the program or move the cameras to different locations. Commissioner Ellis asked, for the areas that there are cameras what are the results. Jennifer Morrow said the camera on Gibson has shown to slow down speeders. The cameras have been up for a couple of months and the data is limited at this time.

Commissioner Chynoweth asked about the process before citations go out. Ms. Morrow mentioned that APD will verify the license plate and speed in the photos before citations go out. There is an appeal process if tickets went out in error and if a ticket has been voided due to error it cannot be paid online. Commissioner Chynoweth also mentioned she appreciated the fact that a citation could be worked off as community service without becoming indebted to pay off the citation.

Commissioner Taylor asked if the citations are a flat fee of \$100 and if the citation states the speed that was over the speed limit. Ms. Morrow stated that is required by state statute and the speed is on the citation.

Chairman Adams asked if the original request that he spoke to Mayor Keller and the Chief of Staff about was to have a tracker to read license plates of stolen vehicles and if this request includes the stolen vehicle tracker and asked that Ms. Morrow verify the current request was only for speed cameras. Ms. Morrow was unaware of the original request and stated she would get back to the STC. She did, however, verify the current request was for the speed cameras. Chairman Adams asked if Legal and FHWA are ok with the request. Cindy Vigue, FHWA, asked for context on choosing the locations. Ms. Morrow stated the data that was used was crash and speeding data, vulnerability, and site feasibility. Ms. Vigue asked if cameras were going to be in areas of low-income minority neighborhoods and if there would be any data on that. Ms. Morrow stated that these cameras are not placed in residential areas. Chairman Adams asked when the sites are chosen that the NMDOT reviews the sites to ensure the standards have been met.

Chairman Adams asked for a motion to approve to allow the NMDOT Secretary to enter into a Right of Way Use Agreement with the City of Albuquerque to place Automated Speed Enforcement Cameras on NMDOT ROW stipulating that the cameras be placed on fixed and independent infrastructure and be allowed only on Coors, Paseo, and Tramway Boulevard as approved through the ROW Use Agreement. Commissioner Chynoweth made a motion to so approve; Commissioner Sandoval seconded; motion carried unanimously.

District One Update

Trent Doolittle, P.E., Deputy Secretary, NMDOT, provided an update (via video recording) regarding District One, during which he discussed the District's budget, projects and other activities. He discussed House Bill 2, TPF, and LGRF funding, along with completed and new projects receiving those funds. He also reported on the District's Employee Recognition Program, acknowledged recent award winners, and thanked District One staff members for their work.

Deputy Secretary Doolittle introduced Gene Paulk, P.E., Acting District One Engineer. Mr. Paulk thanked the STC and Secretary Serna for putting their trust in him as the interim District One Engineer.

Staff Briefings

Secretary's Report

Ricky Serna, Cabinet Secretary, NMDOT, reported on his meeting with USDOT Secretary Pete Buttigieg who came to NM on a tour that focused on tribal infrastructure investments and driver safety program funding from USDOT, and thanked Jeff Barela, Director of Traffic Safety, NMDOT, and his team for coordinating the onsite demonstrations and awareness of traffic safety programs. He also thanked Ron Shutiva, Tribal Liaison, NMDOT, for coordinating the meeting with Tribal Leaders and Secretary Buttigieg.

He also reported on NMDOT committees that have been established in his transition: Retention Work Committee, Space Utilization Committee, and Employee Engagement Committee.

He reported that the NMDOT remains above \$2 billion in active contracts and is starting to see a leveling off in our bids versus engineer estimates and that we are better at predicting those

costs. He also stated NMDOT is looking forward to seeing how provisions such as Buy America requirements will impact upcoming lettings. He reported on winter operations, the exit audit that will be presented to the STC once released, EV charging station agreements to build out 32 Level 3 charging stations across the state, the upcoming legislative session, and fire flood recovery efforts. NMDOT has spent more than \$5 million on flood and fire debris removal in Mora and San Miguel Counties. Work will now include full private property debris removal for residents. Secretary Serna mentioned work will start on acequias in Grant County that have been affected by the floods, and NMDOT was able to work outside of the burn scar in Rio Arriba County and helped facilitate a contract between Homeland Security and contractors for debris removal in community acequias.

