

#### METROPOLITAN PLANNING ORGANIZATION

SERVING LAS CRUCES, DOÑA ANA, AND MESILLA

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# MESILLA VALLEY METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE <u>AMENDED</u> AGENDA

The following is the Agenda for a meeting of the Policy Committee of the Mesilla Valley Metropolitan Planning Organization (MVMPO) to be held **October 10, 2018 at 1:00 p.m.** in the in the **City of Las Cruces Council Chambers**, 700 North Main, Las Cruces, New Mexico. Meeting packets are available on the <u>Mesilla Valley MPO website</u>.

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1.	CALL TO ORDER Chair
2.	PLEDGE OF ALLEGIANCE Chair
3.	
	Does any Committee Member have any known or perceived conflict of interest with any item on the agenda? If so, that Committee Member may recuse themselves from voting on a specific matter, or if they feel that they can be impartial, we will put their participation up to a vote by the rest of the Committee.
4.	PUBLIC COMMENT Chair
5.	
6.	* APPROVAL OF MINUTES
	6.1. * September 5, 2018 <i>Chair</i>
7.	ACTION ITEMS
	7.1. *Resolution 18-07: A Resolution Adopting the Mesilla Valley MPO Public Participation Plan (PPP) MPO Staff
	7.2. Resolution 18-08: A Resolution Adopting the Mesilla Valley MPO Title VI Plan MPO Staff
	7.3. Resolution 18-09: A Resolution Amending Transport 2040: Metropolitan Transportation Plan Update MPO Staff
	7.4. Resolution 18-10: A Resolution Accepting the Appointment of the Interim MPO Officer
8.	DISCUSSION ITEMS
	8.1. Performance Measure Presentation MPO Staff
	8.2. MVMPO 2019 Meeting Calendar Discussion MPO Staff
	8.3. NMDOT Update
9.	COMMITTEE and STAFF COMMENTS Chair

10. PUBLIC COMMENT	Chair
11. ADJOURNMENT	Chair

1 2		MESILLA VALL	EY METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE
3 4 5 6	The following are minutes for the meeting of the Mesilla Valley Metropolitan Planni Organization (MPO) Policy Committee which was held September 5, 2018 at 1:00 p.m in the City of Las Cruces Council Chambers, 700 N. Main, Las Cruces, New Mexico.		
7 8 9 10 11 12 13 14 15 16	MEMBE	RS PRESENT:	Mayor Nora Barraza (Town of Mesilla) Trent Doolittle (NMDOT) Councilor Jack Eakman (CLC) Commissioner Kim Hakes (DAC) Commissioner Isabella Solis (DAC) Trustee Stephanie Johnson-Burick (Town of Mesilla) Councilor Gabriel Vasquez (CLC) Councilor Gill Sorg (CLC)
17 18 19	MEMBE	RS ABSENT:	Commissioner Benjamin Rawson (DAC) Trustee Carlos Arzabal (Town of Mesilla)
20 21 22 23	STAFF I	PRESENT:	Tom Murphy (MPO staff) Andrew Wray (MPO staff) Michael McAdams (MPO staff)
24	OTHERS	S PRESENT:	Becky Baum, RC Creations, LLC, Recording Secretary
25 26 27	1. CALL TO ORDER (1:04 PM)		
28 29 30 31 32	Eakman	Organization and thank yo early. I truly	gentlemen of the Mesilla Valley Metropolitan Planning . We do have a quorum today. Thank you all for being here bu especially for allowing this meeting to take place one week appreciate that. Those of us who enrolled at the Domenic can better enjoy it now.
33 34	2. P	LEDGE OF ALLE	GIANCE
35 36	Eakman	At this time v	vould you join me in the Pledge of Allegiance?
37 38	ALL STAND FOR THE PLEDGE OF ALLEGIANCE.		
39 40	3. C	ONFLICT OF INT	EREST INQUIRY
41 42 43	Eakman	l'm to ask e agenda.	veryone if there is a conflict of interest with anything on the
44 45 46	Sorg:	No.	

1	Solis:		None.
2 3 4	Vasqu	ez:	None.
5	Eakma	an:	Please declare.
7 8	J-Burio	ck:	None.
9 10	Barraz	a:	None.
11 12	Eakma	an:	None. Thank you.
13 14	4.	PUBL	LIC COMMENT
15 16	Eakma	an:	Is there anyone here for public comment? I'm getting help here. Hearing none.
17 18	5.	APPR	ROVAL OF MINUTES
19 20 21		5.1	August 8, 2018
22 23 24	Eakma	an:	The minutes of the August 8th meeting were distributed. Are there any additions or corrections to those minutes and if not, would anybody feel comfortable making a motion to approve?
25 26 27 28	Barraz	a:	Mr. Chair. I'd be happy to make a motion to approve the minutes of August 8, 2018.
29 30	Solis:		Second.
31 32 33	Eakma	an:	Very good. We have a motion by Mayor Barraza and a second by Commissioner Solis. Mr. Wray, would you poll the board?
34 35	Wray:		Yes, Mr. Chair. Mayor Barraza.
36 37	Barraz	a:	Yes.
38 39	Wray:		Mr. Doolittle.
40 41	Doolitt	le:	Yes.
42	Wray:		Commissioner Solis.
43 44	Solis:		Yes.
45 46	Wray:		Commissioner Hakes.

1 2 Hakes: Yes. 3 4 Wray: Trustee Johnson-Burick. 5 6 J-Burick: Yes. 7 8 Wray: Councilor Sorg. 9 10 Sorg: Yes. 11 12 Wray: Councilor Vasquez. 13 14 Vasquez: I'll abstain. 15 16 Wray: Mr. Chair. 17 18 Eakman: Yes. The minutes are approved as distributed. 19 20 MOTION APPROVED. 21 22 6. **ACTION ITEMS** 23 24 6.1 **Amending** Resolution 18-06: Α Resolution the 2018-2023 25 Transportation Improvement Program (TIP) 26 27 Eakman: We have one action item. Who will be discussing that from staff? 28 29 Wray: That would be me, Mr. Chair. Andrew Wray, for the record. 30 Eakman: Please go forward. 31 32 33 Wray: I would like to direct the attention of the Committee to page 17 in the 34 packet. There are four TIP amendments requested by the New Mexico 35 Department of Transportation for your consideration this afternoon. First one is LC00110. It's in Federal Fiscal Year 2017. Currently it 36 is the Doña Ana County Project of El Camino Real at the intersection of 37 38 Doña Ana School Road. It is a safety improvement project. The proposed amendment is to move it into Federal Fiscal Year 2019. I'd also like to 39 40 note for the Committee that we now have a new column in the table for 41 performance measure justification. This is going to be a permanent fixture 42 for all TIP information going forward. I'll go ahead and read the statement by DOT into the record: "The project has been identified as a safety issue 43

by Doña Ana County and this project is to address the safety concerns."

a bridge replacement at the outfall channel just to the east of the recently

The second amendment requested by NMDOT is LC00271. This is

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concluded Solano and Main Street project. This is a brand-new project. To read the statement from NMDOT, "This project will address multimodal safety in the corridor by widening the bridge over the outfall channel and upgrading the ADA ramps at the intersection."

The third amendment requested by NMDOT is LC00360. This is for Fiscal Year 2019. This is at the intersection of I-25 and Lohman. This is a pure landscaping project. Most of the funding you will note is being provided by the City of Las Cruces for this project and there is no safety impact expected from this project.

The final amendment requested is LC00270. This is to take place in Fiscal Year 2019. This is the design phase for a potential future expansion of North Main. This would be Phase 2 design, \$800,000. And I will stand now for any questions.

Sorg: Mr. Chair.

17 Eakman:

Hakes:

Commissioner Hakes. Were you first or Councilor, yes. Commissioner Hakes.

Sorg: You can go.

So on the new bridge and the planning of the Highway 70 intersection there with the outfall channel. Is that going to go to three lanes in each direction from two lanes?

Wray: I would have to defer to NMDOT staff for that.

28 Doolittle:

Mr. Chair. So what we're planning on doing, that bridge replacement will be constructed to accommodate three lanes of traffic both directions. Right now we're in discussions with our consultant to actually figure out what we're going to do, but our initial plan is from Spitz/Three Crosses past the bridge to actually go ahead and widen all of that to three lanes only because right now the acceleration lane coming off of Solano onto US-70 basically chokes down at the new Country Club subdivision. We're just going to continue that all the way through to provide some consistency. We have asked our consultant to look at basically from the bridge to Elks to see if we can accommodate three lanes of traffic in each direction but if we do through there it will only be through a pavement pres. and some additional restriping, not through reconstruction. But the intent is up to the bridge itself it will accommodate the six lanes of traffic, and if it won't the bridge will be designed for certainly future expansion to allow that.

Hakes:

Thank you. One more question. The \$2 million for landscaping, that's a lot of money for nursery materials so it must be concrete and steel going in there too.

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2	Doolittle:	Mr. Chair. I think what we're doing there as Andrew mentioned, there is a
3		lot of money being provided by the City of Las Cruces. We're also addressing some of the drainage issues, erosion, and aesthetic issues
4 5		with some riprap. If you've been through the Spruce intersection at
6		Spruce and Triviz, the City along with the Department have done some
7		landscaping through there, riprap, basically just cleaning up. So it's not
8 9		just plants. It's a lot of riprap for erosion control. At Lohman for instance we've got the concrete curb that kind of creates rundowns where all the
10		water concentrates and then it creates a lot of real bad erosion. So they're
11		going to remove that and try to do some water control to slow the water
12		down. So it's more than just plants it's really kind of cleaning that up and
13 14		then addressing the erosion problems we've got at that interchange.
15	Hakes:	Thank you.
16		·
17	Eakman:	Mayor Pro-Tem Sorg.
18 19	Sorg:	Thank you Mr. Chairman and thank you Mr. Wray for presenting all this to
20	<b>3</b> 3.9.	us. I have a simple question. The fiscal years that are presented in these
21		changes and in the TIP here, are they the Federal fiscal year or the State
22 23		fiscal year?
24	Wray:	Mr. Chair. Councilor Sorg. The MPO speaks in the terms of the Federal
25	Ţ	fiscal year.
26 27	Cora	Endoral So in other words if I got this straight. Fiscal Voor '10 will hagin in
28	Sorg:	Federal. So in other words if I get this straight, Fiscal Year '19 will begin in October of this year?
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30	Wray:	That is correct. October 1st.
31 32	Sorg:	Okay. Very good. Thank you Mr. Chairman.
33	Gorg.	Okay. Very good. Thank you wit. Chairman.
34	Eakman:	Councilor Vasquez.
35 36	V0001107:	Thank you Mr. Chair. Thank you Mr. Wrov for the precentation.
30 37	Vasquez:	Thank you Mr. Chair. Thank you Mr. Wray for the presentation. A question regarding the bridge for the amendment LC00271 on Main
38		Street. You mentioned three lanes of traffic. Does that also include room
39		for a bike lane and pedestrian walkway, a sidewalk or something similar?
40 41		Because I know there are some serious safety issues with that current bridge. Pedestrians crossing it currently, oftentimes against traffic I think
42		presents a big, big safety hazard.
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44	Wray:	Mr. Chair, Councilor Vasquez. The statement in the performance
45 46		measure justification by DOT does use the word "multimodal" but I will defer to Mr. Doolittle for further explanation.

Vasquez:

Thank you.

Doolittle:

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Mr. Chair. That is correct. So we are looking, so again the reconstruction, "reconstruction's" kind of a misleading term, so our intent is to provide for that three lanes of traffic to include bicycle and ADA improvements. If we do any pavement work at all federal requirements are we have to address ADA at the ramps themselves. So we're going to do as much as we possibly can with the funding but our intent and our plan is, and what we again have the consultant doing is "What can we fit in the existing roadway typical section from curb to curb with very minimal reconstruction up to or past the bridge." But our plan is to try to address both bicycle and ADA compliant.

I will tell you that my biggest concern and part of the reason that I moved this up is the pedestrian traffic crossing the bridge itself, and bicyclists for that matter. But if you recall we did a study that basically went all the way from Spitz/Three Crosses through the interchange at I-25 to the Del Rey intersection. That was the full study. At our last public meeting ultimately the Department and the consultant had decided that because of the size of the project we're breaking it up into three phases. So the first phase is the bridge, the second phase will ultimately be full reconstruction, new sidewalks, new lighting, basically all new utilities from Spitz/Three Crosses up to Elks. And then the Phase 3 project which is the costly one that we'll need to partner with the City will be the reconstruction of the Elks and US-70 intersection itself. But part of the reason that we moved this one up is it has very clear safety deficiencies, specifically with So that's why we did this project, very the multimodal and ADA. specifically for that reason.

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Vasquez:

Absolutely. So was that, did you rearrange the phases then or was it simply just bumped up a year and it was still the priority project out of the three phases that you just mentioned?

34 Doolittle: So ultimately our plan was to look at the entire corridor. We really didn't know what was going to come of the study but when we got to looking at the costs those just seem like the reasonable termini for each phase. So Phase 1 is just past the bridge to include the bridge replacement. Phase 2 would be just east of the bridge to the Elks/US-70 intersection and then Phase 3 would be the intersection itself. And that's purely based on logistical termini and costs of the project itself.

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Okay. And one last question on that project. Is there consideration to also the pedestrian traffic that's coming from the trail in the outfall Because I know currently unofficially pedestrians use the parking lot of the Jiffy Lube to hop off the trail and then onto Main Street. I don't think that's such a huge safety consideration but in terms of

Vasquez:

1 connectivity to be able to get off the trail back onto Main Street, is that 2 something that at least leaves some room for a path down to the trail or 3 some type of pedestrian connectivity there? 4 5 That's correct. We actually did challenge our consultant to look at the Doolittle: 6 grades because right now it's a pretty steep grade from the top to the 7 bottom. 8 9 Vasquez: Yes. 10 Doolittle: But we did ask them to see if there was a way that they connect the trail to 11 12 the bike path or sidewalk, whatever we can fit in up top. So the intent is to 13 connect US-70 to the trail underneath itself with a designated connection. 14 15 That would be great. I'm sure that especially those businesses there Vasquez: 16 would appreciate having the opportunity to have walk-in customers. 17 Hopefully they're coming off the trail in addition to the vehicular traffic, so I think that'd be great. Thank you Mr. Doolittle. Thank you Chair. 18 19 20 Doolittle: Mr. Chair. Real quick if I may just for clarification, so we just had the 21 kickoff meeting with our consultant about three weeks ago or so to start 22 the 30% design review so we are in the very preliminary stages. But basically all of the comments that you all have made today are believe it or 23 24 not the same comments that we presented to the consultant to try to 25 pursue as part of that design. 26 27 Eakman: Excellent. 28 29 Sorg: Mr. Chair. 30 31 Eakman: Mayor Pro-Tem Sorg. 32 33 Sorg: Councilor Vasquez brought a very good idea of connecting that outflow 34 channel trail. As you know you can take that trail all the way underneath I-35 25 over to Telshor and that might be a connection from west to east to east to west there and then connecting that outflow channel trail to the 36 North Main/Highway 70 area would be a good connection. We're all 37 38 looking for good connections here, as many as possible. So let us add 39 that to your list of ideas of making that long connection there. One way to 40 get across I-25 on a bike, or foot for that matter. Thank you. 41 42 Thank you Mayor Pro-Tem. Mayor Barraza. Eakman: 43 44 Mr. Chair. Thank you. I just want to say I agree with Commissioner Barraza: Hakes regarding that project regarding landscaping, and I just need 45 clarification I guess. Mr. Doolittle you mentioned about also including the 46

drainage, some runoff drainage on that. But as I'm looking through the packet on page 25, a letter from Jolene to Andrew on the third bullet it says, "this project will not directly be impacting the safety targets as it is for landscaping at the interchange only." So do we need to add the language "/drainage?" I agree over \$1 million for landscaping is crazy. I think if constituents saw that they'd probably come and riot here at City Hall. But I think if you add additional language in there to kind of justify what else you're doing to the project I think it just would be a better sell; \$1.95 million for landscaping is outrageous. And of course that's my opinion. Thank you sir.

12 Eakman: If I might respond.

14 Barraza: Yes sir.

Barraza:

Barraza:

Doolittle:

Eakman: The City has authorized \$1.2 million to go toward this project and that is for plants and materials on like half of the intersection, two quadrants of the four quadrants and that narrowly passed City Council for approval.

Mr. Chair. I can truly understand and I understand the City is putting in the majority of it but even \$750,000 going towards landscaping when we can pave another road or add some sidewalks, bike trails, something like that I can see us using the money ...

Eakman: The amount ...

More wisely in that direction. But if it's addressing what Mr. Doolittle mentioned earlier I can understand the cost because cement is very expensive. Thank you sir.

Eakman: I believe all the money coming from NMDOT is drainage and that sort of thing since the City is supplying all the plantings.

Mr. Chair. If I may just clarify a little bit, I think with my wording of "drainage" it may be a little bit again misconceiving. So we're using landscaping materials such as landscaping gravel. Riprap is considered very frequently a landscaping product. So again if you go to the Spruce interchange you'll see four-, six-inch rock that basically cleans it up, it prevents weeds from coming through, it is considered in that application a landscaping product. But because of the size of the rock: 1) it prevents the weeds from coming through; but 2) it slows the rain as it comes down the slope, ultimately reducing and frequently eliminating erosion. So when I say "drainage" that's what I'm talking about, is it eliminates those fingers of lost sediment. But it is a landscaping project. We're just using engineering decisions on which type of material to place where to address some of the problems that we have, not just putting plants to make it look

pretty. So "drainage," I think the language that Jolene presented is the accurate language, but it is substantially more than just putting in plants. The concrete curb that's there that collects and consolidates the water. removal of that is part of this work. It's removing some things, that landscaping didn't work before that we're having to do now. The other thing that I would mention is any time you start putting in watering systems, those tend to become very costly as well. So we're including part of that under this project. The pond that's on the northbound offramp on your right-hand side that ultimately we haven't done anything with since we built the interchange, it's very unsightly, has significant erosion problems. We're going to do some work in there to make it aesthetically pleasing but it's also going to take care of the runoff that comes into that So I understand that much money when it comes to landscaping looks pricey but there's a lot more to it than that than just putting in some plants and some watering systems. So again Mayor I think the language is correct. Maybe we need to do a better job of explaining what we're doing but it's really not a drainage project per se.

Barraza: Thank you.

Eakman: Mayor Pro-Tem.

Sorg:

Sorg:

Thank you Mr. Chairman. Let me add to the rest of the Committee here. Make no mistake, this by some in the City thought this was an important beautification project too, to make it look better. And I will add that we're looking at all four quadrants in this particular intersection, are we not?

Doolittle: That's correct.

Sorg: As opposed to the ...

Doolittle: University.

University crossing where the City's only going to do two of the four triangles shall we call them. And yes, this is something that some in the City thought it was very important that we put some good-looking things there, vegetation, plantings like you say, and the rock. And I would suggest to Mr. Doolittle that we, and I have suggested that to the City planners too that we consider terracing that slope like having the levels like that with rock that would hold up the terraces. That's not going to be cheap either, I know. And so that would help with the erosion and adding plantings in each terracing would help with that. I've also told our staff too that we have to keep, when we can do it, keep in mind of stormwater harvesting there too, that the plantings are watered by our own rainwater and the extra rainwater that you get when run off of highways and so forth.

1 2 3		So I just wanted to add that. That's the thinking of the City here in this project. Thank you Mr. Chair.
4 5 6	Eakman:	Would anyone feel comfortable making a motion to move these changes forward?
7 8	Hakes:	So moved.
9	Eakman:	Commissioner Hakes would move. Is there a second?
10 11 12	Solis:	I second.
13 14	Barraza:	Second.
15 16 17	Eakman:	Okay. Is there further discussion? Hearing none would you poll the board?
18 19	Wray:	Madam Mayor.
20	Barraza:	Yes.
21 22 23	Wray:	Mr. Doolittle.
24	Doolittle:	Yes.
25 26	Wray:	Commissioner Solis.
27 28	Solis:	Yes.
29 30	Wray:	Commissioner Hakes.
31 32	Hakes:	Yes.
33 34	Wray:	Trustee Johnson-Burick.
35 36	J-Burick:	Yes.
37 38	Wray:	Councilor Sorg.
39 40	Sorg:	Yes.
41 42	Wray:	Councilor Vasquez.
43 44	Vasquez:	Yes.
45 46	Wray:	Mr. Chair.

Eakman: Yes. Thank you so much.

#### MOTION APPROVED UNANIMOUSLY.

Eakman: And to be very clear I interchanged this with the University/I-25 intersection. I was not taking into consideration Lohman and I'm going to

have to look at our record to see if we've actually approved that as a City

Council. I don't remember that.

Sorg: Yes. We did.

Eakman: Well if you can show me when, okay. Thank you. Very good. We'll air it

here in public for you.

#### 7. DISCUSSION ITEMS

## 7.1 Truck Route Map (proposed Metropolitan Transportation Plan (MTP) amendment)

Eakman: We have some discussion items now. Very good Mr. Murphy. Would you

take over?

Murphy:

Thank you Mr. Chair. The MPO is currently in the middle of an amendment request to the Metropolitan Transportation Plan. The last time we did an MTP update we included the truck route map as part of that MTP adoption. We have received a request from the City of Las Cruces to amend the truck route map so we are going through the formal MTP amendment process. We had a public meeting at the beginning of August with the Technical Advisory Committee. We are currently in the midst of a public comment period for that and then ultimately hope to wrap that up with a vote at this Committee in October for the revisions. But in the meantime I wanted to present to you the information that we presented at the TAC meeting and we presented to the BPAC and we have out for public comment.

So the City came to us, formally requested that we remove Main from Picacho to Lucero, Main from Amador to Church/Water, Water from Lucero to Main, and Church from Lucero to Main from being published on our truck route map. When we sent out the initial notification for that amendment process we did receive an email from the Chairman of the BPAC who informed us that there were truck prohibitation signs on Melendres itself and suggested that we add that to the amendment. It was early in the process so we added that change to the amendment

request.

