

1                   **MESILLA VALLEY METROPOLITAN PLANNING ORGANIZATION**  
2                                   **POLICY COMMITTEE**  
3

4   The following are minutes for the meeting of the Mesilla Valley Metropolitan Planning  
5   Organization (MPO) Policy Committee which was held October 10, 2018 at 1:00 p.m. in  
6   the City of Las Cruces Council Chambers, 700 N. Main, Las Cruces, New Mexico.  
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9   **MEMBERS PRESENT:**     Mayor Nora Barraza (Town of Mesilla) (arrived 1:22)  
10                               Trent Doolittle (NMDOT)  
11                               Councillor Jack Eakman (CLC)  
12                               Commissioner Kim Hakes (DAC)  
13                               Trustee Stephanie Johnson-Burick (Town of Mesilla)  
14                               Councillor Gabriel Vasquez (CLC)  
15                               Commissioner Benjamin Rawson (DAC)  
16                               Commissioner Isabella Solis (DAC)  
17                               Councillor Gill Sorg (CLC)  
18

19   **MEMBERS ABSENT:**     Trustee Carlos Arzabal  
20

21   **STAFF PRESENT:**       Andrew Wray (MPO staff)  
22                               Michael McAdams (MPO staff)  
23                               Debra Fuller (MPO Staff)  
24

25   **OTHERS PRESENT:**     Stuart Ed, City Manager  
26                               Larry Nichols, CLC  
27                               Becky Baum, RC Creations, LLC, Recording Secretary  
28

29   **1.     CALL TO ORDER / PLEDGE OF ALLEGIANCE (1:00 PM)**  
30

31   Eakman:     I'm told we do have a quorum here today and I'd like to make sure that we  
32                   reward the people who are on time. Love doing that.  
33

34   **2.     PLEDGE OF ALLEGIANCE**  
35

36   Eakman:     Would you all join me in the Pledge of Allegiance.  
37

38   ALL STAND FOR THE PLEDGE OF ALLEGIANCE.  
39

40   Eakman:     Thank you so much.  
41

42   **3.     CONFLICT OF INTEREST INQUIRY**  
43

44   Eakman:     If you would please take a look at the agenda and affirm for me or deny for  
45                   me that you might have a conflict of interest with anything on the agenda.  
46                   I have no conflict.

1  
2 J-Burick: No conflict.  
3  
4 Vasquez: None.  
5  
6 Solis: None here.  
7  
8 Doolittle: None.  
9  
10 Hakes: None.  
11  
12 Eakman: Thank you all so much. Let the record show that we are almost all here  
13 today. That's wonderful thank you.  
14  
15 **4. PUBLIC COMMENT**  
16  
17 Eakman: First of all, is there any public comment to come before this Policy  
18 Committee today? Hearing none.  
19  
20 **5. CONSENT AGENDA \***  
21  
22 Eakman: The consent agenda is ahead of us. I would like to request that we move  
23 one action item 7.4 to the first item of action items, if that's agreeable to  
24 the members. Is that agreeable?  
25  
26 Rawson: Mr. Chairman, are you saying to do that before the consent agenda?  
27  
28 Eakman: No. I'm saying that I'm not to do that before the consent agenda I'd just  
29 like to give everybody a heads ups that that is what my request is going to  
30 be. No problem? Okay. Then I would ask if anybody would feel inclined  
31 to move approval of the consent agenda.  
32  
33 Sorg: Move to approve the consent.  
34  
35 Vasquez: Second  
36  
37 Eakman: Moved by Mayor Pro Tem Sorg and Councilor Vasquez seconded that we  
38 approve the consent agenda. Becky would you take the role?  
39  
40 Baum: Board member Hakes.  
41  
42 Hakes: Yes.  
43  
44 Baum: Board Member Doolittle.  
45  
46 Doolittle: Yes.

1  
2 Baum: Board Member Solis.  
3  
4 Solis: Yes.  
5  
6 Baum: Board Member Vasquez.  
7  
8 Vasquez: Yes.  
9  
10 Baum: Board Member Johnson-Burick. Thank you. My apologies, Johnson-  
11 Burick.  
12  
13 J-Burick: It's okay. Yes.  
14  
15 Baum: Board Member Sorg.  
16  
17 Sorg: Yes.  
18  
19 Baum: Board Member Rawson.  
20  
21 Rawson: Yes.  
22  
23 Baum: Chairman Eakman.  
24  
25 Eakman: Yes.  
26  
27 **6. \* APPROVAL OF MINUTES**  
28  
29 **6.1 \* September 5, 2018**  
30  
31 - VOTED ON VIA THE CONSENT AGENDA  
32  
33 **7. ACTION ITEMS**  
34  
35 **7.1 \* Resolution 18-07: A Resolution Adopting the Mesilla Valley MPO**  
36 **Public Participation Plan (PPP)**  
37  
38 - VOTED ON VIA THE CONSENT AGENDA  
39  
40 **7.4 Resolution 18-10: A Resolution Accepting the Appointment of the**  
41 **Interim MPO Officer**  
42  
43 Eakman: And now we will move on to Resolution number 7.4 which is 18-10. It's in  
44 your packet.  
45  
46 Sorg: Mr. Chairman