Commissioner Ellis commented on a news story about cyber risk along with the new EV network being built and NM Sandia Labs is in the forefront and hopes that the state is partnering with Sandia Labs in all aspects of the risk involved in having charging stations. Secretary Serna mentioned what is important about the Bipartisan Infrastructure Bill is how NMDOT would develop a workforce to address and mitigate those concerns and we need to work with post-secondary partners to create a workforce to help minimize that threat.

Federal Highway Administration (FHWA) Report

Cindy Vigue, New Mexico Division Administrator, FHWA, commented that FHWA has been without an administrator and is hoping with Congress going into a new session that it may confirm Mr. Shailen Bhatt as the FHWA Administrator. Ms. Vigue also reported on Buy America and the requirements and waivers. Two proposed waivers were issued and are available for comment until November 20th. The two waivers are waiving \$1 million dollars or 5% on a contract

or waiving minor projects less than \$500,000. A final rule that came out effective December 9th is Indefinite Delivery Indefinite Quantity (IDIQ), a project delivery method NMDOT knows them as price agreements. As of now Federal funds don't participate in NM price agreements, but if a process is developed for the IDIQ's, those could be federally funded.

Ms. Vigue also reported on the one-year anniversary of the Bipartisan Infrastructure Law and to date eight of the twenty-three proposed grants have been announced. Ms. Vigue mentioned the interest on the Mega Grants and hopes projects will be announced by the end of the year.

Finance Reports

NMDOT Financial Status Update

Mallery Manzanares, Administrative Services Director, NMDOT, presented the NMDOT financial status update as of October 31, 2022. State Road Fund: To date, NMDOT has received a total of \$214.9 million in revenue and spent approximately \$303.3 million. NMDOT's FY23 Operating Budget is \$1.7 billion. Restricted Funds: To date, NMDOT has received 32 million in revenue and spent approximately \$20.6 million. NMDOT's FY23 Restricted Budget is approximately \$240.1 million. Mrs. Manzanares also discussed NMDOT's FY23 cash balances for operating budget funds: Road Fund: \$426.7 million, which represents approximately \$70.4 million growth from October FY21. Restricted Funds: \$128.5 million, which represents approximately \$48.7 million growth from October FY21. At present, NMDOT's projected FY23 year end fund balances ("savings account" amounts) are Road Fund: approximately \$34 million and Restricted Funds: approximately \$9.5 million.

New Mexico Finance Authority (NMFA) Report

Mark Lovato, Managing Director, Investments, NMFA, provided an update regarding NMDOT's investment portfolio funds under NMFA management and NMDOT/NMFA's outstanding bond debt service as of October 31, 2022. NMFA is currently holding a little more than \$64.0 million toward NMDOT's debt service. NMDOT's next debt service payment in the total amount of \$22.1 million (for interest only) is due on December 15, 2022. NMDOT has two project fund accounts: \$303.7 million in the 2021A project account and \$6.7 million in the 2014A project account, which together total approximately \$311 million with interest. NMDOT has a \$50 million line of credit with Wells Fargo, pursuant to certain agreements with BNSF. The next quarterly commitment fee payment for the line of credit will be due in January. NMDOT has a total of \$873.3 million outstanding with a final maturity going out to 2032 for the 2014A bond series.

Approval of FY23 Budget Adjustment Request (BAR) No. 8 – American Rescue Plan

Kevin Olinger, Transit Bureau Chief, NMDOT, presented and requested approval of FY23 BAR No. 8 - P565 - Modal – American Rescue Plan. The BAR is required to establish budget authority for the Transit Bureau. It will increase Professional Services (Category 300) by \$400,000 thousand and Federal Grant Services (CAT 400) by \$350,000 thousand. These funds will support the operations of intercity public transportation. The Transit Bureau is awarded funds through the American Rescue Plan (ARP) Act Section 5311 Funds.

Approval of FY23 BAR No. 9 – Coronavirus Aid Relief and Economic Security Act

Kevin Olinger, Transit Bureau Chief, NMDOT, presented and requested approval of FY23 BAR No. 9 - P565 - Modal – Coronavirus Aid Relief and Economic Security Act. The BAR is

required to increase budget authority for the Transit Bureau in Federal Grants and Services (CAT 400) in the amount of \$314,854 thousand. These funds will support the operations of the North Central Regional Transit District. The Transit Bureau is awarded Coronavirus Aid and Relief and Economic Security (CARES) Act Section 5311 Funds. These funds are 100% Federal reimbursable.