So here's the truck route map that we have published as part of the MTP and this is available on the website. Please don't strain too hard to

look at it, I'm going to zoom into the appropriate place here shortly. But as you can see in the general map area, the general darker lines are roads that the MPO have identified as more appropriate for truck traffic. I don't think the color shows up real well but there are three facilities on the map that are signed as prohibited for trucks: Alameda north of Picacho, Mesquite Street from Spruce to Amador are prohibited by the City for truck traffic. Additionally the County has prohibited truck traffic on Dripping Springs Road up through Baylor Canyon Road. They adopted that prohibition by resolution and that's indicated on our map.

So what the City has requested is these highlighted areas formerly known as "the racetrack" or still known as "the racetrack," the Church/Water/Main Street in there is just, in support of their downtown redevelopment efforts they wanted us to cease advertisement or encouragement of use of those roadways for trucks. They're not asking for us to identify them as prohibited to truck traffic. They just wanted them kind of grayed out similar to you would see like McFie or Armijo Street on the map, not prohibited but not encouraged. And then additionally through our initial outreach we came to add Melendres Street to that. As of note we are aware that the EBID headquarters or maintenance yard is on Melendres south of Amador and there's some concern about would that affect their operation. Discussion through the TAC is that without the prohibition it doesn't do it but when there would be a truck prohibition that normally looks at your 18-wheelers, things with four axles or more which were deemed inappropriate with their deeper residential, lower volume areas.

We consulted back into our traffic count database where we have historical classification and we count how many trucks have been using each of those facilities, and we gathered that from the last several times we have conducted counts. And as you can, contrasting last two rows on this page the total trucks with the ADT you would note that none of them seem to have really significant truck traffic on them. They're all in the, with the exception I guess Main from the roundabout to Picacho, they would all come in under 10% of truck traffic. But again without a prohibition on trucks, just a discouragement this does not seem to present an issue either. So here again this is the zoomed-in map again with the truck counts superimposed on those roadways.

So this constitutes an amendment to our MTP. It requires at least one public meeting which we satisfied through having it as a discussion item at the TAC meeting. We opened it up, I think we're at day 30 but we're going to exceed that so that we get recommendations from the TAC to you before your October meeting. With that I'll stand for any questions.

Eakman: Are there questions of Mr. Murphy? Yes, Councilor Vasquez.

Vasquez: Thank you. Thank you Chair. Mr. Murphy, so this proposed amendment is for prohibition or discouragement?

1 2 Murphy: Mr. Chair, Councilor Vasquez. This proposed amendment is to not 3 encourage but not prohibit. So they would be grayed out. Someone 4 looking at it would not view it as "Okay, this is where I need to take my 5 truck." They would just see that it was not a suggested recommendation 6 to them but if they were ... 7 8 Vasquez: So you wouldn't have the signage then that said no trucks allowed? 9 10 Murphy: There would not be signage, no. 11 12 Vasquez: And how would somebody planning a truck route, a company or an 13 individual, have access to that information that says that would be 14 discouraged? Where do they look at that to encourage the 15 discouragement? 16 17 Murphy: Mr. Chair, Councilor Vasquez. We publish this map on our website with 18 everything else. We merely, I guess our intention in publishing it was to 19 present information to the public. To be honest with you I never had any 20 expectation that truck companies were saying, "Let's get on the Mesilla Valley MPO website and see how we need to drive our trucks." But the 21 22 City Public Works Department came to us and asked us to amend our 23 maps to show that. 24 25 Vasquez: Okay. So it's more of a technical document for staff and transportation 26 planning use rather than dissemination or education amongst people who 27 are actually using that road currently? 28 29 Murphy: That is correct. It is more of a staff resource for when a staff member needs to design a street and says, "Okay, how many trucks do I expect on 30 this?" "How thick do I need to make that pavement?" That's its main 31 thing. But in the interest of having transparency we do make all of these 32 33 documents available to the public on the website. 34 35 Vasquez: Okay. And for clarity regarding the Dripping Springs and Baylor Canyon 36 Road resolution or ordinance passed by the County is that, that's a 37 prohibition. Is that correct? 38 39 Murphy: Yes sir. 40 41 Vasquez: Okay. And when did that go into effect? 42 43 Murphy: That went into effect I believe 2013 or 2014 around the time that they had 44 received money from Federal Central Lands to rebuild that. 45 46 Vasquez: Yes.

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2	Murphy:	The concern was that with the new pavement that it would be viewed as a
3		truck bypass and the County did not want that to happen. So they passed
4 5		the resolution to do the prohibition.
5 6	Vasquez:	And the County if I'm not mistaken also just passed a similar resolution
7		this year for paving of what was kind of the caliche substrate for the
8		remainder of Baylor Canyon Road up to Dripping Springs. Is that correct?
9		So I see trucks on that road all the time, some construction but also a lot
10 11		of commercial traffic using it as a bypass. Are you saying it's illegal then, they could be cited for doing that currently under County, under Sheriff's
12		jurisdiction?
13		
14	Murphy:	I believe they can. I'm not familiar with the exact wording of the resolution
15 16		but if it's what I think it would be, it would be up to the Sheriff's Department to enforce that.
17		to enforce that.
18	Vasquez:	Okay. Thank you. Thank you Chair.
19		<del>-</del>
20 21	Eakman:	Thank you. Is there more discussion? Yes.
22	J-Burick:	Thank you Chair. Tom you mentioned that the public meeting was held.
23		How many members of the public were in attendance and what was the
24		feedback that you all received?
25 26	Murphy:	Mr. Chair, Trustee Johnson-Burick. We did not have any members of the
27	warpity.	public that showed up specifically for that. We've also had this on the
28		website for about a month yet we've received no comment on that nor did I
29		really kind of expect this as it was mentioned before as this is more of a
30 31		technical document.
32	J-Burick:	All right. Thank you. Thank you Chair.
33		
34	Eakman:	Well this is a discussion item today just for our information only, is that
35 36		correct?
30 37	Murphy:	That is correct.
38		
39	Eakman:	Very good.
40 41	7.2	Committee training: NMDOT Policy and Procedures Manual
42	7.2	Committee training. Nimbor Folicy and Frocedures Mandai
43	Eakman:	Would you move on to the next item then?
44	14/	Then because May Obering This afficiency and the first state of the st
45 46	Wray:	Thank you Mr. Chair. This afternoon staff is going to give a presentation to this Committee about the New Mexico Department of Transportation
+0		to this committee about the New Mexico Department of Halisportation

Planning Procedures Manual. This document is currently in the process of being revised by the DOT. We're giving this presentation to this Committee today because the MPO section of this document was very recently completed. But this document is being updated in phases so the entire document is as of yet not completely revised.

With that caveat out of the way the Planning Procedures Manual or PPM as I will probably be referring to it in the presentation is a document that is the compilation of federal law and regulations as regards to the transportation planning process not just in the state of New Mexico but all the states around the nation will have an equivalent document to this to clarify the roles of the Federal Highway Administration, Federal Transit Administration, the MPOs throughout the state, and also in the case of New Mexico the RTPOs which is the Regional Transportation Planning Organizations, which are sort of equivalent to an MPO in the rural areas. New Mexico is a little bit special in having those in this state. The NMDOT does develop the PPM in consultation with the MPOs. This is something that we have spoken frequently with them this year at both the March MPO quarterly and the June MPO quarterly. This was a topic of conversation and the bedrock of the PPM is in 23 United States Code Section 134 and 23 Code of Federal Regulations Section 450 Subpart C.

Now Metropolitan Planning Organizations are federally-mandated and state-designated planning agencies in metropolitan areas with populations over 50,000. The Las Cruces area went over the 50,000 mark in 1980 and what was at that time the Las Cruces MPO came into existence in 1984. There are five MPOs within the state of New Mexico: Our neighbor to the south, El Paso; then the Farmington MPO; ourselves, Mesilla Valley MPO; the Mid-Region MPO, also known as Mid-Region COG or Council of Governments; and then the Santa Fe MPO. Now El Paso MPO and Mid-Region MPO are transportation management areas. It's slightly different than the situation for the Mesilla Valley MPO. El Paso and Albuquerque are TMAs by virtue of having over 200,000 population.

Small MPOs such as the Mesilla Valley are usually created via a document known as a Joint Powers Agreement. This is an agreement between the member jurisdictions of the MPO which creates the financial framework and organizational framework for the operation of the MPO. In the case of TMAs, federal law gives more specific detail about the operation and structure of a TMA since TMAs directly receive federal funding whereas small MPOs like ourselves do not. So the federal law is much more specific about the organization and structure of TMAs.

MPOs are required by the Planning Procedures Manual to have bylaws that govern their internal operations and procedures. We have most recently updated the Mesilla Valley MPO bylaws I believe it was in 2015 was the last time that the bylaws were revised. As far as how the funding comes down to us: In current practice NMDOT establishes three-year cooperative agreements with each MPO within the state. We actually just within the past two months signed our most recent cooperative

agreement with NMDOT. And as far as interaction with DOT, staff interaction usually is pointed to the liaison, in this case Ms. Jolene Herrera who we are very glad to be able to work with. She's very good to work with. I will praise her on the record and am not ashamed to do so.

The MPO planning process is required by Federal law to address ten planning factors and I want to especially highlight the final two here because these two are new as of the FAST Act which went into law in 2015. The two new ones are improved system resiliency and reliability and Number 10 is to enhance travel and tourism. And if you go up and read Number 8 you can obviously see the very close correlation between Planning Factor 8 and Planning Factor 9. Please keep this in mind because we will be coming back to that particular topic in just a moment.

There are a number of work products that are required by MPOs. In your packet after the discussion sheet for this particular agenda item there is a table that is within the PPM for your review. That is the comprehensive list of all of the documents and actions that are required by the MPO. The list that we have here is more of kind of the key outputs that MPO staff is expected to produce. Just going through the list here: The Public Participation Plan, we are required to update that every five years in conjunction with the MTP; Title VI Plan which I'll go into more detail in just a moment is required updated every three years; Unified Planning Work Program every two years; Transportation Improvement Program which is updated quarterly. This Committee just updated that document and I will note here at this time that the MPO is required to do an open call for projects for the TIP every two years and we are at that time now. We will be publishing an open call for projects sometime within the next couple of months in the final quarter, final calendar quarter of The Metropolitan Transportation Plan which is required to be updated every five years and then the annual listing of Obligated Projects which we produce every year, and then also the Annual Performance and Expenditure Report or APER which is also produced every year.

Moving into more detail about the Public Participation Plan, this document defines how an MPO will conduct its public involvement activities. As the committee is no doubt aware we are currently in the process of updating the PPP. We have been in the process since April of this year of doing that. It is currently proceeding through the advisory committees for their recommendation to this body and we anticipate that the final draft of the PPP will be before this body at your next meeting in October.

Title VI Plan formerly existed as part of the Public Participation Plan. Within the past year New Mexico Department of Transportation and FHWA have come with a new ruling that the Title VI Plan must be updated every three years rather than every five years so from now and going forward the Title VI Plan will have to exist as its own separate stand-alone document. The Title VI Plan basically ensures the MPO's compliance with Title VI of the Civil Rights Act of 1964 and also has a complaint procedure

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in case of any violations on the part of the MPO where aggrieved individuals may seek restitution. Again similarly to the PPP the public process for the adoption or update however you want to look at it for the Title VI Plan began in April of this year, is currently proceeding through the advisory committee process, and we anticipate having it before this Committee at the October meeting.

The UPWP which I'm sure is going to be familiar to everyone here is the biannual work document that outlines all of staff's work tasks over a two-year period. The current UPWP was adopted on June 8, 2016 and was most recently amended on December 13, 2017. Now we did just recently adopt on June 13th of this year the next UPWP which will go into effect at the start of the next Federal fiscal year on October 1st of this year.

The Transportation Improvement Program which again this Committee just amended earlier in this meeting: In general it is a list of projects that are federally funded or of regional significance within an MPO area. The TIP is required by federal law to cover four program years. The State of New Mexico also requires two informational years to be included at the end of that. The four program years must be fiscally constrained which means that the funding to carry out those projects must be demonstrated to be reasonably expected to be available in order for the project to go onto the TIP. That constraint does not apply to the two informational years. Two informational years are intended to serve as sort of a planning phase as it were for jurisdictions to notify the State, "This is what we're thinking of doing in the future but it does not bear the burden of fiscal constraint." The most recent TIP, the TIP that we are currently operating under was adopted on June 14, 2017. Again MPO staff will be publishing an open call for projects before the end of this calendar year and we anticipate that the next TIP will be acted upon by this body in June of 2019.

Lastly the Metropolitan Transportation Plan or MTP. This is the flagship document of all MPOs. It is the long-range transportation plan that is required to cover a 20-year planning horizon, a 20-year minimum planning horizon. Federal law requires that MTPs must be updated every five years and the new requirement from NMDOT is that Public Participation Plan must be adopted before the commencement of the MTP public process. They want those two to be tied together going forward. Now MTPs are required by federal law to be consistent with federal transportation law and to cite applicable sections of the law to identify the facilities within the region that function as an integrated transportation network, especially facilities that serve regional and national purposes; to consider the ten planning factors as they relate to the 20-year planning horizon, those are the ones that were on the earlier slide; and also especially since MAP-21 and the FAST Act to describe how performance measures and performance targets are being assessed in the development of the transportation network for the MPO area.

As part of the performance management requirements the MTPs going forward will include a system performance report evaluating the condition and performance of the transportation system. working with NMDOT to develop exactly what that is going to look like but I can assure you that has definitely been a topic of conversation between the MPOs and the State and NMDOT over the past year and we are working towards what that is going to look like. Obviously there is some degree of urgency because not only the Mesilla Valley MPO but the other MPOs around the state are going to be updating their MTPs in the very near future as well. Additionally MTPs are required to incorporate strategies to improve the performance of the existing transportation facilities and also to include strategies to enhance transportation and transit. Also and this ties into Planning Factors 8 and 9 as I mentioned earlier, maintenance has to be considered. Sustainable maintenance of the facilities has to be considered in the MTP going forward. This is in the grand scheme of things a relatively new factor that the Federal Government is expecting us to do but it is a very important one, one that they are looking at very closely as can be seen from the updated transportation planning factors. Also the MTP is to consider implementation of environmental mitigation activities and scenario planning while not required by the Federal Highway Administration is strongly encouraged by the Federal Highway Administration and NMDOT. And also FHWA and NMDOT hope that MPOs will address emergent issues as they come about.

Now the currently adopted MTP for the Mesilla Valley MPO is Transport 2040 and Metropolitan Transportation Plan Update. This document was adopted by the Policy Committee on June 10, 2015. That means that the countdown for adoption of the next MTP is June of 2020. MPO staff is currently in the early phases of gathering information to prepare for the first round of public input meetings that we are anticipating to have. We expect to start those, the first round before the end of 2018 and we anticipate that that will continue on into 2019. And I will stand now for any questions.

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Eakman: Great presentation. Thank you Mr. Wray. Councilor Vasquez.

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Vasquez:

Vasquez:

Thank you Chair. Thank you Mr. Wray. So many acronyms. I don't know how you keep it all together in your head.

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Wray: And it's the only language I speak anymore, Councilor.

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I could imagine. You'd be probably great at Scrabble or Boggle or one of those word games. Anyhow, the process you mentioned to open the call for projects for the TIP, development of the next TIP. Can you explain how that process works from maybe beginning to end?

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Certainly. Mr. Chair. Councilor Vasquez. Sometime in October or November, not sure exactly what the timeline is going to be there will be a letter sent out by MPO staff to all of our jurisdictions and will be made publicly available on the MPO website as our outreach to the public. I will make a little caveat here because historically we have encouraged members of the public to bring forward project suggestions to the MPO. Going forward we're going to have to make a bit of a modification of that to direct people more directly to their local jurisdictions. Because of the way that the funding works now and the sort of increased fiscal constraints that exist it definitely behooves any member of the public who has a project idea to work directly with their local jurisdiction rather than to come to us because all we could do is redirect them. So that language is going to be included in the letter that will be sent out. So we're really looking that the jurisdictions will work with the public etc. as far as that goes. Once the letter has been distributed there will be several months before the due date. We actually were speaking about that this very morning and thinking preliminarily and please don't hold me to this but we were thinking of having a due date for the TIP applications to be around the end of January of 2019. Again that is just preliminary conversation. Once that deadline has passed, and the reason why we have several months is because we have to work through the projects ourselves on the staff level and then we have to take the projects through our advisory committee process in order to bring them to the Policy Committee for final adoption. That process will take the time from February until the June deadline when the next TIP needs to be adopted by this Committee.

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45 46 Vasquez:

Very good. Thank you for giving me a better idea of the timeline. In terms of the actual call for projects historically members of the public that have participated in this process, do they submit an idea or do they fill out a formal application and what's contained within that application? Is that something that a regular person can do or is it a technical document that requires the expertise of staff or an engineer? How does that work?

Wray:

Councilor Vasquez. We have never had a member of the public per se as an individual approach us. We have had organizations within the community approach us historically. That was several years ago though when the TIP was managed in a different manner than is allowable under the current guidelines and regulations. But theoretically it is an application document, I mean it is a document that is filled out. There are a number of requirements that are going to have to be filled out. The ten planning factors that I mentioned in the presentation, those have to be addressed in every application. The performance targets that have also been adopted also have to be addressed as part of the TIP applications going forward. Staff actually is discussing what we are going to have to do to modify the TIP application because the one that we have used historically is now no longer going to be adequate to the needs and requirements of the TIP

program going forward. But as far as filling out the application we would expect ultimately that the jurisdictions are going to be the entities filling out the application if, and I'll just throw it out there because they're the one that immediately percolated to mind the Chamber of Commerce in the past has brought TIP projects forward. But under the current guidelines we would direct the Chamber of Commerce to, in the case of the Chamber it would be the City of Las Cruces to work with the City to fill out the application and the City of Las Cruces would then be the sponsoring agency for the project.

1011 Vasquez:

Wray:

Vasquez:

Eakman:

Very good. So that kind of clears up who the "public" is in this application process. So I'm thinking as a way to represent my constituents and do my job as an elected official through this process it might look something like citizens have a need, we bring it to the City, the City fills out an application, and then we submit that through the TIP process. Does that sound kind of correct?

Yes, absolutely. And I do want to clarify, just because we have never had an individual citizen bring forward a project, it has been civic organizations in the past, that by no means precludes if an individual has a project approaching their local jurisdiction whether it be the City of Las Cruces, Doña Ana County, or the Town of Mesilla. It's just that now that approach has to be made through the jurisdiction.

Very good. Thank you Mr. Wray. Thank you Chair.

Thank you. Is there any other discussion on this? Mr. Doolittle.

2829 Doolittle:

Thank you Mr. Chair. So Andrew I've been involved with the El Paso MPO and the Mesilla Valley MPO for the past five years and it's frequently confusing especially to an engineer. I will tell you that this is probably the most concise consolidated presentation I've gotten. I would ask that you send it to me, maybe even to the whole Board, because I'd like to stick it on my tablet so that I've got it with me. I just want to compliment you on a presentation that I found very beneficial. I've got a huge binder from El Paso, I've got one from you guys, and when stuff comes up I've got to go flipping through pages. This is a summary that I think I will use frequently so I just wanted to compliment you and ask if you would distribute it so that I can have it handy.

Wray: We'll certainly do that and thank you.

Eakman: That's a very nice compliment. Mayor Pro-Tem Sorg.

1 2 3 4	Sorg:	Thank you Mr. Chairman. I just have a quick question about one project that I'm wondering if it's on the TIP now, and that is the multimodal path on Highway 359 from Calle del Norte to Highway 70. Is that on the TIP now?
5	Wray:	I apologize. It seemed like the microphone cut out there for a second.
7 8	Sorg:	It does.
9 10 11 12	Wray:	Mr. Chair, Councilor Sorg. Are you speaking of the Town of Mesilla project on Calle del Norte? Because that one is on the TIP but it doesn't go all the way to US-70. That project terminates at the Mesilla
13 14	Sorg:	No, no, no, no. Did I say 70?
15 16	Wray:	Yes.
17 18	Sorg:	No, Highway 28 I meant.
19 20	Wray:	Okay.
21 22	Sorg:	Twenty-eight I meant.
23 24 25 26	Wray:	Okay. Yes. That project is on the TIP. It terminates though at the Mesilla Lateral. It does not proceed all the way to NM 28 because of the right-of-way constraints there because Andele's Dog House is on
27 28	Sorg:	That's right.
29 30	Wray:	The south side and then Andele's proper
31 32	Sorg:	Yes.
33 34	Wray:	And then there's just no way to fit
35 36	Sorg:	Yes.
37 38	Wray:	Anything.
39 40	Sorg:	That's right.
40 41 42	Wray:	But yes, that project is on the TIP.
43 44	Sorg:	Okay. Do you off the top of your head know when it's scheduled?

1 Wray: It was a TAP grant so we're currently in the design portion. Specifically at 2 the moment we're in the phase where the town of Mesilla is soliciting, 3 bringing on board their engineer ... 4 5 Sorg: Okay. 6 7 Wray: Engineering consultants to perform the work. Their next deadline where 8 something has to be reported to NMDOT is in May of next year. I don't 9 know if Madam Mayor wishes to add anything else to that. But that's the 10 information that I have as of right now. 11 12 Sorg: Okay. That's fine. Thank you. 13 14 Mr. Chair. Barraza: 15 16 Eakman: Yes Mayor. 17 18 Yes. We are in the process of transitioning in our offices right now as Barraza: 19 Debbie Lujan, our Public Works Director who was overseeing the project has resigned. But we have someone on board that is very knowledgeable 20 21 and capable so I have tasked him to follow up on that. I know Phase 1, 22 we're calling it Phase 1 of the project, we're going to be on schedule with that and on Phase 2 where the Town of Mesilla has to come up with a 23 match of \$82,000 we have put on our ICIP task legislators for help on the 24 25 funding for that. So definitely our goal is to stay on track with it, continue our work with DOT and get the project going. 26 27 If I may, are you saying there is no NMDOT funding for this project? 28 Sorg: 29 30 It's all through the TAP. Barraza: 31 32 Sorg: The TAP money then. 33 34 Wray: Mr. Chair, Madam Mayor, Councilor Sorg. The TAP funding is ultimately 35

federal funding but it goes through the State. What Madam Mayor is referring to is the required Town of Mesilla match.

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Sorg: Match.

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Wray:

The match. Mr. Murphy kindly provided me with the site on the New Mexico eSTIP information. The funding is all built into Federal Fiscal Year 2019 so the federal fiscal year that we are about to enter into. But the process has been underway since Ms. Lujan and I attended an orientation meeting back in July 2017. This process has been going on since the award of the TAP grant and the total funding of the project is \$850,000.

1 Sorg: Thank you Chairman. 2 3 Eakman: Thank you Mayor Pro-Tem Sorg. Well thank you Mr. Wray for that 4 presentation. I really appreciate it. If there's no further comment on that. 5 6 7.2 **NMDOT** update 7 8 Eakman: I'll ask for Mr. Doolittle and the NMDOT update. 9 10 Doolittle: Thank you Mr. Chair. I really don't have much this month. We haven't had any significant changes to our projects. 11 12 Valley Drive for instance all the traffic control's pretty much the 13 same. We're still working a lot underground so it may not look like we're 14 doing anything but we're slowly getting to the surface. We continue to work on our two guard rail safety projects, the one 15 16 on Organ over the pass and then the one on I-10 between Las Cruces and El Paso. But other than that Mr. Chair I really don't have anything specific 17 18 unless somebody has any questions for me. 19 20 Eakman: Are there any questions of Mr. Doolittle? Mayor? 21 22 Mr. Chair. Barraza: 23 24 Yes. Eakman: 25 26 Barraza: Yes. I understand you all went for bid on the University project for Phases 27 B, C, and D? Am I correct? 28 29 Doolittle: Mr. Chair, Madam Mayor. I'll have to check on that. Those RFPs are 30 handled out of the design region not the district so I'll have to check on that for you. 31 32 33 Barraza: Okay. I didn't realize either until we were up in Roswell last week for the 34 New Mexico Municipal League Conference and a couple of the 35 engineering firms, one being Bohannan Huston are the ones that 36 mentioned that to me. That's how I was aware of that. So okay. Thank 37 you. 38 39 Eakman: Any other questions? Hearing none, thank you so much Mr. Doolittle for 40 your report. 41 8. **COMMITTEE AND STAFF COMMENTS** 42 43 44 Are there Committee comments today? Mr. Murphy from your staff, I Eakman: 45 should say. From your staff.

Murphy:

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For staff comments. Speaking of open call for projects and everything, we're currently in the process of accepting project solicitations for TAP or the Transportation Alternatives Program and the Recreational Trails Program which has a September 28th deadline for your jurisdictions to turn in to MPO staff. We have met with City staff and with County staff. They have various projects that they intend to submit. Also there is an open call for projects with an MPO deadline of November 30th for Congestion Management and Air Quality funding. Recently, or this past fiscal year Albuquerque changed its air quality status through the EPA from "Maintenance" to "In Compliance" thereby freeing up \$10 million statewide with which DOT decided to turn around and accept solicitations statewide for air quality projects regardless of the air quality designation conferred by the EPA. So we've talked briefly with some City staff starting those submittals but that is another pot of money that's opened up and you may want to talk with your administrative staffs, make sure that they have plans to try and bring money to this region. And then I guess I'll pause here. I got one more announcement but I'll pause here if there are any questions on the open call for projects.

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Eakman: Any questions? Then move right ahead Mr. Murphy.

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Okay. My next announcement: This is going to be my last MPO Policy Committee meeting. I have reached my eligibility for retirement through the state system and decided that I'm going to see what else is out there. And I would like to express my appreciation for being able to work with all of you through the past many years and you've made it enjoyable at times. And I want to say I do appreciate all of your dedication to transportation planning, something that I've devoted my life to. So thank you.

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Eakman:

Barraza:

Murphy:

Well Mr. Murphy on behalf of our Committee thank you so much for your many years of loyal service and excellent service to this MPO Board. You've taught us quite a bit in this process. Too bad as elected officials we'll turn over, a new board constantly is going to need education. We'll look forward to staff to present that to us. Are there any comments to Mr. Murphy? Mayor.

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Hakes: We also enjoyed it at times.

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42 43 Mr. Chair. Yes. I just want to thank Tom for all the knowledge that you have brought forth and the guidance and everything that you have done. I know for the Town of Mesilla I think we've been together through your whole term through the MPO so those are quite a few years. But I wish you nothing but the very best. I don't know if Lisa has retired yet or retiring so I wish you both the very best and thank you for all your service.

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46 Murphy: Thank you Mayor.

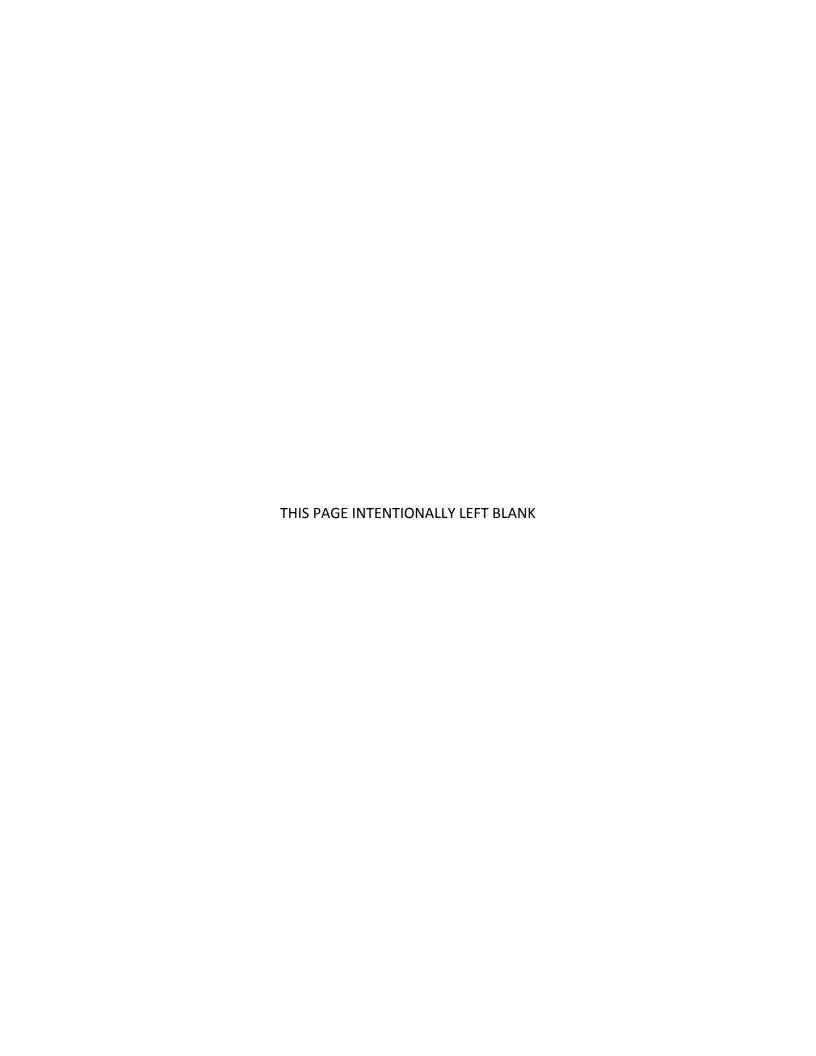
1 2 Eakman: Commissioner Solis. 3 4 Solis: Yes. Tom I also want to say thank you. I remember when I first started as 5 a Commissioner you reached out to me and you gave me an education 6 that just kind of blew my mind. So I just want to thank you for your hard 7 work and your service. Thank you. 8 9 Murphy: Thank you. 10 Eakman: Councilor Vasquez and then Mayor Pro-Tem Sorg. 11 12 13 Yes. Thank you and good luck Mr. Murphy in whatever you choose to do. Vasquez: 14 I share Commissioner Solis' thoughts about introducing us into this work. Transportation Planning is not easy, it's not for everybody. And I know it 15 16 takes a lot of technical skill in addition to communication skills to be able 17 to convey this information so that we can get the best outcomes for transportation and for people. So I think you've done a tremendous job of 18 19 doing that and thank you and sad to see you go. 20 21 Murphy: Thank you. 22 23 Eakman: Mayor Pro-Tem. 24 25 Thank you Mr. Chairman. And Tom thank you too and congratulations Sorg: 26 and I wish you the best in your future. And just want to comment on the 27 fact that you've always been there for me whenever I've had a question 28 and very helpful. So good job. Thank you. 29 30 Murphy: Thanks. 31 32 Eakman: Trustee Johnson-Burick. 33 34 J-Burick: Thank you and I just want to echo what everybody has already said so 35 thank you so much Tom. And I'm looking forward to running into you in 36 the future. Thank you for everything. 37 38 Murphy: Thank you. 39 40 Eakman: Yes indeed. Now we'd like to hear from the rest of your staff on how good 41 a boss you've been. 42 43 Murphy: I think they have to ... 44 45

Wray:

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He's been very good.

1	Eakman:	Thank you so much. I appreciate that. Are there any comments from the
2		Committee Members today? Hearing none.
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4	9. PUB	LIC COMMENT
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6	No public.	
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8	10. ADJ	OURNMENT (2:07 PM)
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10	Eakman:	We are adjourned.
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16	Chairperso	n





#### METROPOLITAN PLANNING ORGANIZATION

SERVING LAS CRUCES, DOÑA ANA, AND MESILLA

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# MESILLA VALLEY METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE ACTION FORM FOR THE MEETING OF October 10, 2018

#### **AGENDA ITEM:**

7.1. Resolution 18-06: A Resolution Adopting the Mesilla Valley MPO Public Participation Plan (PPP)

#### **ACTION REQUESTED:**

Approval by the Policy Committee

#### SUPPORT INFORMATION:

Attached is the current draft of the Mesilla Valley MPO Public Participation Plan (PPP).

#### **DISCUSSION:**

The Mesilla Valley MPO Public Participation Plan (PPP) establishes the public participation tools and timelines to be utilized by Mesilla Valley MPO Staff as it performs the required MPO functions.

The major change from the previously adopted PPP is that, as required by the New Mexico Department of Transportation, the Title VI Plan has been separated from the PPP and will be adopted as a standalone document.

# LAS CRUCES METROPOLITAN PLANNING ORGANIZATION RESOLUTION NO. 18-07

#### A RESOLUTION ADOPTING THE PUBLIC PARTICIPATION PLAN.

The Mesilla Valley Metropolitan Planning Organization (MPO) Policy Committee is informed that:

WHEREAS, the Mesilla Valley Metropolitan Planning Organization (MPO) is required to conduct a planning process in accordance with 23 CFR § 450.306.a.1-8; and

WHEREAS, preparation of a Public Participation Plan (PPP) is a requirement of the Federal Highway Administration (FHWA) (23 CFR § 450.316.a.1.i-x); and

**WHEREAS**, the Policy Committee adopted the current Public Participation Plan on September 11, 2013; and

**WHEREAS**, the Public Participation Plan must be updated and renewed every five years; and

WHEREAS, the current draft attached as Exhibit "A" complies with the requirements in 23 CFR § 450.316; and

**WHEREAS**, the MPO Technical Advisory Committee recommended approval on August 2, 2018; and

WHEREAS, the MPO Bicycle and Pedestrian Advisory Committee recommended approval on August 21, 2018; and

**WHEREAS**, the Policy Committee has determined that it is in the best interest of the MPO for the Resolution adopting the Public Participation Plan to be approved.

**NOW**, **THEREFORE**, be it resolved by the Policy Committee of the Mesilla Valley Metropolitan Planning Organization:

**(I)** 

**THAT** the Mesilla Valley Metropolitan Planning Organization's Public Participation Plan is adopted as shown in Exhibit "A", attached hereto and made part of this resolution.

**THAT** staff is directed to take appropriate and legal actions to implement this Resolution.

**DONE** and **APPROVED** this <u>10th</u> day of <u>October</u>, 2018.

APPROVED:	
Chair	
Motion By:	
Second By:	
VOTE:	
Chair Eakman	
Vice Chair Rawson	
Trustee Arzabal	
Mayor Barraza	
Mr. Doolittle	
Trustee Johnson-Burick	
Commissioner Rawson	
Commissioner Solis	
Councilor Sorg	
Councilor Vasquez	
ATTEST:	APPROVED AS TO FORM:
Recording Secretary	City Attorney
Kecordina Secretary	CIIV AUDITIEV



# METROPOLITAN PLANNING ORGANIZATION

LAS CRUCES DOÑA ANA COUNTY MESILLA

## **Public Participation Plan**

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#### Introduction

The Mesilla Valley Metropolitan Planning Organization (MPO) is a transportation planning organization whose primary role is to involve the public in the planning process. Public involvement is not a discrete incident, but a continual focus of the MPO's entire work program. In order to maintain a proactive presence in the community, and be a resource for the public and other entities, the MPO strives to be both an educational organization and a quality resource center.

This Public Participation Plan is intended to provide a guide for public participation activities to be conducted by the Mesilla Valley Metropolitan Planning Organization. The Public Participation Plan contains the goals of the MPO for public participation, as well as specific processes and tools to encourage and facilitate public and stakeholder participation.

#### Background

The Mesilla Valley Metropolitan Planning Organization (MPO) is the agency responsible for transportation planning within Las Cruces, Mesilla, and central Doña Ana County. Federal regulations require the designation of an MPO to carry out a coordinated, continuing, and comprehensive transportation planning process for urbanized areas with a population of more than 50,000. The Mesilla Valley MPO has been in existence since 1982, and it operates under the guidance of a Policy Committee. The Policy Committee is comprised of elected officials from the City of Las Cruces, Town of Mesilla, Doña Ana County, and the district engineer from the New Mexico Department of Transportation (NMDOT) who make decisions to plan for the future transportation needs of the region.

#### **Public Participation**

#### **Requirements**

#### **Federal Transportation Regulations**

Federal laws outlined in 23 U.S.C. 450.306.a.1-8 require MPOs to conduct a planning process that considers transportation projects and strategies that will do the following:

- Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- Increase the safety and security of the transportation system for motorized and non-motorized users;
- Increase the accessibility and mobility options available to people and freight;
- Protect and enhance the environment, promote energy conservation, and improve quality of life;
- Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- Promote efficient system management and operation; and
- Emphasize the preservation of the existing transportation system.
- Improve the resiliency and reliability of the transportation system and reduce the impact of storm water
- Enhance travel and tourism

In order to accomplish this planning process the MPO has developed this Public Participation Plan in accordance with federal laws outlined in 23 U.S.C. 450.316.a.1.i-x.

#### **Federal Transit Regulations**

The public participation procedures outlined in this Plan also serve as the public participation process required for the development of transit projects as per Federal Transit Administration (FTA) Circular 9030. The MPO will implement the following

strategies to reduce participation barriers for persons with Limited English Proficiency (LEP):

- The MPO will actively engage and provide accommodations for LEP populations in the short term by providing interpretative utilizing visual techniques, services, handing out language cards, exploring appropriate locations for distribution of materials on MPO meetings processes, using word of mouth, and training staff members to look for clues that members of the public cannot read English.
- The MPO will work with the City of Las Cruces, as the MPO's Administrative Agent, to develop a formal LEP policy. The policy should include an analysis of the number or proportion of persons with LEP in the jurisdictions, the specific language needs of those individuals, and the potential frequency of contact with persons with LEP.
- Lastly, the MPO will assess the resources available and costs associated with providing different language service options.

### **Title VI and Environmental Justice**

Title VI of the Civil Rights Act of 1964 states that no person is excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, national origin, age, sex, disability, or religion. This prohibition against discrimination is in effect whether the effect is intentional or unintentional. Following this, in February 1994, Executive Order 12898 was signed requiring federal agencies to establish internal policies to ensure compliance in all agency activities, including public involvement.

The Mesilla Valley MPO will strive to address environmental justice issues at all stages of Mesilla Valley Metropolitan Planning Organization

the planning process. The MPO will implement the following strategies to reduce participation barriers for low income and minority populations and improve access to services for persons with disabilities:

- When possible, public meetings will be held in locations that are convenient to low and moderate income neighborhoods and are accessible to disabled populations and public transit users. Such locations include community centers, senior centers and schools. Holding meetings in familiar and accessible neighborhood locations may be more culturally sensitive and help residents feel more comfortable about the public participation process.
- The Mesilla Valley MPO will strive to provide a predictable planning process that is understandable and known in advance in order to make the planning process coherent and comprehensive.
- All MPO work products and documents will be available in alternative formats, including Braille, large type and languages other than English. The following statement will be included in all MPO documents:

The Mesilla Valley MPO does not discriminate on the basis of race. religion, sexual orientation, sex, gender identity, color, ancestry, serious medical condition, national origin, age, or disability in the provision of services. The Mesilla Valley MPO will make reasonable accommodation for а qualified individual with a disability who wishes to attend this public meeting. Please notify the Mesilla Valley MPO at least 48 hours before the meeting by calling 528-3222 (Voice) or 528-3157 (TTY). This document can be made available in alternative formats by calling the same numbers listed above. Este documento está disponible en español llamando al teléfono del Departmento de Desarrollo de la Comunidad: 528-3222 (Voz) o 528-3157 (TTY).

- The location of low income and minority populations will be identified and mapped as a tool for gauging the impact of proposed transportation projects on these areas. This map will be updated every five years. See Appendix B.
- Agencies and organizations that represent low income and minority populations will be identified and included in MPO mailings.
- The MPO will provide a complaints process to deal with any issues regarding Title VI compliance. See the Mesilla Valley MPO Title VI Plan.

### **State Open Meetings Act**

In order to ensure adequate public notice and provision of timely information, all meetings of the Mesilla Valley Metropolitan Planning Organization Policy Committee and its advisory committees are subject to the provisions of the New Mexico Open Meetings Act, as amended. Policy Committee meeting notices are published in the Las Cruces Sun News 10 days prior to the meeting date. Technical Advisory Committee (TAC) and Bicycle and Pedestrian Facilities Advisory Committee (BPAC) meeting notices are posted at least three business days prior to the meeting date. All meeting notices are posted at Las Cruces City Hall, Doña Ana County Government Complex, Branigan Library, the Mesilla Town Hall, and the MPO website. Upon request, all notices will be available in Spanish and alternative formats.

### **State Inspection of Public Records**

All Mesilla Valley MPO work products are available for public inspection. Because the City of Las Cruces is the fiscal and administrative agent for the Mesilla Valley MPO, inspection of MPO documents follows the City of Las Cruces Inspection of Public

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Records, Ordinance 2265. A copy of this ordinance is available upon request.

Proposed documents and proposed document amendments will also be available for review, free of charge, at the following locations:

- MPO Office, Las Cruces City Hall, 700 N. Main Street
- Reference Desk, Branigan Library, 200
   East Picacho Avenue
- NMDOT District One Las Cruces Project Office, 750 North Solano Drive
- Town of Mesilla Town Hall, 2231 Avenida de Mesilla
- Community Development Department,
   Doña Ana County Government Complex,
   845 North Motel Boulevard
- Mesilla Valley MPO website: http://mesillavalleympo.org

All documents, in whole or part, will be available upon request in Spanish and in alternative formats.

### **MPO Work Products**

According to the federal transportation regulations, the Mesilla Valley MPO is required to create and maintain the following transportation planning documents:

- Metropolitan Transportation Plan (23 U.S.C. 450.322);
- Transportation Improvement Program (23 U.S.C. 450.324);
- Unified Planning Work Program (23 U.S.C. 450.308); and
- Public Participation Plan (23 U.S.C. 450.316); and
- Annual List of Obligated Projects (23 U.S.C. 450.332).

# Metropolitan Transportation Plan (MTP)

The Metropolitan Transportation Plan contains both long-range and short-range

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strategies/actions that guide multi-modal transportation planning, construction, and maintenance of an integrated transportation network for the Las Cruces Urbanized Area. The MTP is developed through a shared vision for the region involving extensive interaction with and education of the public, stakeholders, and the MPO Committees. The Plan covers no less than a 20-year planning horizon. The Metropolitan Transportation Plan is updated every five years.

# Transportation Improvement Program (TIP)

The Transportation Improvement Program is a six-year, financially constrained list of transportation projects within the MPO area, including regionally significant projects and all transit projects funded by FTA. The TIP is developed in cooperation with residents, local governments, and the New Mexico Department of Transportation (NMDOT) and in compliance with the adopted Long Range Transportation Plan. The Transportation Improvement Program is completely updated bi-annually.

# Unified Planning Work Program (UPWP)

The purpose of the Unified Planning Work Program is to outline intermodal transportation planning activities to be conducted within the Mesilla Valley MPO Planning Area within a financially constrained budget. The UPWP contains MPO work projects, budgets, and staff assignments for the upcoming fiscal year. The UPWP must comply with the adopted Long Range Transportation Plan. The Unified Planning Work Program is updated bi-annually.

### **Public Participation Plan (PPP)**

The Public Participation Plan is intended to provide a guide for public involvement processes to be conducted by the Mesilla Valley Metropolitan Planning Organization (MPO). The Public Participation Plan

contains the goals of the MPO for public involvement, as well as specific public involvement procedures for various MPO activities. The Public Participation Plan will be updated every five years.

### **Annual Listing of Obligated Projects**

In metropolitan planning areas, on an annual basis, no later than 90 calendar days following the end of the program year, the State, public transportation operator(s), and the MPO shall cooperatively develop a listing of projects for which funds under 23 U.S.C. or 49 U.S.C. Chapter 53 were obligated in the preceding program year.

Mesilla Valley MPO staff shall make this list available to the public.

### **Area and Corridor Plans**

Area and corridor plans are undertaken in areas that are in need of intensive study to determine potential transportation needs. These plans can be initiated if a member jurisdiction identifies a transportation issue not previously discussed in the LRTP or when a proposed TIP project is not in compliance with the LRTP. These are conducted on an "as-needed" basis.