Approval of FY23 BAR No. 10 – Low or No Emission Fund

Kevin Olinger, Transit Bureau Chief, NMDOT, presented and requested approval of FY23 BAR No. 10 - P565 - Modal – Low or No Emission Fund. A FY23 BAR is required to increase the budget authority for the Transit Bureau in Federal Grants and Services (CAT 400) in the amount of \$4,998,580 million. These funds will be used to purchase battery-electric buses and supporting infrastructure to replace existing diesel and gasoline buses on NCRTD routes in the Taos area. These funds come from a discretionary award of FTA Section 5339 Low or No-Emission Vehicles Funds to the Department administrator on behalf of the North Central Regional Transit District. These funds are 100% Federal reimbursable.

Approval of FY23 BAR No. 11 – Small Urban and Bus Facilities Fund

Kevin Olinger, Transit Bureau Chief, NMDOT, presented and requested approval of FY23 BAR No. 11 - P565 - Modal – Small Urban Bus Facilities Fund. A FY23 BAR is required to increase the budget authority for the Transit Bureau in Federal Grants and Services (CAT 400) in the amount of \$391,675 thousand. These funds will be used to purchase replacement transit buses. The Transit Bureau is awarded Section 5339 Small Urban Bus and Bus Facilities funds to administer on behalf of the City of Santa Fe. These funds are 100% Federal reimbursable.

Approval of FY23 BAR No. 12 – Urbanized Area Fund

Kevin Olinger, Transit Bureau Chief, NMDOT, presented and requested approval of FY23 BAR No. 12 - P565 - Modal – Urbanized Area Fund. A FY23 BAR is required to increase the budget authority for the Transit Bureau in Professional Services (CAT 300) in the amount of \$648,000 thousand. The funds will be used to maintain and expand the existing NMGo! Vanpool program that pays a portion of the monthly vanpool user fees. These funds come from a transfer of FHWA Congestion Mitigation and Air Quality (CMAQ) funds to FTA Section 5307 Urbanized Area Funds. These funds are 100% Federal reimbursable.

Commissioner Ellis asked what happens to the vehicles that are being replaced and asked whether the vehicles are transferred to other facilities to be used or go to a state pool for auction. Mr. Olinger stated that the vehicles are funded with Federal Transit Administration monies and Federal Transit Administration requires that any money from the proceeds of sales and scrap gets reinvested back into the transit program that maintains the vehicles. Commissioner Ellis asked if the vehicles were sold at auction, whether those funds would stay in NM. Mr. Olinger stated that was correct.

Chairman Adams asked for a motion to approve FY23 BAR No. 8 – American Rescue Plan; FY23 BAR No. 9 – Coronavirus Aid Relief and Economic Security Act; FY23 BAR No. 10 – Low or No Emission Fund; FY23 BAR No. 11 – Small Urban and Bus Facilities Fund; FY23 BAR No. 12 – Urbanized Area Fund. Commissioner Taylor made a motion to so approve; Commissioner Ellis seconded; motion carried unanimously.

Approval of FY23 BAR No. 13 – Commercial Vehicle Truck Parking Availability System

Charles Remkes, Intelligent Transportation Systems (ITS) Bureau Chief, NMDOT, presented and requested approval of FY23 BAR No. 13 - P563 – HOP’s – Commercial Vehicle Truck Parking Availability System. A FY23 BAR is required to increase the budget authority for the ITS Bureau on Contractual Services (CAT 300) in the amount of \$2,900,000 million. NMDOT received a Federal Grant with the I-10 Border Coalition, which includes TXDOT, ADOT and CalTrans. The funds will be used to install commercial vehicle Truck Parking Availability System along I-10 at NMDOT maintained rest areas. These funds are supported by State Road Fund Balance and the Federal Highway Administration.

Chairman Adams asked for a motion to approve FY23 BAR No. 13 – Commercial Vehicle Truck Parking Availability System. Commissioner Sandoval made a motion to so approve; Commissioner Chynoweth seconded; motion carried unanimously.