### <u>Public Participation Process</u> Goals

The goals of the Public Participation Process are as follows:

- Maintain a continuing, cooperative, comprehensive (3-C) planning process;
- Pursue access to transportation options for all residents;
- Consider a broad range of options to address transportation challenges;
- Ensure a transparent, interactive, bottomup transportation planning process;
- Provide a high level of education on transportation related subjects;
- Encourage residents and a variety of stakeholders to contribute ideas and

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comments at every stage of the process; and

 Engage traditionally underserved populations, including low income and minority households and persons with disabilities.

### **Four-Step Process**

In order to achieve these goals the MPO has developed a four-step public participation process:

- Identify Needs and Challenges;
- · Generate Options;
- Evaluate and Prioritize Options; and
- Develop an Implementation Strategy.

### Identify Needs and Challenges

Identify Needs and Challenges means taking a comprehensive look at the regional transportation system or a potential transportation project. In this era of rising gas prices, identifying public concerns about transportation is particularly important. In order conduct а comprehensive identification of transportation needs and challenges, the MPO must solicit information from the public, stakeholders, and MPO committees. This effort requires listening to comments and integrating suggestions made the regional transportation concerning network.

The public participation tools listed in this plan will be used to collect the public's comments about their daily transportation experiences, the regional transportation system as a whole, their suggestions for potential projects, and their vision for the future.

In addition to the general public, the MPO



staff will also solicit the concerns of a broad range of stakeholders such as local jurisdictions, transportation providers, and land use agencies. Listening to stakeholders means gathering information about the services they provide and the impacts that the transportation system or potential projects will have on their services. MPO staff then discusses with its committees the information gathered from the public and stakeholders.

MPO staff is responsible for planning a network that safely and transportation efficiently moves people and goods throughout the region. Therefore, at this stage in the process, the MPO staff is also responsible for gathering information on current, relevant transportation conditions, such as crash data, traffic volumes, access management, adjacent land uses, and topography. For example, crash data may be gathered for a later analysis of safety conditions, and land use data may be used to determine impacts on the transportation system. Other considerations that will be discussed are the potential impacts to places deemed historically, environmentally culturally important.

### **Generate Options**

Generate Options means generating a list of proposed options based on input from the public, stakeholders, and MPO staff and merging them with best practices from transportation professionals. This process may be accomplished by using neighborhood or community audits, design tables, and other focus groups. Also evaluated in this step are the data gathered on current transportation conditions and existing transportation options, such as transit routes and bicycle lanes. This step of the process provides a balanced approach to updating MPO work products or evaluating potential projects.

The data gathered, along with the comments expressed by the public and stakeholders, will be analyzed for potential benefits and drawbacks. Monetary costs and technical feasibility of a project may also be considered in this step. Some of the tools that the MPO uses to analyze data are travel demand modeling, spatial geographic analyses, and other visualization techniques.

Then, MPO staff will discuss the data and proposed approaches with its committees to solicit further feedback. MPO staff will also continue to receive written comments from the public and stakeholders.

### **Evaluate and Prioritize Options**

Evaluate and Prioritize Options means asking the question "Does a proposed identified approach help resolve the transportation concerns?" Specifically, the MPO will assess each proposal based on estimated costs, potential benefits and drawbacks, and technical feasibility. Potential benefits and drawbacks are based upon transportation principles and the participation received from the public and stakeholders. For example, a benefit of a proposed update may be community or neighborhood support, but a drawback may be that the approach does not improve the regional transportation system.

Next, the public may be asked to weigh their preferred options through techniques such as option or project ranking. In order for the public to effectively rank options, the MPO must clearly explain the processes used during the first two steps and define the regional significance of any proposed approach.

Therefore, a detailed matrix of the estimated costs, potential benefits and drawbacks, and technical feasibility of each proposal will be made available, as needed, in order to facilitate the ranking process. The MPO staff will also summarize the input from the public,

stakeholders, and committees. To the extent possible, the MPO will also use visual techniques to explain completed analyses.

### **Develop Implementation Strategies**

Develop Implementation Strategies means creating a report or work product that provides information on how to implement proposals. This written document will contain a summary of the entire four-step process, including written comments from the public and stakeholders, and will provide recommendations on an implementation strategy.

The implementation strategy may include determining:

- Whether an approach is a short term or long term project;
- The entity or entities responsible for implementation;
- Available funding; and
- Any other recommendations, such as design techniques or further analyses.

The draft of proposed implementation strategies will be discussed with MPO committees and presented to the public and stakeholders for their final feedback. Final action on proposed options or plan updates is reserved for the MPO Policy Committee.

### **Public Participation Tools**

### Introduction

In order to maintain a proactive presence in the community, and an early and continuous public involvement process, the MPO strives to be both an educational organization and a quality resource center. To accomplish this goal, the MPO uses a toolbox of involvement techniques in their public participation processes. See Appendix A for the complete Public Participation Matrix.

### **Participation Meetings**

MPO staff continually works on adjusting and improving the format of public meetings to

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encourage participation from all people in attendance. Interactive meetings are held early in the transportation planning process. This interaction is important so that the public is involved prior to any decisions being made. Below is listed the types of meetings that MPO Staff uses in different stages or settings of the Public Participation Process.

### MPO Committee Meeting

The MPO has regular meetings of their Technical Advisory Committee, Bicycle and Pedestrian Advisory Committee, and Policy Committee. The advisory committees provide input to the Policy Committee on planning and engineering issues that affect the transportation decision-making process. All MPO committee meetings are open to the public. Residents and stakeholders are encouraged to attend the meetings and discuss the transportation challenges that they face. The meeting schedule, agendas and full packets for each committee meeting will be posted on the Mesilla Valley MPO website. Agendas are also distributed through the MPO Master Mailing List.

### Traditional Public Participation Meeting

Traditional Public Participation Meetings are appropriate when MPO staff is asked to provide information on a specific topic, conduct an educational seminar, or present final results of a plan update or corridor study. These meetings provide an opportunity for question-and-answer sessions with the public, but are less interactive than charette-style meetings.

### Charette-Style Meeting

Charette-Style public meetings engage the public in an interactive brainstorming process to develop ideas to address transportation needs and challenges. This process ensures that dynamic dialogue throughout the process is an integral part of assessing proposals and plans. Ideas that come out of this visioning process can be further

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analyzed for technically feasibility and for incorporation into a potential range of final solutions. Much of the four-step process outlined in this public participation plan is derived from the successes of conducting Charette-Style meetings.

### **Open House Meeting**

Open houses are an informal type of public meeting that take transportation issues to the public rather than asking the public to come to us. This process is often less intimidating than a traditional participation meeting. An Open House meeting is generally set up at a familiar site in the community where people already congregate, for example, at the Farmer's Market, the local mall, or a University campus.

Sometimes traditional or even Charette-Style public meetings do not work well because people have busy schedules and may not have the time or the availability to attend these meetings. The Open House forum offers the public more opportunities to learn about transportation issues by providing meetings at several different locations and during different times of the day allowing flexibility and sensitivity to culturally appropriate methods. The MPO may set up a booth with brochures, maps, and other materials, and will provide opportunities for public comments.

### Stakeholder Consultation

The MPO does not stand alone in regional transportation issues. The MPO coordinates and consults with local, regional, and national agencies, such as the MPO area jurisdictions, El Paso MPO, South Central Council of Governments, New Mexico Department of Transportation, the South Central Regional Transit District, the Viva Dona Ana Consortium, and land management agencies. For example, the MPO integrates data from the Census Bureau and land use agencies, such as the

Bureau of Land Management, into their planning process. Through this coordination the MPO is able to present a comprehensive picture of the transportation system to the public.

### **Involvement Techniques**

MPO staff continually utilizes the following involvement techniques to solicit public participation and ideas, as well as educate the public, stakeholders, and the MPO Committees. New techniques may be introduced and tested prior to inclusion in this document.

### Brainstorming and Visioning

Brainstorming is a cooperative, open process geared toward sharing ideas, proposing alternatives, and building consensus. Visioning is also a cooperative group effort through which participants create a set of principles that lead to shared goals and strategies. Both can be used to build a shared vision, collect ideas, and provide direction on a comprehensive strategy for implementation. A visioning exercise may include participants using index cards to write down concepts that they think are most important to their community and sharing these concepts (if they so choose) with the group. The index card can then be used to inform the current planning process.

### Visualization

Visualization techniques, such as maps, flow charts, traffic simulations, travel demand modeling, and video are used to help explain technical terms and transportation planning concepts to the public and stakeholders. techniques Visualization are applied throughout MPO documents and the MPO website. For example, the MPO's traffic count program is available in map form, Geographic Information System (GIS) files, and on the MPO website. Also, the MPO is using video to provide a visual of transportation challenges during drop-off and

pick-up times at schools.

### Neighborhood and Community Audits

Neighborhood and Community Audits are used to educate the community and encourage them to get involved with issues that are close to home, yet affect the regional transportation system. Sometimes transportation concerns are more easily resolved through first hand experience. An audit can provide a constructive forum for gathering information and encouraging public involvement. For example, Safe Routes to School is an emerging issue neighborhoods. Improving conditions for children on their routes to and from school may best be understood and observed through a walk along these routes.

Neighborhood and Community Audits are generally done in the field, but can be conducted using aerial maps as well. If a walking audit is not a possibility, then audit participants may draw on large maps to inventory valuable aspects of the transportation identify system and transportation challenges potential and solutions.

### Public Events

Participating in Public Events accomplishes the tasks of educating the public, and finding multiple ways to encourage their participation. Sometimes the public may not have time to attend public meetings, but has already made an event a part of their schedule.

### Focus Groups

Focus Groups are generally used to explore a specific aspect of a project or transportation challenge in a more in depth manner. Individuals who are knowledgeable about or have an interest in a transportation related topic may be invited to participate in a Focus Group.

### Comment Forms

Comment forms are open-ended requests for feedback on transportation related topics. Comment forms are available on the MPO website, at public meetings, or at MPO offices. Feedback from comment forms will be included in documents as either a verbatim appendix or a summary.

### Surveys

Surveys are direct requests for feedback on specific transportation issues. In some cases, quantified results will be used to guide transportation decision making and help formulate overall goals for the transportation system.

## Education and Resource Center

### MPO Staff Availability

MPO staff is available during business hours to discuss the MPO transportation planning process or other transportation-related matters with residents and other interested parties. By prior arrangement, MPO staff is available to meet with stakeholders and other organizations during and after normal business hours.

### Orientation Workshops and Materials

The MPO must educate our committee members and the general public on the basics of what the MPO does and why. In order to achieve this goal, the MPO provides both workshops that can be set up on an as needed basis and written materials that summarize the MPO's goals, regulations, and processes. The MPO is working on a presentation and handbook titled "MPO 101" to distribute to all Committee members and anyone else who is interested.

### Master Mailing List (MML)

The Mesilla Valley MPO maintains a Master Mailing List which includes neighborhood associations, community groups, business and professional groups, environmental groups, special interest groups, elected and appointed officials, affected agencies, and interested residents. This list will be used to:

- Coordinate regional planning efforts;
- Distribute TIP Call for Projects letter
- Provide MPO documents for review;
- Notify interested parties of upcoming meetings and other MPO activities;
- Communicate with members of the public, private entities, and governmental agencies; and
- Invite interested parties to comment on transportation planning issues.

The MML will be customized so only items of particular interest will be mailed to list recipients. The MML is continuously updated.

### Library

MPO staff maintains a library of documents that are available for review during normal business hours. The MPO library contains past and current transportation planning studies and materials, paper and digital versions of maps, MPO plans, and study area reports. Copies of library materials are available at reproduction and postage costs.

### Website

The Mesilla Valley MPO maintains an internet website to provide the most current information available including committee meeting agendas and packets, work products, current projects, staff contact information, and links to other transportation sites. The MPO also utilizes the website for public outreach and education through regular updates and notifications. Public comments are encouraged and welcomed through the feedback page that allows anyone to submit comments regarding transportation planning issues at any time. The MPO will improve public participation through the MPO website by conducting surveys on specific issues.

### E-Newsletter – Intersections

The Mesilla Valley MPO will produce a monthly e-newsletter that will contain staff contact information, upcoming meeting schedules and agendas, results of technical activities, information on policy issues, current project status reports, and links to other relevant transportation-related sites. The MPO will also solicit from the public, stakeholders and committees, topics that they would like to learn more about. The enewsletter will be distributed via email to all parties on the Master Mailing List that have indicated an interest in receiving the enewsletter. It will also be available as a printed handout upon request. For interested parties that do not have internet they may request that a copy be mailed to them or use a computer at the MPO office.

### MPO Logo

A logo representing the Mesilla Valley MPO is used to identify all products and publications of the MPO. This logo helps the public become familiar with the different activities of the MPO by providing a means of recognizing MPO products.

### Media Advertising

The Mesilla Valley MPO will work with the local media to inform the public of significant transportation activities and issues. Public participation meeting advertisements will be published in either the Las Cruces Sun News or the Las Cruces Bulletin, or both, in order to inform the largest number of residents possible and solicit their participation. MPO staff will also attempt to have MPO meetings appear on the community calendar. As appropriate, the MPO will send legal notices and/or press releases, conduct interviews, and submit articles to the local news media. Radio public service announcements will be used as appropriate. The MPO will work with the Las Cruces Bulletin to include a list of Committee meeting schedules.

### Marketing Materials

Marketing materials may include brochures or flyers. Marketing materials may be provided for education or for advertising events that are applicable to transportation issues. For example, the MPO has produced a Bicycling Suitability Map that contains information on suitable bicycling routes, rules of the road, and other ways to promote safe bicycle riding in the MPO area.

### Social Media

Mesilla Valley MPO staff shall investigate various types of social media for the purpose of disseminating relevant information and performing social outreach.

# Evaluation of the Public Participation Process

The Public Participation Plan will be reviewed for effectiveness every five years when the Public Participation Plan as a whole is reviewed and updated.

Consideration of effectiveness may be made on the following factors:

- Level of public participation
- Level of event attendance
- Use of website
- Public reaction to MPO efforts and activities

As a result of this evaluation the Public Participation Plan may be periodically modified as deemed necessary.

### **APPENDIX A**

Public Participation Matrix

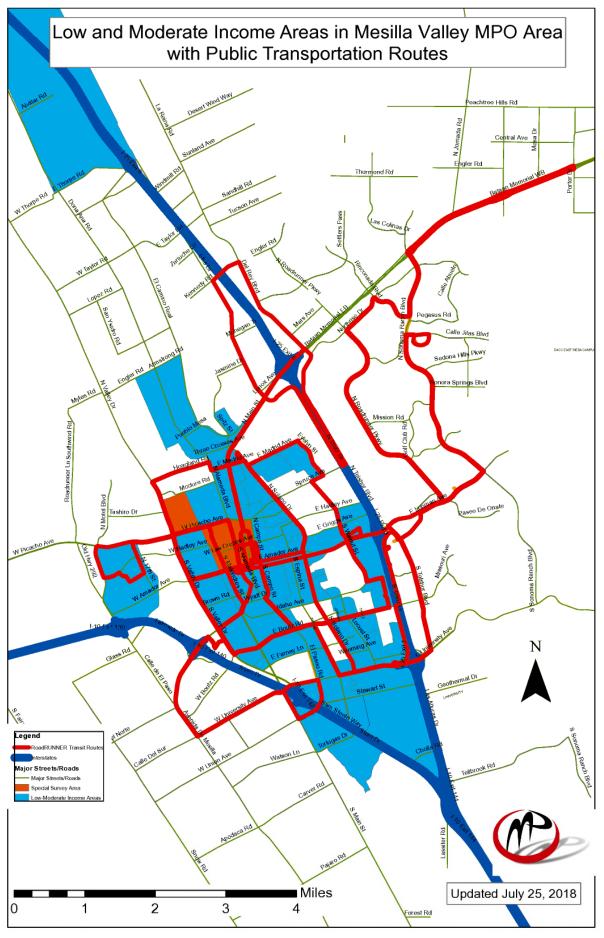
Public Participation Matrix	Public Meeting Date	Minimum Comment Period	Public Participation Tools	Additional Comments
MPO Work Product Processes	esses			
Long Range Transportation Plan (LRTP)	Kick Off meeting required with all MPO Committees Draft LRTP: At least 30 days prior to Policy Committee final action	180 days during LRTP process 30 days on Final Draft LRTP	<ul> <li>Four-Step Process</li> <li>Participation Meetings</li> <li>Involvement Techniques</li> <li>Education and Resource Center</li> </ul>	<ul> <li>Updated every 5 years</li> <li>All public comments received and staff responses will be included in the LRTP</li> </ul>
Transportation Improve- ment Program (TIP)	Call for projects letter at least 60 days prior to TIP final action  At least 30 days prior to Policy Committee final action	30 days	<ul> <li>TIP Process</li> <li>Call for Projects Letter</li> <li>Participation Meetings</li> <li>Involvement Techniques</li> <li>Education and Re-</li> </ul>	<ul> <li>Updated every two years</li> <li>BPAC and TAC may serve as public participation meetings</li> <li>All public comments received will be included in the documentation for the TIP</li> </ul>
Unified Planning Work Program (UPWP)	At least 30 days pri- or to Policy Commit- tee final action	30 days	<ul> <li>Participation Meetings</li> <li>Involvement Techniques</li> <li>Education and Resource Center</li> </ul>	<ul> <li>Updated every year</li> <li>BPAC and TAC may serve as public participation meetings</li> <li>A summary of all public comments will be provided</li> </ul>
Public Participation Program (PPP)	At least 30 days pri- or to Policy Commit- tee final action	45 days	<ul> <li>Participation Meetings</li> <li>Involvement Techniques</li> <li>Education and Resource Center</li> </ul>	<ul> <li>Updated every 5 years</li> <li>BPAC and TAC may serve as public meetings</li> <li>A summary of all public comments will be provided to the Policy Committee</li> </ul>

Mosilla \	Public Participation Matrix	Public Meeting Date	Minimum Comment Period	Public Participation Tools	Additional Comments
I √alley Metropolitan Plann	Title VI Plan	At least 30 days pri- or to Policy Commit- tee final action	45 days	<ul> <li>Utilize guidance in Public Participation Plan</li> <li>Maintain Title VI complaint process</li> </ul>	Consultation is required with NMDOT and the City of Las Cruces as our administrative agent
ing Organization	Area and Corridor Plans	At least 30 days pri- or to Policy Commit- tee final action	30 days	<ul> <li>Four-Step Process</li> <li>Input Meetings</li> <li>Involvement Techniques</li> <li>Education and Resource Center</li> </ul>	<ul> <li>Target notification area determined (Min. 300')</li> <li>Notice sent regular mail</li> <li>Sign posted on property</li> <li>At least one public meeting held in location convenient to affected</li> </ul>
Public Participation Pl	Long Range Transportation Plan Amendments	At least 30 days pri- or to Policy Commit- tee final action	30 days	<ul> <li>Four-Step Process</li> <li>Participation Meetings</li> <li>Involvement Techniques</li> <li>Education and Resource Center</li> </ul>	<ul> <li>At least one public meeting will be held</li> <li>BPAC and TAC may serve as public meetings</li> </ul>
n VV VV VV	Transportation Improve- ment Program (TIP) Amendments Unified Planning Work Pro- gram (UPWP) Amend- ments Public Participation Plan (PPP) Amendments	At least 15 days pri- or to PC final action	30 days	<ul> <li>Participation Meetings</li> <li>Involvement Techniques</li> <li>Education and Resource Center</li> </ul>	<ul> <li>TIP amendments include those which are not exempt from the public participation process.</li> <li>BPAC and TAC may serve as public meetings</li> </ul>

Public Participation Matrix	Public Meeting Date	Minimum Comment Period	Public Participation Tools	Additional Comments
Input Meetings				
MPO Committee Meetings	Varies	N/A	<ul> <li>Legal or Posted Notice, as applicable</li> <li>E-Newsletter</li> <li>Website</li> </ul>	See MPO Meeting Cal- endar in Appendix D

### **APPENDIX B**

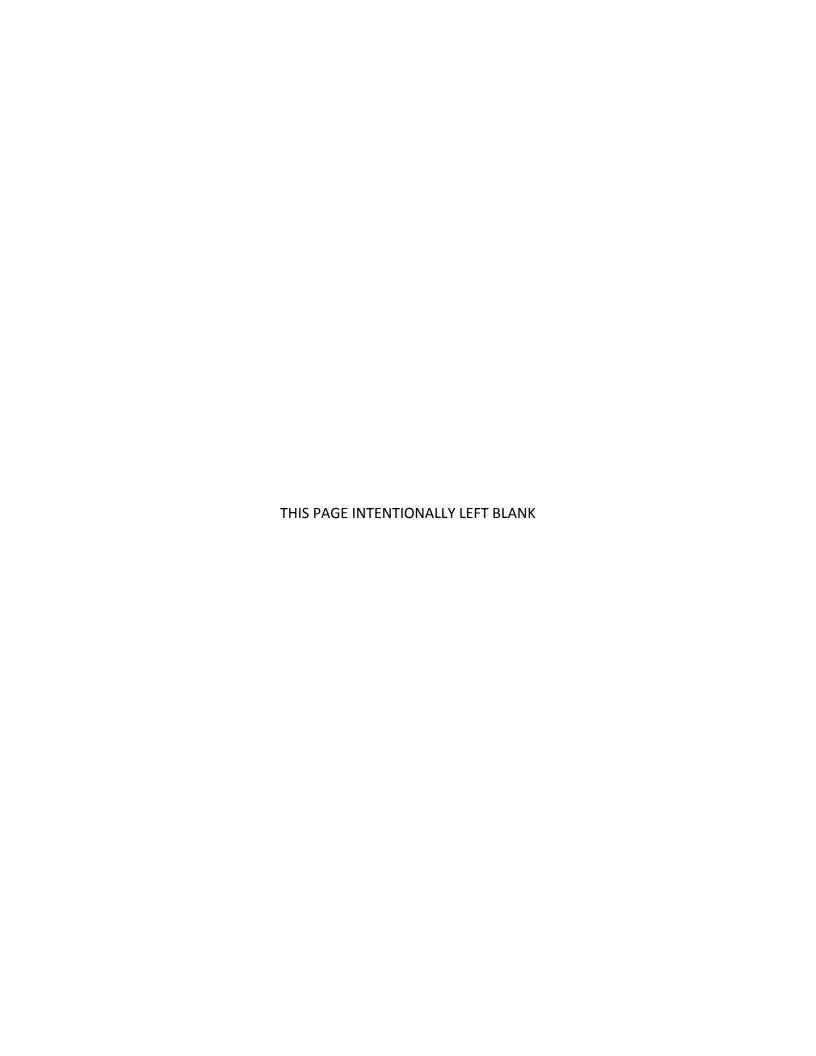
Map of Low Moderate Income Areas



### **APPENDIX C**

# General Time Line for MPO TIP and STIP Development and Amendments

2	/esilla \	/alley N	Mesilla Valley MPO TIP Timeline	Timeli	e.							
TIP Action	Oct	Nov	Dec	Jan	Feb	Mar	Apr	Мау	Jun	Jul	Aug	Sep
BPAC Review and Recommendation												
TAC Review and Recommendation												
Policy Committee Review and Recommendation												
FHWA Adoption and Incorporation into the STIP												
		MPO TI	MPO TIP Amendment Cycle 1	dment	Cycle 1			MPO TI	P Amer	ndment	MPO TIP Amendment Cycle 3	
		MPO TI	MPO TIP Amendment Cycle 2	dment	Cycle 2			MPO TI	P Amer	ndment	MPO TIP Amendment Cycle 4	
_												





### METROPOLITAN PLANNING ORGANIZATION

SERVING LAS CRUCES, DOÑA ANA, AND MESILLA

P.O. BOX 20000 | LAS CRUCES NM | 88004 PHONE (575) 528-3222 | FAX (575) 528-3155 http://mesillavalleympo.org

# MESILLA VALLEY METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE ACTION FORM FOR THE MEETING OF October 10, 2018

### **AGENDA ITEM:**

7.2. Resolution 18-07: A Resolution Adopting the Mesilla Valley MPO Title VI Plan

### **ACTION REQUESTED:**

Approval by the Policy Committee

### SUPPORT INFORMATION:

Attached is the current draft of the MVMPO Title VI Plan.