Approval of FY22/23 Local Governments Road Fund (LGRF) Financial Hardship Match Waiver Program Request

Desiree Montoya, State Grants Supervisor, NMDOT, presented and requested approval of the FY23 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 listed identified on the “FY23 LGRF Match Waiver Applicants Selected” list (page 70 in the STC meeting book) was analyzed by the New Mexico Department of Finance and Administration (DFA) and deemed eligible for the Match Waiver Program. NMDOT is therefore requesting the STC’s approval to distribute Match Waiver Program funding in the amount of \$847,308 in match waiver funding to the entities listed.

Ms. Montoya asked the STC to disregard pages 72 and 73 in the STC book as that item was inadvertently left off the agenda and therefore cannot seek approval for that item at this time.

Chairman Adams asked for a motion to approve the FY23 LGRF Financial Hardship Match Waiver Program request. Commissioner Ellis made a motion to so approve, as recommended; Commissioner Taylor seconded; motion carried unanimously.

Approval and Adoption of Resolution No. 2022-08 (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, NMDOT, presented and requested approval and adoption of Resolution No. 2022-08 (NOV) Extending the Term of Use of the “Jal Route” as a Temporary, Negotiated, Alternate Southern WIPP route. On August 29, 2022, the U.S. Department of Energy - Carlsbad Field Office (DOE-CBFO) requested NMDOT to extend the term of use of the Jal Route to December 31, 2023. As justification for continued use of the Jal Route instead of the existing, state-designated Southern WIPP route (US 285 to US 62/180), the DOE-CBFO identified several conditions adverse to WIPP transportation safety, including major reconstruction projects and heavy oilfield traffic. Accordingly, NMDOT recommended the STC extend the term of use of the Jal Route until June 30, 2023, unless terminated earlier by notice.

Commissioner Ellis asked how many years this has been the “Temporary Route” and if there have been any issues utilizing this route. Mr. Padilla and Mr. Baca, General Counsel, NMDOT, stated NMDOT has been utilizing the temporary route for about five or six years with minimal issues.

Chairman Adams asked for a motion to approve and adopt proposed Resolution No. 2022-08 (NOV) Extending the Term of Use of the “Jal Route” as a Temporary, Negotiated, Alternate Southern WIPP Route. Commissioner Ellis made a motion to so approve; Commissioner Chynoweth seconded; motion carried unanimously.

Approval of Proposed County of Eddy (“County”) Request to Designate a Certain Segment of NM 137 for the Operation of Recreational Off-Highway Vehicles (ROVs)

Francisco Sanchez, P.E., District Two Engineer, NMDOT, presented and requested the STC’s approval of Eddy County’s proposed request to designate a certain segment of NM 137 for the operation of ROVs (Route Designation Request), and the adoption of related STC Resolution No. 2022-10 (APR).

Commissioner Ellis commented that there has been concerns with local law enforcement about their ability to enforce on a specific area and this has been an issue in Ruidoso. Is there a way to go back and see what NMDOT has learned that helps as the STC looks at these requests. Mr. Sanchez stated that the designated limits need to be looked at and with the Ruidoso ROV request was done in two designated limits and should have been done in one. With Eddy County’s request the game wardens are proponents of this request and are active in enforcing all statutes and laws regarding ROVs in that area.

Kenneth Baca, General Counsel, NMDOT, reported that Eddy County’s ordinance authorizing the operation of ROVs on its roads is appropriate and conforms with the Off-Highway Motor Vehicle Act. With the addition of the written recommendation offered by Francisco Sanchez, P.E., District Two Engineer, and the letters of support provided by the community, the

packet submitted to the STC by Eddy County in support of its Route Designation Request now meets the requirements of CP 71. Mr. Baca specifically requested that the additional documentation be included in the record of this STC meeting.

Chairman Adams asked for a motion to approve Lincoln County’s proposed request to designate a certain segment of NM 137 for the operation of ROVs. Commissioner Chynoweth made a motion to so approve; Commissioner Ellis seconded; motion carried unanimously.

Approval of Proposed 2023 STC Meeting Schedule

Ricky Serna, Cabinet Secretary, NMDOT, presented and requested approval of the proposed 2023 STC meeting schedule. Meeting dates and locations are as follows: January 19, Santa Fe; March 16, T or C; May 18, Gallup; July 20, Ruidoso; September 21, Angel Fire; and November 16, Isleta. Dates and locations are subject to change.

Chairman Adams commented that since the legislative session meets in Santa Fe and is Commissioner Taylor’s District, if NMDOT could plan to have a special meeting at a place Commissioner Taylor designates within District 5.

Chairman Adams asked for a motion to table the proposed 2023 STC meeting schedule, as presented. Commissioner Taylor made a motion to so approve; Commissioner Chynoweth seconded; motion carried unanimously.

Annual Report to State Auditor Regarding Regional Transit Districts (RTDs)

Kevin Olinger, Transit Bureau Chief, NMDOT, briefed the STC regarding the annual report to the State Auditor concerning RTDs. He explained that New Mexico statute (NMSA 1978, Section 73-25-15(B)) require the STC to submit an annual report to the State Auditor concerning the activities of all active RTDs. Currently, there are four active RTDs: North Central, Rio Metro, South Central and Southwest. The report details how many districts have been created, describes their boundaries, specifies the regional transit systems that are being provided and how they are being funded. Mr. Olinger stated that the report will be sent to the State Auditor in compliance with the State statute and Commission Policy 90, *Certification of Regional Transit District (RTD)*.

New Mexico Transportation Asset Management Plan

Denise Peralta, P.E., Capital Programs and Investments Division Director, NMDOT and Phillip Montoya, Asset Management Bureau Chief, NMDOT presented the New Mexico Transportation Asset Management Plan (TAMP) Update. Mr. Montoya stated one of the NMDOT's key priorities is to keep the state's bridges and pavements in a desired state of good repair. The TAMP helps to ensure the efficient and responsible investment of taxpayer dollars to achieve the best possible road and bridge conditions, given their current condition levels and anticipated funding. Mr. Montoya reviewed the TAMP and asset management requirements, objectives, system summary, performance analysis gap, and analysis approach. Mr. Montoya went over the deadlines and phase-in dates.

Ms. Peralta commented the TAMP is a CFR requirement and is required every four years. This is the second TAMP that has been approved with the NMDOT.

Secretary Serna asked where the bridges and pavements in poor conditions would materialize as priorities for the NMDOT and if the Districts would have them in the STIP as priorities. Ms. Peralta stated that the Bridge Management Section is working on that with additional federal funds they have received and are working with the Districts to make sure priorities on the STIP for upcoming years.

Commissioner Ellis asked if the study is only done every four years, is the NMDOT creating a gap. Mr. Montoya stated they are working with the Districts on a quarterly basis to ensure that measures are met.

Adjournment

Chairman Adams asked for a motion to adjourn the regular meeting at 11:41 a.m. Commissioner Ellis made a motion to adjourn the regular meeting; Commissioner Chynoweth seconded. Motion carried unanimously.

Chairman

Walter G. Adams

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

Approval of Proposed
Amended 2023 STC Meeting
Schedule

Commission Brief

SUBJECT: Proposed Amendment to the 2023 STC Meeting Schedule

PRESENTER: Ricky Serna, Cabinet Secretary, NMDOT

BACKGROUND:

The proposed amendment of the 2023 STC meeting schedule would change the March meeting date to March 30, 2023, change the location of the November Meeting from Isleta to Los Lunas, and change the Agenda Deadline dates.

ACTION: Respectfully request approval to amend the 2023 STC meeting schedule.

**PROPOSED AMENDED 2023 STC SCHEDULE
NEW MEXICO STATE TRANSPORTATION COMMISSION
LOCATION, DATES DEADLINES**

Date	Location		Agenda deadline	Legal Notice deadline
January 19, 2023	Santa Fe	(D5)	December 30, 2022	January 9, 2023
March 30, 2023	T or C	(D1)	March 10, 2023	March 20, 2023
May 18, 2023	Gallup	(D6)	April 28, 2023	May 8, 2023
July 20, 2023	Ruidoso	(D2)	June 30, 2023	July 10, 2023
September 21, 2023	Angel Fire	(D4)	September 1, 2023	September 11, 2023
November 16, 2023	Los Lunas	(D3)	October 27, 2023	November 6, 2023

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