### **DISCUSSION:**

The Mesilla Valley MPO Title VI plan describes the Title VI requirements for the MPO and establishes the complaint process by which aggrieved individuals may file complaint to remedy Title VI violations by the MPO.

The Title VI Plan formerly existed as part of the Mesilla Valley MPO Public Participation Plan (PPP). Changing requirements from NMDOT mandate that the Title VI Plan be separated from the PPP and be adopted as a standalone document.

# LAS CRUCES METROPOLITAN PLANNING ORGANIZATION RESOLUTION NO. 18-08

### A RESOLUTION ADOPTING THE TITLE VI PLAN.

The Mesilla Valley Metropolitan Planning Organization (MPO) Policy Committee is informed that:

WHEREAS, the Mesilla Valley Metropolitan Planning Organization (MPO) is required to conduct a planning process in accordance with 23 CFR § 450.306.a.1-8; and

**WHEREAS**, preparation of a Title VI Plan is a requirement of the Federal Highway Administration (FHWA); and

WHEREAS, the Title VI Plan must be updated and renewed every five years; and WHEREAS, the current draft attached as Exhibit "A" complies with the requirements; and

**WHEREAS**, the MPO Technical Advisory Committee recommended approval on October 4, 2018; and

**WHEREAS**, the MPO Bicycle and Pedestrian Advisory Committee recommended approval on August 21, 2018; and

WHEREAS, the Policy Committee has determined that it is in the best interest of the MPO for this Resolution adopting the Title VI Plan to be APPROVED.

**NOW**, **THEREFORE**, be it resolved by the Policy Committee of the Mesilla Valley Metropolitan Planning Organization:

**(I)** 

**THAT** the Mesilla Valley Metropolitan Planning Organization's Title VI Plan is adopted as shown in Exhibit "A", attached hereto and made part of this resolution.

**THAT** staff is directed to take appropriate and legal actions to implement this Resolution.

**DONE** and **APPROVED** this <u>10th</u> day of <u>October</u>, 2018.

APPROVED:	
Chair	
Motion By: Second By:	
Second By.	
VOTE:	
Chair Pedroza	
Commissioner Garrett	
Councilor Sorg	
Councilor Thomas	
Commissioner Hancock	
Commissioner Duarte-Benavidez	
Mayor Barraza	
Trustee Bernal	
Trustee Flores	
Mr. Doolittle	
ATTEST:	APPROVED AS TO FORM:
Recording Secretary	City Attorney



# METROPOLITAN PLANNING ORGANIZATION

LAS CRUCES DOÑA ANA COUNTY MESILLA

# Title VI Plan

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### I. Nondiscrimination Statement of Policy

### **Title VI Policy Statement**

The Mesilla Valley Metropolitan Planning Organization (MPO) is committed to compliance with Title VI of the Civil Rights Act of 1964, 49 CFR, part 2, and all related regulations and directives. The Mesilla Valley Metropolitan Planning Organization assures that no person shall on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity under any MPO program, activity or service.

Prohibited discrimination may be intentional or unintentional. Seemingly neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Examples of prohibited types of discrimination based on race, color, national origin, sex, disability, or age include: Denial to an individual any service, financial aid, or other benefit; Distinctions in the quantity, quality, or manner in which a benefit is provided; Segregation or separate treatment; Restriction in the enjoyment of any advantages, privileges, or other benefits provided; Discrimination in any activities related to highway and infrastructure or facility built or repaired; and Discrimination in employment.

### Declaración de Política del Título VI

La Organización de Planificación Metropolitana de Mesilla Valley (MPO) se compromete a cumplir con el Título VI de la Ley de Derechos Civiles de 1964, 49 CFR, parte 2 y todas las regulaciones y directivas. La Organización de Planificación Metropolitana de Mesilla Valley asegura que ninguna persona, por motivos de raza, color, nacionalidad, sexo, edad o discapacidad, será excluida de la participación, se le negarán los beneficios o será objeto de discriminación bajo ningún programa o actividad bajo cualquier programa MPO, actividad o servicio.

La discriminación prohibida puede ser intencional o involuntaria. Los actos aparentemente neutrales que tienen impactos desiguales sobre las personas de un grupo protegido y carecen de una justificación legítima sustancial son una forma de discriminación prohibida. El acoso y las represalias también son formas prohibidas de discriminación.

Los ejemplos de tipos de discriminación prohibidos basados en la raza, el color, la nacionalidad, el sexo, la discapacidad o la edad incluyen: La negación a un individuo cualquier servicio, ayuda financiera, u otro beneficio; Las distinciones en la cantidad, calidad o manera en que se proporciona un beneficio; La segregación o tratamiento separado; La restricción en el placer de cualquier ventaja, privilegios u otros beneficios proporcionados; La discriminación en cualquier

actividad relacionada con carreteras e infraestructura o instalaciones construidas o reparadas; y La discriminación en el empleo.

### **Environmental Justice/Limited English Proficiency Policy Statement**

The Mesilla Valley Metropolitan Planning Organization is also committed to assure every effort will be made to prevent the discrimination of low-income and minority populations as a result of any impact of its programs or activities in accordance with Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and in Low-Income Populations.

In addition, the MPO also assures every effort will be made to provide meaningful access to persons that have Limited English Proficiency, in accordance with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency.

### Definition of Federal financial assistance and recipients affected

Federal financial assistance is defined as any Federal dollars that are assigned to the MPO to support any program and activity, by way of grant, loan or contract, other than a contract of insurance or guaranty.

### **Specific Forms of Discrimination Prohibited**

MPO efforts to prevent discrimination must address, but are not limited to:

- The denial of services, financial aid, or other benefits provided under a program.
- Distinctions in the quality, quantity, or manner in which the benefit is provided.
- Segregation or separation in any part of the program.
- Restriction in the enjoyment of any advantages, privileges, or other benefits provided to others.
- Different standards or requirements for participation.
- Methods of administration which directly or indirectly or through contractual relationships would defeat or impair the accomplishment of effective nondiscrimination.
- Discrimination in any activities related to a highway, infrastructure or facility built or repaired in whole or in part with Federal funds.
- Discrimination in any employment resulting from a program, the primary purpose of which is to provide employment.

### Mesilla Valley Metropolitan Planning Organization programs and services covered by Title VI

The Mesilla Valley Metropolitan Planning Organization Title VI Plan applies to all of the MPO programs, activities and services, regardless of funding source. Some sections deal with specific requirements (e.g. FTA funded programs).

#### **Authorities**

- 1. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 2. Federal-Aid Highway Act of 1973 (23 U.S.C. §324 *et seq.*), (prohibits discrimination on the basis of sex);
- 3. The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- 4. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.) as amended, (prohibits discrimination on the basis of disability);
- 5. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.), (prohibits discrimination on the basis of disability)
- 6. The Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended, 42 U.S.C. § 4601
- 7. The National Environmental Policy Act of 1969, 42 U.S.C. § 4321;
- 8. 49 C.F.R. Part 21 (entitled Nondiscrimination In Federally-Assisted Programs Of The Department of Transportation-Effectuation of Title VI Of The Civil Rights Act of 1964);
- 9. 49 C.F.R. Part 27 (entitled Nondiscrimination On The Basis Of Disability In Programs Or Activities Receiving Federal Financial Assistance);
- 10. 49 C.F.R. Part 28 (entitled *Enforcement Of Nondiscrimination On the Basis Of Handicap In Program Or Activities Conducted By The Department Of Transportation*);
- 11. 49 C.F.R. Part 37 (entitled Transportation Services For Individuals With Disabilities (ADA));
- 12. 23 C.F.R. Part 200 (FHWA's Title VI/Nondiscrimination Regulation);
- 13. 28 C.F.R. Part 35 (entitled *Discrimination On The Basis Of Disability In State And Local Government Services*);
- 14. 28 C.F.R. Part 50.3 (DOJ Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964).

 Mesilla Valley MPO Officer	 Date	

### II. Title VI and Environmental Justice – The Public Participation Plan (PPP)

The Mesilla Valley Metropolitan Planning Organization Public Participation Plan (PPP) describes how the MPO communicates and distributes information to the public as well as how the public can interact and provide comments to our organization. The needs of those traditionally underserved by the existing system will be sought and considered by the MPO.

Through its public involvement efforts, the MPO will strive to achieve the following Title VI and Environmental Justice (EJ) goals:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

Title VI states that no person shall, on the ground of race, color, or national origin be excluded from participation in, denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. The MPO will ensure that the input and feedback from all people will be considered in the development of MPO planning documents and activities.

EJ concerns and goals should be considered throughout all public engagement efforts, from project planning through construction and operation. This includes public outreach conducted during transportation planning and during the environmental reviews required by the National Environmental Policy Act (NEPA).

The following actions related to Environmental Justice and Title VI are meant to reduce the barriers for participation in the decision-making process by low income, minority or disabled individuals.

- When possible, public meetings will be held in locations that are convenient to low and moderate income neighborhoods and accessible to disabled populations. Such locations include community centers, senior centers and schools. Where possible, members of our organization will meet at the locations of businesses, neighborhood groups, stakeholders, and other agencies.
- 2. Upon request, all of our organization's work products and documents will be made available in alternative formats, including Braille, large type and languages other than English.
- The following statement will be included in all of our organization's documents:
   The MVMPO does not discriminate on the basis of race, religion, sex, sexual orientation, gender identity, color, ancestry, serious medical condition, national origin, age, or disability in the provision of services.

- 4. The following statement will be included in all meeting announcements: The MVMPO will make reasonable accommodation for a qualified individual who wishes to attend this public meeting. Please notify the MVMPO at least 48 hours before the meeting by calling 528-3043 (voice) or 1-800-659-8331 (TTY) if accommodation is necessary. This document can be made available in alternative formats by calling the same numbers list above. Este documento está disponible en español llamando al teléfono de la Organización de Planificación Metropolitana de Mesilla Valley: 528-3043 (Voz) o 1-800-659-8331 (TTY).
- 5. Agencies and organizations that represent low income, minority and disabled populations will be identified and included in our organization's mailings. Our staff will maintain an active listing of contacts for these organizations.
- 6. Our organization will evaluate Environmental Justice actions and Title VI requirements on an annual basis to ensure effectiveness of public involvement. This document will be reviewed and updated in conjunction with the Public Participation Plan.

#### Communication and Notification to the Public

All members of the public are ensured protections against discrimination which are afforded to them by Title VI. To ensure open communication with the public, the MPO will adhere to the following requirements:

- The Mesilla Valley Metropolitan Planning Organization will disseminate agenda and public meeting information to members of the public via accessible printed and electronic media, including postings on the MPO website and in the Las Cruces Sun News. Documents and agendas will be available at the MPO office 700 N. Main, Suite 3100, Las Cruces, NM 88004 and at other locations identified in the Public Participation Plan.
- Public notices of Mesilla Valley MPO meetings will be posted at the location of the meeting site.
- In appropriate documents, the MPO will include a statement that the organization complies with Title VI by assuring that no person shall on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity under any MPO program, activity, or service.

Section VI of this plan describes the procedures on how members of the public can request additional information regarding the Mesilla Valley Metropolitan Planning Organization Title VI obligation. This section also identifies the procedures to be followed by members of the public to file a discrimination complaint against the Mesilla Valley Metropolitan Planning Organization.

# III. Title VI and Environment Justice – Mesilla Valley Metropolitan Planning Organization Planning Requirements

The Mesilla Valley Metropolitan Planning Organization is responsible for ensuring Title VI compliance for the following planning activities:

### **Data Collection**

Census and other statistical data will be collected by the MPO as a means of identifying low income and minority populations within the MPO. The data will be maintained for the purpose of planning projects and programs that serve various population groups. The data collection process will be reviewed regularly to ensure sufficiency in meeting Title VI requirements.

- Mesilla Valley Metropolitan Planning Organization Actions
  - Collect, maintain, and update databases of low income and minority concentrations within the MPO area
  - Utilize the data when developing plans and studies
  - Develop demographic profile maps to help identify neighborhoods with high concentrations of low income and minority populations
  - Use these maps in various planning documents

### **Unified Planning Work Program**

The Mesilla Valley Metropolitan Planning Organization Unified Planning Work Program (UPWP) is the biannual list of projects and activities that are expected to be completed by MPO Staff. In this document, MPO Staff will identify projects, studies, and other activities that will provide more transportation options to disadvantaged populations.

- Mesilla Valley Metropolitan Planning Organization Actions
  - Identify planning activities that will encourage involvement by all populations
  - Analyze the benefits and impacts that planning studies might have on low income and minority populations
  - o Create maps highlighting socio-economic groups and their geographical relationship to jobs, housing, and transportation options for all modes

### **Transportation Improvement Program**

The Transportation Improvement Program (TIP) is the short term program of projects that are expected to be designed, engineered, and constructed within the next four years. Projects should be reviewed to assess the benefits and impacts they might have on various aspects of the population.

- Mesilla Valley Metropolitan Planning Actions
  - Work with the entities to identify transportation projects that serve areas of the
     MPO with low income and minority populations
  - Provide opportunity for all populations to provide input into project identification

### **Metropolitan Transportation Plan**

The Metropolitan Transportation Plan (MTP) is the long range, comprehensive plan that identifies the projects, programs, and policies needed in the next 20 years to meet the transportation needs of this area. Using various data collected by the MPO, the MTP can estimate growth patterns of disadvantaged populations and address the benefits and burdens that future transportation projects might have.

- Mesilla Valley Metropolitan Planning Organization Actions
  - o Develop demographic profile maps that project growth in disadvantaged populations over at least a 20-year planning horizon
  - o Give all populations opportunity to provide input into project identification
  - Assess the effects that future land use decisions and transportation projects might have on the neighborhoods, the environment, and the economy
  - Ensure that the benefits and impacts of future transportation systems are equally distributed among all areas of the MPO

### **Transit Planning**

The Mesilla Valley Metropolitan Planning Organization has two transit service providers within its planning area: RoadRUNNER Transit and the South Central Regional Transit District. RoadRUNNER Transit is the transit service provider for the City of Las Cruces and the South Central Regional Transit District provides service to rural Doña Ana County as well as connecting to Otero County.

- Mesilla Valley Metropolitan Planning Organization Actions
  - Using demographic profile maps, ensure that transit routes and stops fully serve those neighborhoods with high concentrations of low income and minority populations.
  - Work with RoadRUNNER Transit and the South Central Regional Transit District to identify necessary changes to routes
  - Ensure bus stop locations are fully accessible for all users, both at the site and in the vicinity

### IV. Title VI Related Training

The Mesilla Valley Metropolitan Planning Organization shall ensure that staff is trained and familiar with MPO related Title VI policies and procedures.

### V. Title VI Complaint Procedures

The Mesilla Valley Metropolitan Planning Organization is committed to ensuring that all residents have equal access to all transportation services. It is further the intent of the MPO that all

residents are aware of their rights to such access. Any person believing he or she has been excluded from, denied participation in, denied the benefits of, or otherwise has been subjected to discrimination under any transportation service, program or activity (whether Federally-funded or not) due to that person's race, color, national origin, gender age, disability, economic status, or limited English proficiency has the right to file a complaint.

The complaint procedures cover the following:

- Title VI of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973
- Civil Rights Restoration Act of 1973
- Civil Rights Restoration Act of 1987
- Americans with Disabilities Act of 1990
- Executive Order 12898
- Executive Order 13166

Any individual, group of individuals or entity may file a formal Title VI complaint. *Complaints must be submitted to the MPO Officer in writing, signed and dated, within 180 days of the alleged discriminatory act (or latest occurrence).* The complaint should be submitted to the following address:

Mesilla Valley Metropolitan Planning Organization c/o Andrew Wray, Acting MPO Officer P.O. Box 20000 Las Cruces, NM 88004

The complaint should include the name, address, phone number and signature of complainant. The formal complaint should describe the alleged discriminatory act that violates Title VI in detail.

Title VI complaints may also be filed directly with the New Mexico Department of Transportation (NMDOT), United States Department of Transportation (USDOT), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Federal Aviation Administration (FAA) or the Federal Railroad Administration (FRA) within the 180-day period of the alleged discriminatory act (or latest occurrence).

### **Complaint Process Overview**

- 1. When a complaint is received by MPO Staff, the complaint form will be checked for completeness and then if complete will be logged into a database.
- 2. The Mesilla Valley MPO Officer will complete an initial review of the complaint to determine if the complaint meets the basic required criteria:
  - Basis of alleged discrimination (race, religion, color, national origin, sex, age, or disability)

- Determination that the complaint was filed within the 180-day time period
- Determination that the Mesilla Valley MPO is the appropriate contact for filing the complaint
- 3. Within 10 working days of the receipt of the complaint, the MPO will send notice to the complainant confirming receipt of the complaint; if needed notice will be sent requesting additional information, notify complainant that the activity was not related to MPO programs or activities, or does not meet the appropriate deadline. Also, if the Mesilla Valley Metropolitan Planning Organization is directly named in the complaint, notice will be sent within 10 working days to the New Mexico Department of Transportation for investigation.
- 4. The MPO Officer will confer with the City of Las Cruces Community Development Director and New Mexico Department of Transportation to determine the most appropriate fact finding process to ensure that all available information is collected in an effort to reach the most informed conclusion and resolution of the complaint. The type of investigation techniques used may vary depending on the nature and circumstances of the alleged discrimination. An investigation may include but is not limited to:
  - Internal meetings of MPO Staff and legal counsel
  - Consultation with state and federal agencies
  - Interviews with complainant(s)
  - Review of documentation (i.e. planning, public involvement, and technical program activities)
  - Interviews and review of documentation with other agencies involved
  - Review of technical analysis method (if applicable)
  - Review of demographic data
- 5. An investigation must be completed within 60 days of receiving the complete complaint, unless facts and circumstances warrant otherwise. The determination will be made based on the information obtained.
- 6. Within 10 working days of the completion of the investigation, the MPO Officer will notify the complainant in writing of the final determination of the investigation. The notification will notify the complainant of their right of appeal to state and federal agencies if they are dissatisfied with the final decision. The letter and a report of the findings will be submitted to the New Mexico Department of Transportation

Federal law prohibits retaliation against individuals because they have filed a discrimination complaint or otherwise participated in a discrimination investigation. Any alleged retaliation should be reported in writing to the investigator.

Title VI complaints may also be filed directly with the following agencies as stated above:

New Mexico Department of Transportation Construction and Civil Rights Bureau Attn. Title VI Coordinator 1570 Pacheco St. Suite A-10 Santa Fe, NM 87505 Phone: (505) 470-9668

or

Federal Highway Administration, New Mexico Attn. Civil Rights Coordinator 4001 Office Court Dr. Suite 801 Santa Fe, NM 87507

Phone: (505) 820-2021

# Organización de Planificación Metropolitana de Mesilla Valley

# Formulario de queja del Título VI

Sección I		
Nombre:		
Dirección:		
Teléfono (Casa / Celular):		Teléfono (Trabajo):
Dirección de correo elec	trónico:	
Sección II		
¿Está presentando esta	queja usted	mismo?: Sí □ No □
*Si contestó "sí" a esta p	regunta, va	ya a la sección III.
Si respondió "no", por fa	vor ingrese	Nombre:
el nombre y la relación o	on la	Darantasas
persona en cuyo nombre	e está	Parentesco:
presentando la queja:		
Si está presentando una	queja como	un tercero, explique por qué en
el espacio a continuación	n:	
¿Ha obtenido el permiso	de la parte	agraviada si está presentando
una declaración en nom		-
Sección III		
	que experimei	nté se basó en (marque todos los que
□ Raza	☐ Color	□ Nacionalidad
☐ Género	□ Edad	□ Discapacidad
Fecha de presunta discri	minación	Fecha:
(mes, día, año):		
Explique, lo más clarame	ente posible	, qué sucedió y por qué cree que
fue discriminado. Descri	ba a todas la	as personas que estuvieron

involucradas. Incluya el nombre y la información de la persona (s) a contactar que lo discriminó (si lo conoce), así como los nombres y la información de contacto de los testigos. Si se necesita más espacio por favor adjunte hojas adicionales a este formulario:
Sección IV
¿Ha presentado anteriormente una queja del Título VI)? Sí □ No □
Sección V
¿Ha presentado esta queja ante cualquier otra agencia federal, estatal o local, o ante cualquier tribunal federal o estatal? Sí 🗆 No 🗆
Si es así, por favor marque y nombre todo lo que corresponda:
☐ Agencia Federal:
☐ Tribunal Federal:
☐ Agencia Estatal:
☐ Tribunal Estatal:

☐ Agencia Local:
Proporcione información sobre la persona a contactar en la agencia / tribunal donde se presentó la queja.
Nombre:
Título:
Agencia:
Dirección:
Teléfono:
Sección VI
El nombre de la agencia que usted tiene queja:
Persona a contactar:
Título:
Número de teléfono:
Firma:
Fecha:
Por favor presente este formulario en persona en la dirección abajo o por correo a:
Mesilla Valley Metropolitan Planning Organization
c/o Andrew Wray, Acting MPO Officer
P.O. Box 20000
Las Cruces, NM 88004

# **Mesilla Valley Metropolitan Planning Organization**

# **Title VI Complaint Form**

Section I	
Name:	
Address:	
Telephone (Home/Cell):	elephone (Work):
Email Address:	
Section II	
Are you filing this complaint on your of	own behalf: Yes 🗆 No 🗖
*If you answered "yes" to this question	on, go to Section III.
If you answered "no" please enter	Name:
the name and relationship of the	Relationship:
person you are filing the complaint	Relationship.
against:	
If you are filing a complaint as a third	party, please explain why in the
space below:	
•	
Have you abtained nameicaion of the	
Have you obtained permission of the	
on behalf of a third party: Yes \( \sigma \) No	) [
Section III	
I believe the discrimination I experienced v	<u> </u>
□ Race □ Color	☐ National Origin
Date of Alleged Discrimination	Date:
(Month, Day, Year):	
Explain, as clearly as possible, what he	
you were discriminated against. Desc	cribe all persons who were
involved. Include the name and conta	act information of the person(s)
who discriminated against you (if kno	wn) as well as the names and

contact information of any witnesses. If more space is needed please
attach additional sheets to this form:
Section IV
Have you previously filed a Title VI complaint)? Yes □ No □
Section V
Section V Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? Yes $\square$ No $\square$
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? Yes $\Box$ No $\Box$
Have you filed this complaint with any other Federal, State, or local
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? Yes $\Box$ No $\Box$
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? Yes □ No □  If yes, please check and name all that apply:
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? Yes □ No □  If yes, please check and name all that apply:  □ Federal Agency: □ Federal Court:
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? Yes □ No □  If yes, please check and name all that apply: □ Federal Agency: □ Federal Court: □ State Agency:
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? Yes □ No □  If yes, please check and name all that apply:  □ Federal Agency: □ Federal Court:

Please provide information about a contact person at the	
agency/court where the complaint was filed.	
Name	
Name:	
Title:	
Agency:	
Address:	
Telephone:	
Section VI	ĺ
Name of agency complaint is against:	ı
Contact person:	-
Title:	•
Telephone number:	•
Signature:	
Date:	
Please submit this form in person at the address below, or mail form to:	
ricuse submite this form in person at the address below, or man form to.	
Mesilla Valley Metropolitan Planning Organization	
c/o Andrew Wray, Acting MPO Officer	
P.O. Box 20000	
Las Cruces. NM 88004	

# Appendix A

### **FHWA Assurances for Title VI and Other Nondiscriminatory Statutes**

The Mesilla Valley Metropolitan Planning Organization (hereafter referred to as the "Recipient") HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the Federal Highway Administration (FHWA), is subject to and will comply with the following:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. §22000d et seq., 78 stat. 252(, (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled non-discrimination, In Federally-Assisted Programs Of The Department of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

#### **General Assurances**

In accordance with the Act, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measure necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity," for which the Recipient receives Federal financial assistance from the DOT, including the FHWA."

#### **Specific Assurances**

More specifically and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted programs and activities:

- 1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
- 2. The Recipient shall insert the following notification in all solicitations for bids, Request For Proposals for work, or material subject to the Acts and the Regulations and made in

connection with the Federal Aid Highway Program, and in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The Mesilla Valley Metropolitan Planning Organization in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

- 3. The Recipient will insert the clauses of Appendix B and F of this Assurance in every contract or agreement subject to the Act and Regulations.
- 4. The Recipient shall insert the clauses of Appendix C of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
- 5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
- 6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend the right to space on, over, or under such property.
- 7. That the Recipient will include the clauses set forth in Appendix D and Appendix E of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties.
  - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
  - b. for the construction or use of, or access to, space on, over, or under real property acquired, or improved under the applicable activity, project, or program.
- 8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the project, except where the Federal assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the Assurance obligates the Recipient or any transferee for the longer of the following periods:
  - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
  - b. the period during which the Recipient retains ownership or possession of the property.

- 9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the officials to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this Assurance.
- 10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this Assurance.

By signing this Assurance, the Mesilla Valley Metropolitan Planning Organization also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the Federal Highway Administration access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the Federal Highway Administration. You must keep records, reports, and submit the material for review upon request to the Federal Highway Administration, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Mesilla Valley Metropolitan Planning Organization gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under Federal-Aid Highway Program. This ASSURANCE is binding on it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest and other participants in the Federal-Aid Highway Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Mesilla Valley MPO Officer	Date

## **Appendix B**

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

- 1. **Compliance with Regulations**: The contractor (hereinafter includes consultants) will comply with the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time-to-time, (hereinafter referred to as the "Regulations"), which are herein incorporated by reference and made a part of this contract.
- 2. Non-discrimination: The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate either directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of the 49 CFR Part 21.
- 3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
- 4. Information and Reports: The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the New Mexico Department of Transportation or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the Mesilla Valley Metropolitan Planning Organization or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.
- 5. **Sanctions for Noncompliance:** In the event of the contractor's non-compliance with the nondiscrimination provisions of this contract, the Mesilla Valley Metropolitan Planning Organization will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- a. withholding payments to the contractor under the contract until the contractor complies; and/or
- b. cancelling, terminating or suspending the contract, in whole or in part.
- 6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Mesilla Valley Metropolitan Planning Organization or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Mesilla Valley Metropolitan Planning Organization to enter into any litigation to protect the interests of the Mesilla Valley Metropolitan Planning Organization. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

## **Appendix C**

#### **Covenant Running with the Land Assurance**

The following clauses shall be included in deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the State of New Mexico will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of Federal Aid for Highways and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. §2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the State of New Mexico all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

#### (Habendum Clause)

TO HAVE AND TO HOLD said lands and interests therein unto the State of New Mexico and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the State of New Mexico, its successors and assigns.

The State of New Mexico, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over or under such lands hereby conveyed [,] [and]\* (2) that the State of New Mexico will use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation,

Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department shall have a right to enter or re-enter said lands and facilities on said land, and the above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].\*

(\*Reverter clause and related language to be used only when it is determined that such clause is necessary in order to Make clear the purposes of Title VI of the Civil Rights Act of 1964.)

## Appendix D

### Clauses for Transfer of Real Property Acquired or Improved Under the Activity, Facility, or Program

The following clauses shall be included in deeds, licenses, leases, permits, or similar instruments entered into by the State of New Mexico, pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
  - 1. In the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, the State of New Mexico will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) and never been made or issued.\*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the State of New Mexico will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the State of New Mexico and its assigns.\*

(\* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

## **Appendix E**

### Clauses for Transfer of Real Property Acquired or Improved Under the Activity, Facility or Program

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the State of New Mexico pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, the State of New Mexico will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.\*
- C. With respect to the deeds, in the event of breach of any of the above Non-discrimination covenants, the State of New Mexico will there upon revert to and vest in and become the absolute property of the State of New Mexico and its assigns.\*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

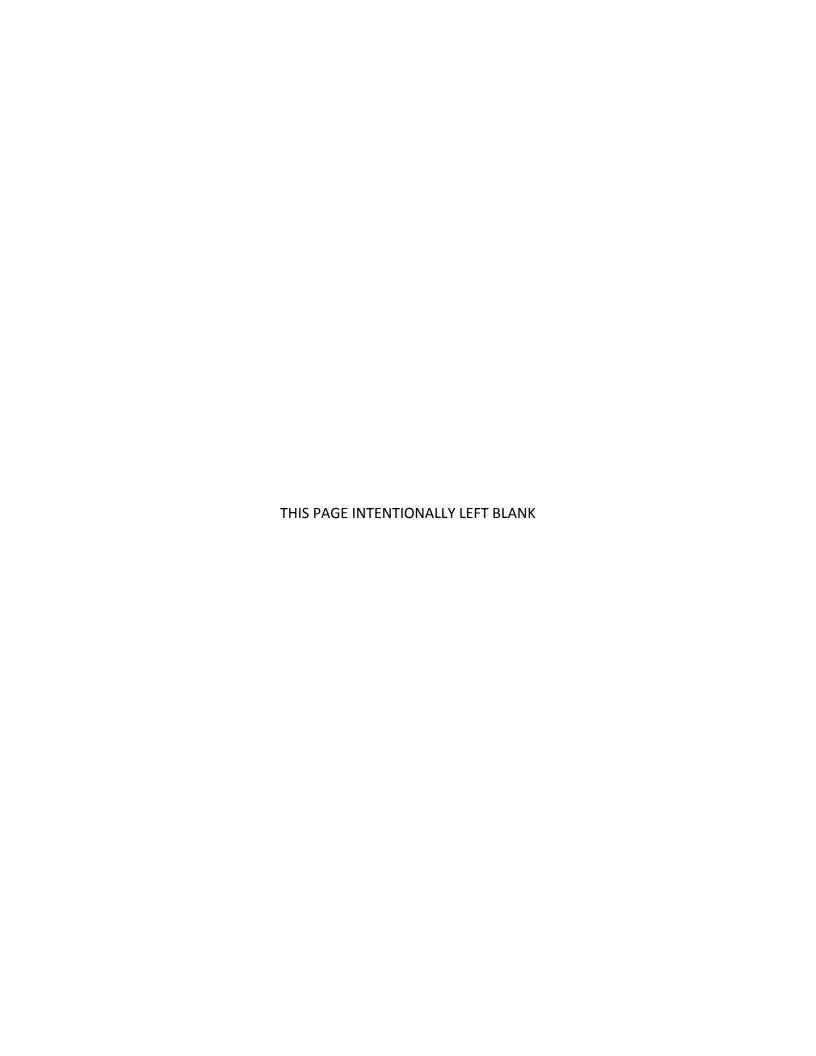
# **Appendix F**

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

#### **Pertinent Non-Discrimination Authorities:**

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et. seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaces or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (29 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 U.S.C. § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the program or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 – 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high

- and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your program (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (U.S.C. 1681 et seq.)





### METROPOLITAN PLANNING ORGANIZATION

SERVING LAS CRUCES, DOÑA ANA, AND MESILLA

P.O. BOX 20000 | LAS CRUCES NM | 88004 PHONE (575) 528-3222 | FAX (575) 528-3155 http://mesillavalleympo.org

# MESILLA VALLEY METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE ACTION FORM FOR THE MEETING OF October 10, 2018

#### **AGENDA ITEM:**

7.3. Resolution 18-08: A Resolution Amending Transport 2040: Metropolitan Transportation Plan Update

#### **ACTION REQUESTED:**

Approval by the Policy Committee regarding the deletion of the following segments:

Church St. - Picacho to Amador

Water St. - Picacho to Amador

Main St. - Picacho to Amador

Melendres St. - Main to Picacho

Court Ave. - Mesilla to Melendres

#### SUPPORT INFORMATION:

Emails from Hector Terrazas, City of Las Cruces; Truck Route Map with proposed revisions.

#### **DISCUSSION:**

The City of Las Cruces has requested that that the following segments be deleted from the Mesilla Valley MPO Truck Route Map:

Church St. – Picacho to Amador Water St. – Picacho to Amador Main St. – Picacho to Amador Melendres St. – Main to Picacho

The City wishes for these segments to be removed to eliminate larger trucks from these facilities. Delivery trucks would still be accommodated. The City proposes that alternative routes would be Valley Drive or Solano.

The Bicycle and Pedestrian Facilities Advisory Committee (BPAC) recommended approval of the amendment at their August 21, 2018 meeting. Additionally, the BPAC added the following request to the deletion process:

Court Ave. - Mesilla to Melendres

This request requires an amendment to the currently adopted Metropolitan Transportation Plan (MTP). This requires at least one public meeting and a 30-day public comment period before the

amendment can be taken up for action by the MPO Policy Committee. The public comment period commenced at the August 2, 2018, meeting of the Technical Advisory Committee (TAC).	

# MESILLA VALLEY METROPOLITAN PLANNING ORGANIZATION RESOLUTION NO. 18-09

# A RESOLUTION AMENDING TRANSPORT 2040: METROPOLITAN TRANSPORTATION PLAN UPDATE

The Mesilla Valley Metropolitan Planning Organization (MPO) Policy Committee is informed that:

WHEREAS, the Mesilla Valley Metropolitan Planning Organization (MPO) is the transportation planning agency for the City of Las Cruces, the Town of Mesilla, and the urbanized area for Doña Ana County; and

WHEREAS, Title 23 CFR §450.322 requires that all MPO's throughout the country adopt a minimum 20-year Metropolitan Transportation Plan for their respective jurisdictions; and

WHEREAS, the Mesilla Valley MPO adopted Transport 2040: Metropolitan Transportation Plan Update on June 10, 2015; and

WHEREAS, the City of Las Cruces has requested an amendment to the Truck Route

Map component of Transport 2040: Metropolitan Transportation Plan Update; and

WHEREAS, the Bicycle and Pedestrian Facilities Advisory Committee made an additional amendment request at their August 21, 2018 meeting; and

WHEREAS, the requested amendment to Transport 2040: Metropolitan Transportation Plan Update was recommended for approval by the Technical Advisory Committee at their meeting of October 4, 2018; and

WHEREAS, the requested amendment to Transport 2040: Metropolitan Transportation Plan Update was recommended for approval by the Bicycle Facilities Advisory Committee at their meeting of August 21, 2018.

**NOW**, **THEREFORE**, be it resolved by the Policy Committee of the Mesilla Valley Metropolitan Planning Organization:

**THAT** the Mesilla Valley Metropolitan Planning Organization hereby APPROVES the requested amendments to Transport 2040: Metropolitan Transportation Plan Update, as shown in Exhibit "A" attached hereto and made a part of this Resolution.

(II)

**THAT** staff is directed to take appropriate and legal actions to implement this Resolution.

**DONE** and **APPROVED** this <u>10th</u> day of <u>October</u>, 2018.

APPROVED:	
Chair	
Motion By:	
Second By:	
VOTE:	
Chair Eakman	
Vice Chair Rawson	
Trustee Arzabal	
Mayor Barraza	
Mr. Doolittle	
Trustee Johnson-Burick	
Commissioner Rawson	
Commissioner Solis	
Councilor Sorg	
Councilor Vasquez	
ATTEST:	APPROVED AS TO FORM:
Recording Secretary	City Attorney

From: Hector Terrazas

**Sent:** Monday, July 16, 2018 9:47 AM

To: Tom Murphy
Cc: Andrew Wray

**Subject:** Truck Route Modifications

Tom,

With the downtown redevelopment to be more urban Traffic is requesting that Church, Water and Main (between Picacho and Amador) be removed from the truck route. Let me know if you have any questions, thanks.

### **Hector Terrazas, P.E.**

Interim Traffic Operations Engineer/Public Works/Street and Traffic Operations Direct:575-541-2508 Main:575-541-2595 <a href="https://html.ncbi.nlm

From: Hector Terrazas

**Sent:** Thursday, July 26, 2018 1:35 PM

To: Tom Murphy

Cc: Andrew Wray; SooGyu Lee
Subject: RE: Truck Route Modifications

Attachments: TRuck Route.png

Follow Up Flag: Follow up Flag Status: Flagged

Tom,

I will be available for any questions.

The streets (see attached) are owned and maintained by the City of Las Cruces.

At this point Traffic Engineering wants to remove the streets from the official truck route to eliminate the bigger size trucks.

Traffic will be looking at the appropriate max size truck that would be allowed in the downtown area to accommodate deliveries.

Traffic on NM478 would still have alternatives such as Valley drive and Solano.

Let me know if you have any more questions, thank you.

#### **Hector Terrazas, P.E.**

Interim Traffic Operations Eng	gineer/Public Works/Street and Traffic Operations
Direct: 575-541-2508 Main: 57	75-541-2595 hterrazas@las-cruces.org
The Specimen with the delayard.	

From: Tom Murphy

Sent: Tuesday, July 24, 2018 7:53 AM

To: Hector Terrazas < <a href="mailto:hterrazas@las-cruces.org">hterrazas@las-cruces.org</a>
Cc: Andrew Wray < <a href="mailto:awray@las-cruces.org">awray@las-cruces.org</a>
Subject: RE: Truck Route Modifications

Hector,

We will place this on the August TAC if you like. Will you be available to answer any questions the committee may have?

Also, staff would like some information to provide in the packet. Can you address the following?

Are all road sections city owned/maintained? What about NM 478 designation? Are trucks to be prohibited? If so, how are commercial activities to be handled in area? If not, what does the changed designation accomplish?

Thanks.

From: Hector Terrazas

**Sent:** Monday, July 16, 2018 9:47 AM


**To:** Tom Murphy < <a href="mailto:tmurphy@las-cruces.org">tmurphy@las-cruces.org</a> <a href="mailto:cruces.org">cc: Andrew Wray <a href="mailto:awray@las-cruces.org">awray@las-cruces.org</a>

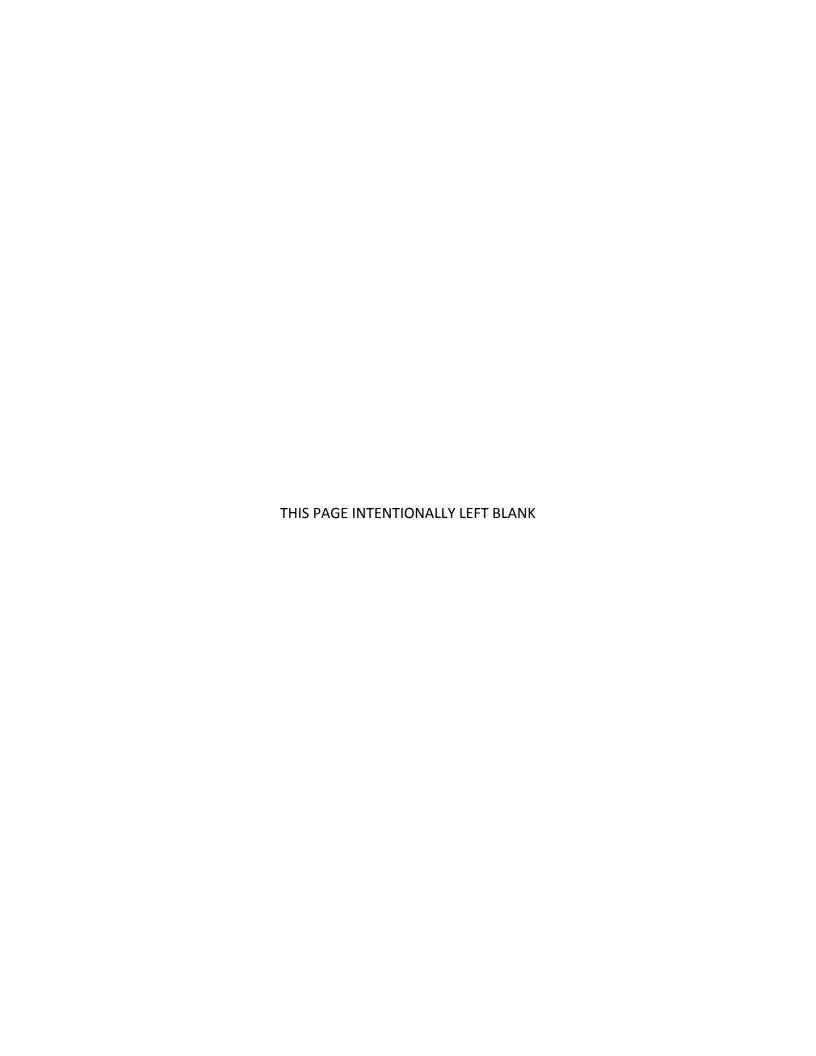
**Subject:** Truck Route Modifications

Tom,

With the downtown redevelopment to be more urban Traffic is requesting that Church, Water and Main (between Picacho and Amador) be removed from the truck route. Let me know if you have any questions, thanks.

Hector Terrazas, P.E.
Interim Traffic Operations Engineer/Public Works/Street and Traffic Operations
Direct: 575-541-2508 Main: 575-541-2595 hterrazas@las-cruces.org
∰ approximation (appear)





# MESILLA VALLEY METROPOLITAN PLANNING ORGANIZATION RESOLUTION NO. 18-10

# A RESOLUTION ACCEPTING THE APPOINTMENT OF THE INTERIM MPO OFFICER

The Mesilla Valley Metropolitan Planning Organization (MPO) Policy Committee is informed that:

WHEREAS, Mr. Tom Murphy, MPO Officer for the period of 2004 to 2018 has retired from his position effective September 28, 2018; and

WHEREAS, the Joint Powers Agreement between the City of Las Cruces, Doña Ana County, and the Town of Mesilla, which establishes the Mesilla Valley MPO, requires that the hiring of the MPO Officer shall happen in consultation with the MPO Policy Committee; and

WHEREAS, this resolution is intended to serve as compliance with the consultation requirement of the Joint Powers Agreement; and

WHEREAS, the City of Las Cruces has designated Mr. Andrew Wray as Acting MPO Officer following the retirement of Mr. Murphy; and

**WHEREAS**, the Policy Committee concurs with the designation of Mr. Wray as Acting MPO Officer; and

**WHEREAS**, has determined that it is in the best interest of the MPO for this resolution to be APPROVED.

**NOW**, **THEREFORE**, be it resolved by the Policy Committee of the Mesilla Valley Metropolitan Planning Organization:

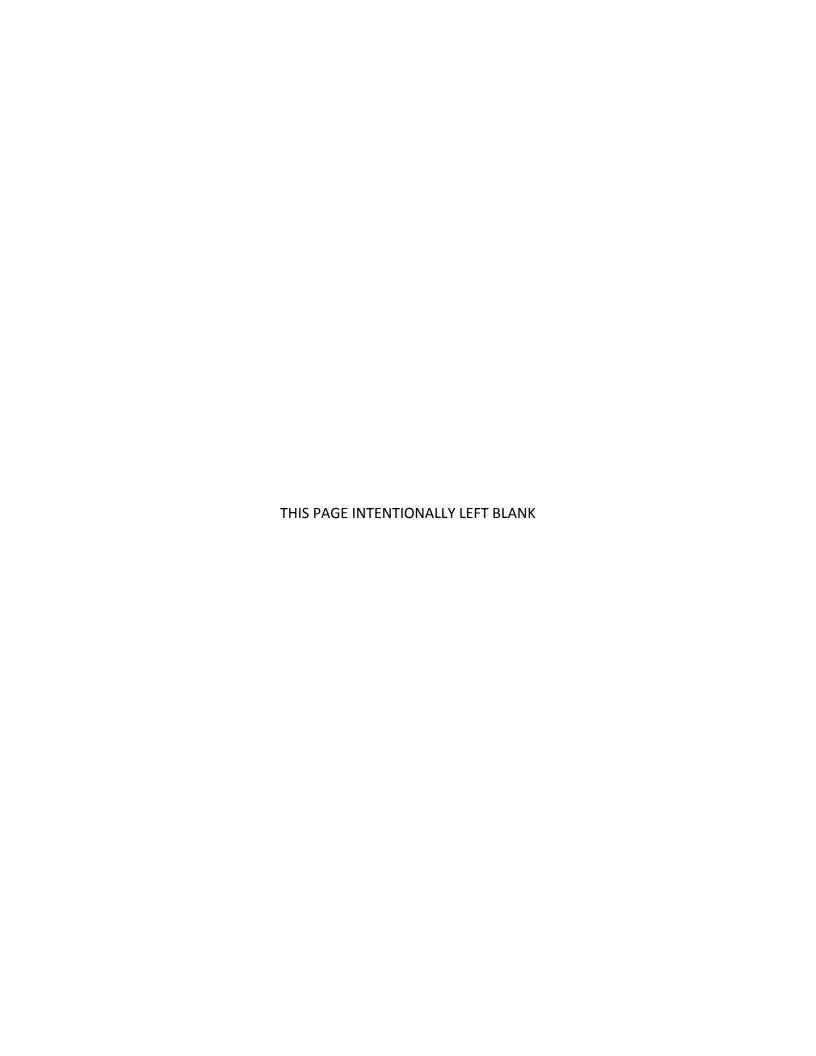
**THAT** the Policy Committee concurs with the designation of Mr. Andrew Wray as Acting MPO Officer.

(II)

**THAT** staff is directed to take appropriate and legal actions to implement this Resolution.

**DONE** and **APPROVED** this <u>10th</u> day of <u>October</u>, 2018.

APPROVED:	
Chair	
Motion By:	
Second By:	
VOTE:	
Chair Eakman	
Vice Chair Rawson	
Trustee Arzabal	
Mayor Barraza	
Mr. Doolittle	
Trustee Johnson-Burick	
Commissioner Rawson	
Commissioner Solis	
Councilor Sorg	
Councilor Vasquez	
ATTEST:	APPROVED AS TO FORM:
Recording Secretary	City Attorney





### METROPOLITAN PLANNING ORGANIZATION

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# MESILLA VALLEY METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE DISCUSSION FORM FOR THE MEETING OF October 10, 2018

#### **AGENDA ITEM:**

8.1 Performance Measure Presentation

#### SUPPORT INFORMATION:

NMDOT Performance Measure Target Report – Safety
NMDOT Performance Measure Target Report – Assessing Pavement and Bridge Condition
NMDOT Performance Measure Target Report – System Performance

#### **DISCUSSION:**

The Federal Highway Administration currently requires MPOs adopt performance targets in three areas:

- Safety
- 2. Assessing Pavement and Bridge Condition
- 3. System Performance

For 2018, the Mesilla Valley MPO adopted a performance target for safety. The measures Assessing Pavement and Bridge Condition and System Performance are new performance measures.

MPO Staff will present on the three performance measures to be considered for adoption in November.



# New Mexico DEPARTMENT OF Performance Measure (PM) Target Report – PM 1

This document outlines the Federal Fiscal Year (FFY) 2019 Targets for Safety (PM 1) for New Mexico, as required by the 23 CFR 490, Final Rule on the Highway Safety Improvement Program (HSIP) published March 15, 2016 (effective April 14, 2017). The New Mexico Department of Transportation (NMDOT) Statewide Planning Bureau (SPB) is responsible for coordinating the setting of PM 3 targets.

#### **Overview of PM 3 Measures**

The state is required to set annual targets for five performance measures:

- 1. Number of Total Fatalities
- 2. Number of Serious Injuries
- 3. Fatalities per 100 million vehicle miles travelled (VMT)
- 4. Serious Injuries per 100 million VMT
- 5. Number of Non-motorized Fatalities and Serious Injuries

The first three are common measures and must be identical to the targets established for the Highway Safety Plan (HSP).

#### **Coordination with Metropolitan Planning Organizations (MPOs)**

The NMDOT undertook a coordinated effort with the Metropolitan Planning Organizations (MPOs), the HSP team and other stakeholders to set the targets.

- 1. Numerous internal meetings took place in winter of 2018 between the NMDOT Statewide Planning Bureau (SPB) and Traffic Safety Division to review and analyze crash data and trends. NMDOT contracts with the University of New Mexico (UNM) to maintain the state's crash database.
- 2. On March 29, 2018, NMDOT staff discussed the PM 3 measures with the MPOs at the Joint Meeting with the MPOs and Regional Transportation Planning Organizations (RTPOs).
- 3. On May 22, 2017, the NMDOT Safety Division held a meeting to discuss and adopt the targets required in the HSP. NMDOT Planning Bureau staff and MPO representatives attended.
- 4. On June 5, 2018, SPB staff presented the final targets to the MPOs at the MPO Quarterly meeting in Farmington. The MPOs agreed to adopt the state targets by resolution prior to the February 27, 2019 deadline.
- 5. On June 18, 2018, SPB staff emailed a draft of this report, outlining the adopted state PM1 targets, to the MPOs for review and comments by July 9, 2018. SPB received no comments from the MPOs on this report or the NMDOT PM 1 targets.
- 6. The MPOs have until February 27, 2019 to adopt the NMDOT PM 1 targets or set their own quantifiable targets.

#### **Data Methodologies and Assumptions**

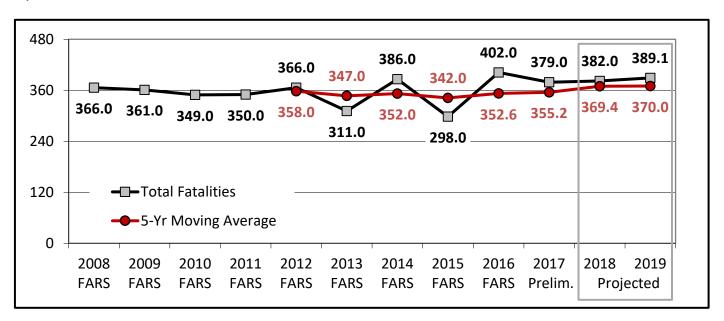
In setting the FFY2019 safety performance targets, NMDOT and stakeholders did not rely solely on the data projections, but used the data in combination with their discussions regarding other relevant factors and their assessment of the potential safety impacts of various strategies and projects. NMDOT worked with UNM to determine methodologies and assumptions required to set the targets. These are as follows:

- NMDOT uses Excel to plot a linear best fit line based on 5-years of actual data to project for future
- Vehicle Miles Travelled (VMT) the Annual VMT estimate for 2017 assumes a 2.1% increase over the 2016 VMT. The calculation is 278.09 \* 1.021 = 283.93 annual 100 Million VMT for 2017, where:

- 278.09 is the 2016 annual VMT in units of 100M VMT.
- o 1.021 is the preliminary 2.1% increase in VMT recommended by NMDOT from 2016 to 2017.
- Crash Data 2016 is finalized, 2017 is preliminary.

#### **NMDOT PM 1 Targets**

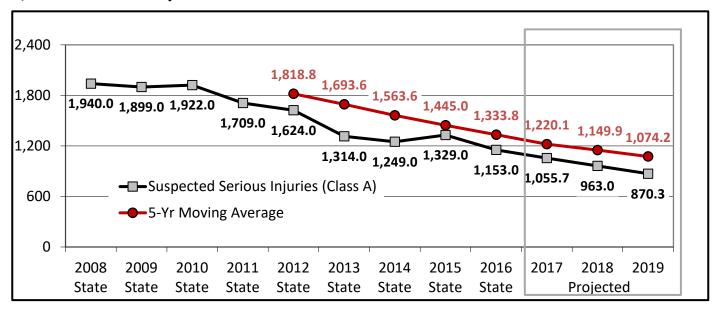
#### 1) Number of Total Fatalities



**NMDOT Target Statement:** Limit the increase in total fatalities to 6.4 percent from 352.6 in 2016 to 375 by December 31, 2019 (FARS; 5-year averages)

**NMDOT Justification:** Five-year average fatalities fell by 7 percent between 2011 and 2015, but then rose in 2016 to their highest level in ten years. 2017 preliminary data and 2018 and 2019 projected data indicate fatalities remaining high. Although the 5- year trend line indicates a 5 percent increase in overall fatalities from 2016 to 2019, given the projected increases in pedestrian, speeding and alcohol-impaired fatalities, the State has determined a 6.4 percent increase in overall fatalities to be an achievable target in 2019.

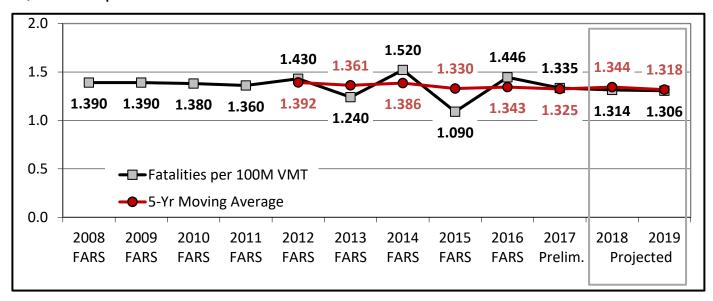
#### 2) Number of Serious Injuries



**NMDOT Target Statement:** Decrease the number of serious injuries by 17.5 percent from 1,333.8 in 2016 to 1,100.0 by December 31, 2019.

**NMDOT Justification:** Five-year average serious injuries are projected to fall by 14.7 percent between 2016 and 2018, and the State anticipates a continued reduction in serious injuries in 2019. The State has determined a 17.5 percent reduction in these injuries from 2016 to 2019 is achievable.

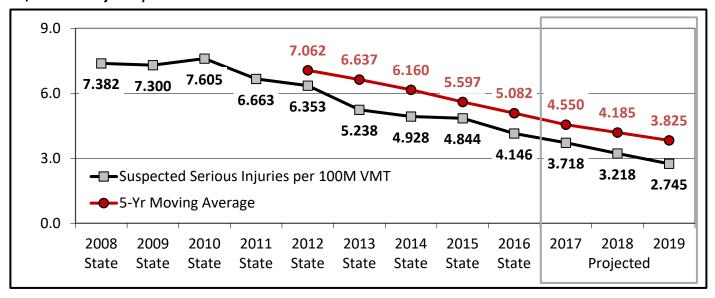
#### 3) Fatalities per 100M VMT



**NMDOT Target Statement:** Decrease the fatality rate from 1.343 in 2016 to 1.318 by December 31, 2019.

**NMDOT Justification:** Although five-year average fatalities are expected to increase in 2019 from 2016, with VMT expected to continue rising, the State determines that the projected 2019 five-year fatality rate is an achievable target.

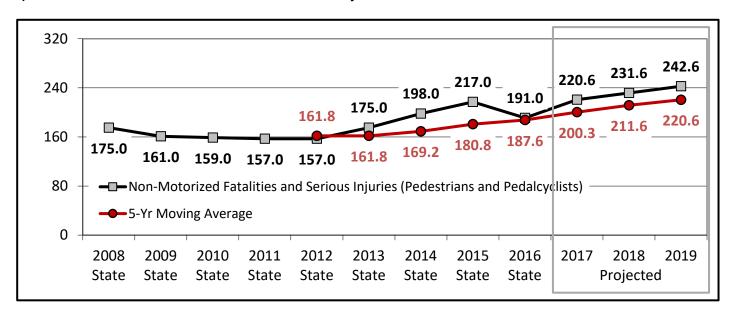
#### 4) Serious Injuries per 100 VMT



**NMDOT Target Statement:** Decrease the rate of serious injuries from 5.082 in 2016 to 3.825 by December 31, 2019.

**NMDOT Justification:** Five-year average serious injury rates are projected to continue falling, and the State has determined the 2019 five-year average projection to be an achievable target.

#### 5) Number of Non-motorized Fatalities and Serious Injuries



**NMDOT Target Statement:** Limit the increase in non-motorized fatalities and non-motorized serious injuries to 220.6 by December 31, 2019.

**NMDOT Justification:** Five-year average non-motorized fatalities and serious injuries are projected to rise over the next four years, and the State has determined the 2019 five-year average projection to be an achievable target.





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# 23 CFR 490 Sub Part C and D Target Setting National Highway System Pavements and Bridges

This document outlines the NMDOT procedures for establishing performance targets for New Mexico, as required by 23 CFR 490, Subpart C - National Performance Management Measures for Assessing Pavement Condition and Subpart D – National Performance Management Measures for Assessing Bridge Condition. The State DOT is required to establish targets, regardless of ownership, for the full extent of the Interstate and non-Interstate NHS for pavements and for Bridges on the NHS. By May 21, 2018, 2- and 4-year targets must be established and report targets by October 1, 2018, in the Baseline Performance Period Report. The following are the six (6) Performance Measures:

- 1. Percentage of Interstate pavements on the NHS in Good Condition
- 2. Percentage of Interstate pavements on the NHS in Poor Condition
- 3. Percentage of non-Interstate pavements on the NHS in Good Condition
- 4. Percentage of non-Interstate pavements on the NHS in Poor Condition
- 5. Percentage of bridges on the NHS in Good condition
- 6. Percentage of bridges on the NHS in Poor Condition

The NMDOT used a coordinated effort with the Metropolitan Planning Organizations (MPOs) and other stakeholders to set the targets. The bulleted sections below provide an explanation of events leading to the development of the performance measures and this document:

- 1. In 2013, NMDOT began collecting the pavement condition data for all NMDOT maintained roadways, non-DOT maintained NHS and HPMS sample segments based on the four condition metrics (IRI, rutting, faulting and cracking) and three inventory data elements (through lanes, surface type, and structure type) included in 23 CFR 490.309. Pavement condition data is collected based on one-tenth mile. 23 CFR 490.313 requires DOTs to be in compliance with the reporting cycle beginning January 1, 2019 for the Interstate.
- 2. Numerous internal meetings took place with representatives from the Districts and Pavement Management and Design Bureau staff to review and analyze pavement condition data and performance trends. NMDOT maintains the pavement condition data in a Pavement Management System database (PMS db) on the Agile Assets platform. The PMS db is used to predict future performance based on criteria identified for various funding scenarios. It can also forecast funding required to attain a desired condition.
- 3. Funding allocations for Interstate, non-Interstate NHS and non-NHS pavements, NHS and non-NHS Bridges were determined based on reviewing historical information based on obligated amounts for federally funded projects contained in the Statewide Transportation Improvement Program (STIP) database. In addition, historical funding amounts for pavements and bridges was obtained from data in the Maintenance Management System and Contract Maintenance
- 4. In preparation for developing the Transportation Asset Management Plan (the TAMP), a Financial Planning and Investment Analysis Workshop was held on June 15, 2015 to review the process for developing Transportation Asset Management (TAM) eligible revenue forecasts and reviewing bridge and pavement performance at funding levels in order to develop allocation recommendations for baseline revenues.

- 5. On February 27, 2018, FHWA presented the Asset Management Workshop on Life Cycle Planning, Risk Management and Financial Plans to support the implementation of Asset Management Plans. Representatives from the Mesilla Valley MPO, Mid-Region MPO and Santa Fe MPO participated in the workshop with NMDOT staff. There was a representative from five of the six NMDOT Districts in attendance.
- 6. On March 15, 2018, the New Mexico Transportation Commission was briefed on the Initial TAMP and proposed Federal 2 and 4 year targets.
- 7. On March 16, 2018, the NMDOT TAM Technical Working Committee met to review the final draft of the initial TAMP and to review the performance targets proposed for inclusion in the document.
- 8. On March 28, 2018, the NMDOT provided a presentation on all Performance Measures to the MPO's attending the quarterly MPO meeting. NMDOT collected Pavement Condition data was presented by MPO area for the Interstate and non-Interstate NHS pavements within each MPO boundary in order to show how pavements are performing within each MPO area. In addition, 10-year pavement condition projections were presented.
- 9. Documentation on the Pavement and Bridge condition performance measures was presented to NMDOT Executive Staff on May 16, 2018, in preparation for transmitting the 2- and 4-year performance targets for the six measures listed above to FHWA-NM Division.

Predicting future condition of pavements and bridges is dependent on funding. The period determined for predicting future condition is ten years. In order to prepare predictions of future conditions, funding allocations needed to be established. The funding allocations for Interstate, non-Interstate NHS and non-NHS pavements and NHS and non-NHS bridges were based on a review of information contained in historical STIP's and MMS data. A combination of federal and state funding is used to determine the total amount of funding available for TAM activities. In addition to STIP and MMS financial information, a review of NMDOT historical budget, state road fund revenue projections and future debt service payments were reviewed to determine the TAM-eligible revenues. This analysis also included review of pavement and bridge allocations.

In setting the 2- and 4-year performance targets for the pavement measures, NMDOT analyzed historical pavement condition data based on the FHWA measures to prepare a trend analysis. The PMS db is used to predict future condition; however, it is unable to predict future condition based on the FHWA metrics. As a result, the PMS db uses a Pavement Condition Rating (PCR) to determine condition. The PMS db was configured based on a multi-year collaborative effort to develop the decision trees that combine the various pavement distresses collected for each tenth mile section to determine an Overall Condition Index (OCI) for each 2-mile managed segment. The PCR is 80 percent OCI and 20 percent smoothness index, which is IRI and rutting metric converted to a 100 scale.

The annual funding allocation below is entered into the PMS db in order to predict an annual PCR for each system. The PCR is then mapped to the Federal Good, Fair and Poor to predict a future pavement condition each year for the ten-year analysis period.

The annual funding allocations used in the PMS to predict future pavement condition are:

- 1. Interstate Pavements, \$62 million/year
- 2. Non-Interstate NHS Pavements, \$68 million/year
- 3. Non-NHS Pavements, \$50 million/year

NMDOT maintains bridge condition data in a Bridge Management System (BrM); however, BMS does not have the capability of predicting future condition. NMDOT uses a spreadsheet based tool to predict

performance of each bridge given predicted deterioration. The model components include measures, deterioration, treatments and prioritization. The model uses the National Bridge Inventory (NBI) data weighted by deck area. A Markov modeling approach, similar to Pontis models is used but applied to the NBI data. The approach predicts a percent chance a rating will drop to the next value in a year. NCHRP Report 713 was used to determine median years to reach ratings of 3, 4 and 5. NMDOT Bridge Management evaluated the spreadsheet tool for predicting future condition prior to adopting for use. The annual funding allocations used in the spreadsheet tool to predict future condition are:

- 1. NHS Bridges, \$40 million/year
- 2. Non-NHS Bridges, \$20 million/year

The future condition is based on data collected during calendar year 2016 and predicting condition for calendar years 2016 through 2026. The 2-year target is based on the condition data collected during calendar year 2019 and the 4-year target is based on data collected in calendar year 2021. The first Mid Performance Period Progress Report is due to FHWA on October 1, 2020 which will be based on pavement and bridge condition data collected during calendar year 2019.

The table below indicates NMDOT performance measure targets.

Performance Measure	2 Year (2019)	4 Year (2021)
Percentage of bridges on the NHS in Good condition	36.0%	30.0%
Percentage of bridges on the NHS in Poor condition	3.3%	2.5%
Percentage of Interstate pavements on the NHS in Good condition	57.3%	59.1%
Percentage of Interstate pavements on the NHS in Poor condition	4.5%	5.0%
Percentage of Non-Interstate pavements on the NHS in Good condition	35.6%	34.2%
Percentage of Non-Interstate pavements on the NHS in Poor condition	9.0%	12.0%



#### Performance Measure (PM) Target Report – PM 3 Federal Fiscal Year 2019

This document outlines the Federal Fiscal Year (FFY) 2019 Targets for System Performance (PM 3) for New Mexico, as required by 23 CFR 490, System Performance/Freight/CMAQ Final Rule published January 18, 2017 (effective May 20, 2017). The New Mexico Department of Transportation (NMODT) Statewide Planning Bureau (SPB) is responsible for coordinating the setting of PM 3 targets.

#### **Overview of PM 3 Measures**

The PM 3 measures are as follows:

- 1. Two measures to assess system performance:
  - a. Percentage of person-miles traveled on the Interstate System that are reliable
  - b. Percentage of person-miles traveled on the non-interstate National Highway System (NHS) that are reliable
- 2. One measure to assess Freight Movement:
  - a. Truck Travel Time Reliability (TTTR) Index
- 3. Three measures to assess the CMAQ Program:
  - a. Annual Hours of peak-hour excessive delay per capita NM is not required to set a target for this measure
  - b. Percent of Non-Single Occupancy Vehicle (SOV) travel NM is not required to set a target for this measure
  - c. On-Road Mobile Source Emissions Reduction NM is in non-attainment for Particulate Matter (PM) 10 in one area, covered by El Paso Metropolitan Planning Organization (EPMPO)

#### Coordination with Metropolitan Planning Organizations (MPOs)

The NMDOT undertook a coordinated effort with the Metropolitan Planning Organizations (MPOs) and other stakeholders to set the targets, as follows:

- 1. On March 29, 2018, NMDOT SPB staff discussed the PM 3 measures with the MPOs at the Joint Meeting with the MPOs and Regional Transportation Planning Organizations (RTPOs).
- 2. On May 17, 2018, NMDOT consultants, High Street Consulting ("High Street"), provided a webinar to the MPOs, attended by Mesilla Valley and Farmington MPOs. The webinar outlined the PM3 data, methodologies and recommended targets. SPB staff emails the presentation slides to the MPOs upon request.
- 3. On June 5, 2018, SPB staff presented this draft report to the MPOs at the MPO Quarterly meeting in Farmington.
- 4. On June 18, 2018, SPB staff emailed a draft of this report, outlining the adopted state PM3 targets, to the MPOs for review and comments by July 9, 2018. SPB received one comment on July 10, 2018 from Mid Region MPO, as follows: "Although this is a bit late, Mid-Region has no comments on the proposal except to be sure the wording allows MPOs to establish their own targets if they want to in the future. We are not planning on doing so at this time, but I am concerned about the targets for city streets on the NHS." SPB staff responded that the report outlines the NMDOT targets and the MPOs have the option of adopting the NMDOT targets or setting other targets.
- 5. The MPOs have until November 20, 2018 to adopt the NMDOT PM 3 targets or set their own quantifiable targets.

#### **Data Methodologies and Assumptions**

The FFY2019 PM 3 targets are set based on future System Performance and Freight Movement forecasts developed by High Street on behalf of NMDOT. The forecasting methodology relates current roadway volumes and capacities to performance metric scores. Future volumes and capacities are updated based on assumed traffic volume growth and

programmed capacity enhancement projects. Future System Performance and Freight Movement forecasts are derived by training statistical models based on current condition and performance data, and updating the model inputs based on assumed future traffic volumes and capacities.

#### **Data Sources**

- 1. PM3 System Performance and Freight Movement segment-level metric scores for NMDOT's road network, calculated by High Street based on 2017 NPMRDS data in accordance with FHWA guidance
- 2. Segment-level Free-Flow traffic speeds, as reported in NPMRDS for March 2018
- 3. Traffic Volumes, as reported by NMDOT in its 2015 HPMS submission
- 4. Roadway Attributes, including functional class and urban / rural designation, as reported by NMDOT in its 2015 HPMS submission and conflated to the NPMRDS TMC network by Texas Transportation Institute / FHWA
- 5. Traffic Volume Growth Rates, based on the functional class / regional growth rates provided by NMDOT (see "Table 1: Growth Rates" and discussion under "Assumptions," below)
- 6. Capacity Enhancement Projects, from NMDOT's e-STIP, with project boundaries and projected completion dates

#### Methodology

The forecasting methodology consists of four steps:

- 1. Setup: Calculate current performance, volume, and capacity.
  - a. Segment-level Level of Travel Time Reliability (LOTTR) scores based on 2017 NPMRDS data for all vehicles and Truck Travel Time Reliability (TTTR) scores based on 2017 NPMRDS truck data are calculated for all NMDOT TMC segments. For modeling purposes, scores are shifted from being leftbounded at 1.0 to left-bounded at 0.0.
  - b. HPMS AADTs are converted to Passenger Car Equivalents (PCEs) where Single-Unit Trucks and Buses are equal to 1.5 PCEs and Combination Trucks are equal to 2.0 PCEs.
  - c. Roadway capacities are calculated by assigning functional-class capacity assumptions (based on the Highway Capacity Manual and other sources, see "Table 2: Functional-Class Capacity Assumptions"), and updating these capacities based on observed free-flow speeds reported in the NPMRDS.
- Model Fitting: Log-level linear regression models are fit relating LOTTR to roadway volumes and capacities, and TTTR to roadway location (urban / rural) and volume / capacity ratio. The model coefficients and model R<sup>2</sup> scores are presented in the tables below.

#### LOTTR Model Model Specification:

log(LOTTR - 1) ~ (intercept) + cars \*  $x_i$  + capacity \*  $x_i$  + v/c \*  $x_i$  + error

Coefficients	Estimate (Exponentiated)	Std. Error	Interpretation
(Intercept)	-0.02	0.059	The model intercept is 0.02 (i.e. LOTTR = 1.02, interpreted as "a road with zero traffic and zero capacity would be expected to have a LOTTR score of 1.02")
cars (thousands)	0.06	0.000	Each additional 1000 cars of daily volume is associated with a 6% increase in LOTTR
capacity (thousands)	-0.03	0.000	Each additional 1000 cars of daily capacity is associated with a 3% decrease in LOTTR
Volume / Capacity Ratio	-0.63	0.000	An increase in V/C Ratio from Zero to One is Associated with a 63% decrease in LOTTR, all else equal (captures slight nonlinearity in relationship between cars and LOTTR)

#### TTTR Model Model Specification:

log(TTTR - 1) ~ (intercept) + v/c \*  $x_i$  + urban \*  $x_i$  + error

Coefficients	Estimate (Exponentiated)	Std. Error	Interpretation
(Intercept)	0.07	.005	The model intercept is 0.07 (i.e. TTTR = 1.07, interpreted as "a road with zero volume / capacity ratio would have a TTTR score of 1.07"
Volume / Capacity Ratio	19.89	0.29	An increase in V/C Ratio from zero to one is associated with a 1989% increase in TTTR
Location: Urban	2.19	0.076	All else equal, urban Interstate segments have, on average, TTTR scores 2.19 higher than rural segments

 $R^2 0.412$ 

All estimates statistically significant at p < 0.001

- 3. Source Data Updates: Future Roadway Volumes are calculated based on geometric growth using the Growth Rates specified. Future Roadway Capacities are updated where segments overlap with capacity projects, based on each project's expected completion date. For more details, see "Assumptions" below.
- 4. Score Update: Updated segment scores are calculated using the forecasted future volume and capacity, and the original segment scores are updated by the forecasted difference in future performance

#### <u>Assumptions</u>

The following tables and information outline the assumptions used in the methodologies.

Table 1: Growth Rates used for Forecasting

		Growth
f_system	location	rate
7	Rural	0.013
7	Urban	0
6	Rural	0.013
6	Urban	0.01
5	Urban	0.014
5	Rural	0
4	Urban	0.059
4	Rural	0
3	Urban	0
3	Rural	0.036
2	Urban	0.013
2	Rural	0.01
1	Urban	0.0165
1	Rural	0.02

These growth rates are based on the most recently available fixed-traffic-count station year-over-year estimates. The

growth rates in the table have been modified based on a minimum growth rate of 0.0%. Although traffic volumes are declining on portions of New Mexico's road network, it is assumed that the roads with negative traffic growth rates are not, by in large, roads experiencing significant traffic congestion.

Table 2: Functional-Class Capacity Assumptions

Location	Functional System	Reference speed	Capacity (passenger cars per lane per hour)
Rural	Interstate	75	2100
Rural	Principal Arterial - Other Freeways and Expressways	60	1950
Rural	Principal Arterial - Other	55	1850
Rural	Minor Arterial	45	850
Rural	Major Collector	40	750
Rural	Minor Collector	35	650
Rural	Local	25	450
Urban	Interstate	65	2200
Urban	Principal Arterial - Other Freeways and Expressways	45	1200
Urban	Principal Arterial - Other	40	925
Urban	Minor Arterial	35	760
Urban	Major Collector	30	680
Urban	Minor Collector	30	680
Urban	Local	25	425

Reference Capacities Adapted from HCM 2000 and WATS RTM. Reference Capacity Updated Using NPMRDS Free Flow Speed. +150 PCPLPH per 5 mph over reference speed (max +600), -100 PCPLPH per 5 mph under reference speed (min -300).

#### **Capacity Updates**

To account for increases in future capacity due to capacity enhancing projects, the existing road network is updated to add +1 directional lane to affected (overlapping) TMC segments coinciding with project boundaries. Partially overlapping TMC segments are assigned a pro-rated partial additional lane. In some cases, due to the 15 meter conflation buffer used to relate project boundaries and TMC segments, some divided highways are updated with an additional lane in each direction.

Capacity updates are applied for the expected completion year and subsequent years.

As a result of applied updates, 2021 Lane Miles are forecasted at 14,039 NHS directional lane-miles, a 57 lane-mile increase from 2017's 13,982 directional lane-miles.

#### **Forecast Scenarios**

To provide additional context for target setting (as well as to facilitate conservative target selection) three scenarios are presented:

		Expected Growth	High Growth
No Build	Current Capacity	"No Build"  • 1% Average Growth  • No Additional Capacity	<ul> <li>"No Build, High Growth"</li> <li>2% Average Growth</li> <li>No Additional Capacity</li> </ul>
Build	Programmed STIP Capacity & ITS Projects Completed On Time	<ul> <li>"Build"</li> <li>1% Average Growth</li> <li>Project-Based Capacity Expansion &amp; Reliability Improvement</li> </ul>	

The follow tables and graphs reflect the scenarios for each target.

Table 3: Percentage of person-miles traveled on the Interstate System that are reliable

	Baseline (2017)	2018	Two Year Performance (2019)	2020	Four Year Performance (2021)
No Build High Growth	97.0	97.0	96.1	95.2	95.1
No Build	97.0	97.0	97	96.3	95.2
Build	97.0	97.0	97	97	96.9

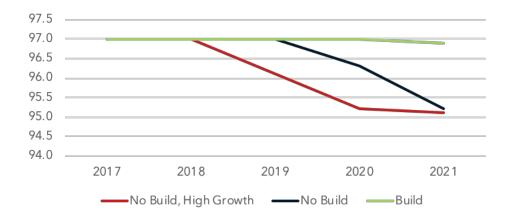


Table 4: Percentage of person-miles traveled on the non-interstate National Highway System (NHS) that are reliable

	Baseline (2017)		Two Year Performance (2019)		Four Year Performance (2021)
No Build High Growth	90.5	90.5	90.5	90.4	90.4
No Build	90.5	90.5	90.5	90.5	90.5
Build	90.5	90.6	90.6	90.6	90.6

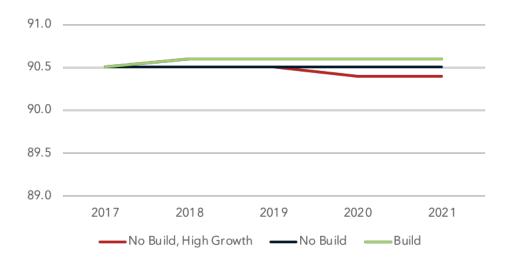
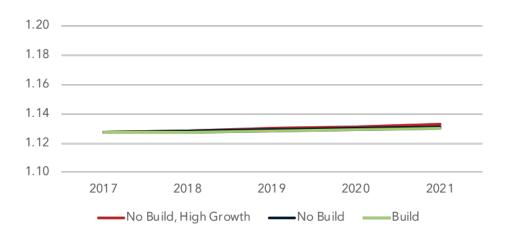


Table 5: Truck Travel Time Reliability (TTTR) Index

	Baseline (2017)	2018	Two Year Performance (2019)		Four Year Performance (2021)
No Build High Growth	1.13	1.13	1.13	1.13	1.13
No Build	1.13	1.13	1.13	1.13	1.13
Build	1.13	1.13	1.13	1.13	1.13



#### **NMDOT PM3 Targets**

#### 1. Percentage of person-miles traveled on the Interstate System that are reliable

Measure	Baseline Score	NMDOT	NMDOT
	(2017)	Target (2019)	Target (2021)
Interstate Reliability	97.0%	96.1%	95.1%

**NMDOT Target Statement:** The percentage of person-miles traveled on the Interstate System will decrease slightly in the next four years, from a baseline score of 97% reliable in 2017 to 96.1% reliable in 2019, and 95.1% reliable in 2021.

**NMDOT Justification:** Recent modeling forecasted that with the currently programmed projects and forecasted traffic growth, the percentage of person-miles traveled on the Interstate System will remain high, may decrease slightly over this four year timespan.

#### 2. Percentage of person-miles traveled on the non-interstate National Highway System (NHS) that are reliable

Measure	Baseline Score	NMDOT	NMDOT
	(2017)	Target (2019)	Target (2021)
Non-Interstate Reliability	90.5%	90.4%	90.4%

**NMDOT Target Statement:** The percentage of person-miles traveled on the non-Interstate National Highway System will decrease slightly in the next four years, from a baseline score of 90.5% reliable in 2017 to 90.4% reliable in 2019, and 90.4% reliable in 2021.

**NMDOT Justification:** Recent modeling forecasted that with the currently programmed projects and forecasted traffic growth, the percentage of person-miles traveled on the Interstate System will remain high, may decrease slightly over this four year timespan.

#### 3. Index of the Interstate System mileage providing for reliable truck travel times that are reliable

Measure	Baseline Score	NMDOT	NMDOT
	(2017)	Target (2019)	Target (2021)
Truck Travel Time Reliability Index	1.13	1.14	1.15

**NMDOT Target Statement:** The index of truck travel times on the Interstate System may be reduced slightly in the next four years, from a baseline index of 1.13 in 2017 to an index of 1.14 in 2019, and an index of 1.15 in 2021.

**NMDOT Justification:** Recent modeling forecasted that with the currently programmed projects and forecasted traffic growth, the truck travel time index value will remain high, but the reliability index may be reduced slightly over this four year timespan.

#### 4. Annual Hours of peak-hour excessive delay per capita

**NMDOT Target Statement:** In the initial performance period (2017-2021), the rule applies to urbanized areas of more than 1 million people that are also in nonattainment or maintenance areas for ozone, carbon monoxide or particulate matter. At this time, there are no such urbanized areas in New Mexico.

NMDOT Justification: Based on current urbanized area populations and nonattainment or maintenance thresholds.

#### 5. Percent of Non-Single Occupancy Vehicle (SOV) travel

**NMDOT Target Statement:** In the initial performance period (2017-2021), the rule applies to urbanized areas of more than 1 million people that are also in nonattainment or maintenance areas for ozone, carbon monoxide or particulate matter. At this time, there are no such urbanized areas in New Mexico.

NMDOT Justification: Based on current urbanized area populations and nonattainment or maintenance thresholds.

#### 6. On-Road Mobile Source Emissions Reduction

**NMDOT Target Statement:** New Mexico is included in the list of 42 State DOTs required to establish targets and report performance for On-Road Mobile Source Emissions (Total Emissions Reduction Measure for Criteria Pollutants). The measure is limited to nonattainment or maintenance areas, which in New Mexico applies exclusively to the Sunland Park, Anthony and Southern Doña Ana County area for Particulate Matter 10 (PM-10). This part of NM is within the El Paso MPO planning area. The EPMPO coordinates with the New Mexico Department of Transportation (NMDOT) on programming New Mexico CMAQ funds allocated to the EPMPO. It was, therefore, mutually agreed upon by NMDOT and the EPMPO to develop 4-year targets for applicable criteria pollutants, in this case PM10, for the state of New Mexico by developing a cost benefit analysis (see method below) using projected future CMAQ allocations for New Mexico and applying the *ESTABLISHED emissions* targets for Texas to *PROJECT* emissions targets in the New Mexico portion of the EPMPO planning area:

#### **NMDOT Justification:**

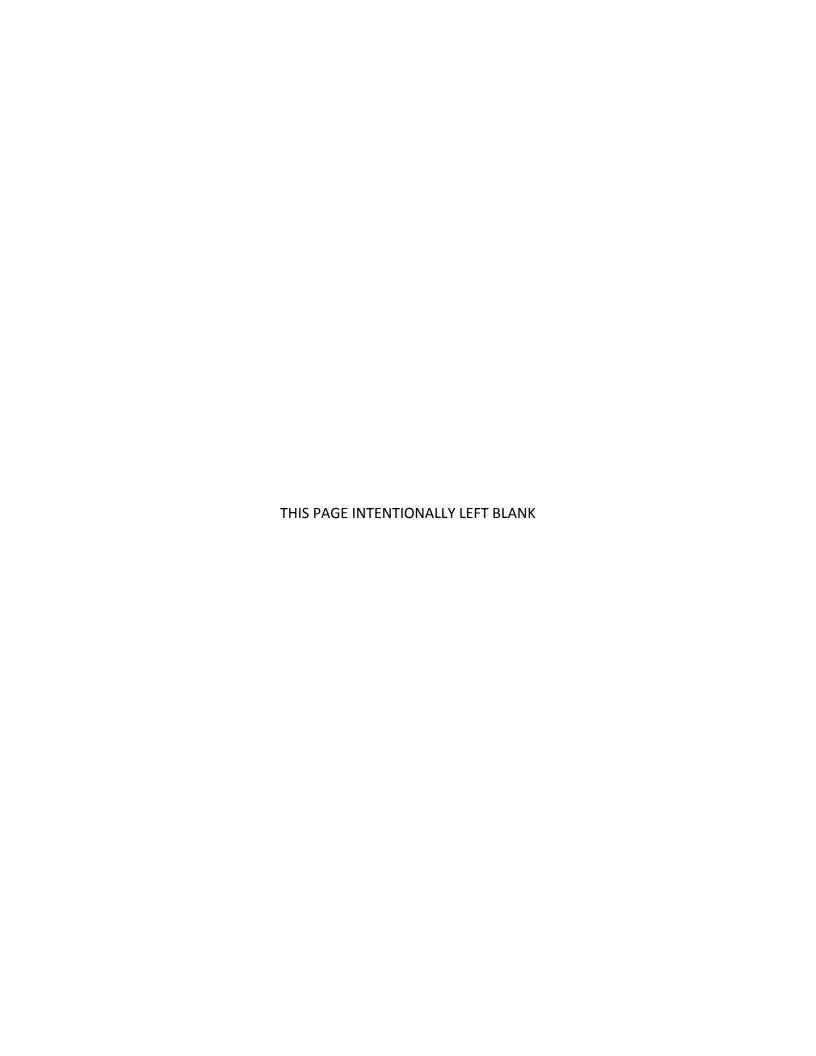
TX allocation next 4-years / 4-year target kg per day ESTABLISHED for EPMPO-TX = 4-year cost per criteria pollutant TX

#### NM Allocation next 4-years / 4-year cost per criteria pollutant TX =4-year target kg per day PROJECTED for EPMPO-NM

This methodology is making assumptions that the future (next 4 years) NM CMAQ project(s) quantifiable emissions will be the same in NM as in TX based on type of projects, methodology used to quantify projects, data, assumptions, etc.

These quantifiable targets are reflective of the anticipated cumulative emission reductions for the EPMPO to be reported in the CMAQ Public Access System as required in 23 CFR 490.105 for establishing targets for MPOs. The projected EPMPO 4-year targets for on-road mobile source emissions in New Mexico is 1.79 kg/ day for Particulate Matter less than or equal to 10 microns (PM-10).

The NMDOT 4-year targets for on-road mobile source emissions in New Mexico is 1.79 kg/day for Particulate Matter less than or equal to 10 microns (PM-10)





## METROPOLITAN PLANNING ORGANIZATION

SERVING LAS CRUCES, DOÑA ANA, AND MESILLA

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# MESILLA VALLEY METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE DISCUSSION FORM FOR THE MEETING OF October 10, 2018

#### **AGENDA ITEM:**

8.2 MVMPO 2019 Meeting Calendar

#### **SUPPORT INFORMATION:**

Draft version of the 2019 Mesilla Valley MPO Meeting Calendar

#### **DISCUSSION:**

This item is to discuss the 2019 Mesilla Valley MPO Meeting Calendar.



### METROPOLITAN PLANNING ORGANIZATION

SERVING LAS CRUCES, DOÑA ANA COUNTY, AND MESILLA P.O. BOX 20000 | LAS CRUCES NM | 88004 PHONE (575) 528-3222 | FAX (575) 528-3155 http://mesillavalleympo.org

# **DRAFT** 2019 Schedule of Meetings

Month	<b>Policy Committee</b>	TAC	BPAC
January	9 <sup>th</sup>	3 <sup>rd</sup>	15 <sup>th</sup> (TIP)
February	13 <sup>th</sup> (TIP)	7 <sup>th</sup> (TIP)	19 <sup>th</sup>
March		7 <sup>th</sup>	
April	10 <sup>th</sup>	4 <sup>th</sup>	16 <sup>th</sup> (TIP)
May	8 <sup>th</sup> (TIP)	2 <sup>nd</sup> (TIP)	21 <sup>st</sup>
June	12 <sup>th</sup>	6 <sup>th</sup>	
July			16 <sup>th</sup> (TIP)
August	14 <sup>th</sup> (TIP)	1 <sup>st</sup> (TIP)	20 <sup>th</sup>
September	11 <sup>th</sup>	5 <sup>th</sup>	
October	9 <sup>th</sup>	3 <sup>rd</sup>	15 <sup>th</sup> (TIP)
November	13 <sup>th</sup> (TIP)	7 <sup>th</sup> (TIP)	19 <sup>th</sup> (If needed)
December	11 <sup>th</sup>	5 <sup>th</sup>	
January 2019	8 <sup>th</sup>	2 <sup>nd</sup>	21 <sup>st</sup> (TIP)

#### Policy Committee Meetings for January – June 2018 and January 2019

Place: County Commission Chambers, 845 Motel Boulevard

Time: 1:00 p.m. to 3:00 p.m.

#### Policy Committee Meetings for August – December 2018

Place: City Council Chambers, 700 North Main Street

Time: 1:00 p.m. to 3:00 p.m.

#### Technical Advisory Committee (TAC) Meetings for January – June 2018 and January 2019

Place: County Commission Chambers, 845 Motel Boulevard

Time: 4:00 p.m. to 6:00 p.m.

#### **Technical Advisory Committee (TAC) Meetings for August – December 2018**

Place: City Council Chambers, 700 North Main Street

Time: 4:00 p.m. to 6:00 p.m.

#### **Bicycle and Pedestrian Advisory Committee Meetings 2018**

Place: County Commission Chambers, 845 Motel Boulevard

Time: 5:00 p.m. to 7:00 p.m.