1  
2     Eakman:     Yes.  
3  
4     Sorg:        I'll move to approve that.  
5  
6     Eakman:     Is there a second?  
7  
8     J-Burick:    Second.  
9  
10    Eakman:     Is there any discussion? Yes Mr. Doolittle.  
11  
12    Doolittle:   Mr. Chair I just have a couple of questions not necessarily tied to the  
13                   appointment of the interim, but maybe some discussion tied to where we  
14                   go from here. I have all the confidence in Andrew and specifically the staff  
15                   in moving us forward during this interim process, but just to let you all  
16                   know we're going through the exact same process right now in the El Paso  
17                   MPO. They lost their director. I was involved in the hiring of the director  
18                   that just recently retired so I'm curious where we're going from here. The  
19                   JPA very specifically says that this Board will be involved with the City. I  
20                   don't know if that means we're reviewing the questions, if we're part of the  
21                   hiring panel, so I was just curious where we go from here.  
22  
23    Eakman:     Excellent. This is why I invited the City Manager here today to talk about  
24                   the manner in which he foresees this happening in cooperation with this  
25                   Policy Board. We'll discuss that immediately after passage of this  
26                   resolution for the temporary, if that's okay with everyone. Would that  
27                   answer that Mr. Doolittle?  
28  
29    Doolittle:   The only thing that I still a little bit am concerned, although I do have the  
30                   trust in Andrew and I intend on voting yes, is again the JPA is very clear  
31                   that any actions tied to the Director is in coordination with the Board and I  
32                   don't know if there was any input, if there was any discussion. That's my  
33                   only concern is I need to make sure that we're following the JPA and if by  
34                   this motion and this vote that conforms to that JPA then I'm okay with that.  
35                   I just want to make sure that we are following the rules that we're  
36                   supposed to.  
37  
38    Eakman:     In my understanding by passing this resolution we are in compliance with  
39                   the JPA for the appointment of a temporary and then we'll have to move  
40                   on to the selection process of the incoming Director of the MPO, which I  
41                   think we can have a discussion on after this passes. If that's okay.  
42  
43    Doolittle:   Okay. I apologize Mr. Chair. One more question, salary so again I don't  
44                   mean to compare this one to the El Paso MPO, but the Board was  
45                   involved in the discussion with salary. I don't know if that's been taken  
46                   care of with Andrew at this point, because that is reimbursable through the

1 department and then through the review of Jolene. So, by this resolution  
2 are we involved in that discussion or is it taken care of directly through the  
3 City?  
4

5 Eakman: I would ask Mr. Ed what his input might be on that if it's.

6  
7 Vasquez: Mr. Chair.

8  
9 Eakman: Yes.

10  
11 Vasquez: Are we still not on the vote to approve the minutes?

12  
13 Eakman: We did take action on the consent agenda which approved the minutes  
14 and item 7.1.

15  
16 Vasquez: Okay. Thank you.

17  
18 Eakman: Thank you. Before I get to that Mr. Ed, Vice-Chair Rawson, you had a  
19 question also?

20  
21 Rawson: My question may be answered through this, but I would also like to hear a  
22 little bit about what the process was for the City of Las Cruces to  
23 designate Mr. Wray, and then what type of notice that we had from Mr.  
24 Murphy for his resignation, but that can probably all be answered in the  
25 same response.

26  
27 Eakman: I believe it can. Mr. Reid, would you feel comfortable addressing this?

28  
29 Ed: Well of course. First off, I want to wish the Committee a good afternoon.  
30 I'm Stuart Ed, City Manager for the City of Las Cruces and it's a beautiful  
31 day in the City of Las Cruces so welcome. I'll answer as many questions  
32 as I can, if I fail to answer any of your questions, just let me know. If I'm  
33 unable to I'll certainly get you the information.

34 So in terms of the retirement, we received a two-week notice from  
35 Mr. Murphy and so his retirement went into effect on September 30, 2018  
36 and as the administrative overseer of that position, the City also is the  
37 supervisory responsibility. That position is evaluated annually by the  
38 Director of Community Development not the Board and so we've been  
39 traditionally you have given the administrative oversight of that position to  
40 the City of Las Cruces and so we went ahead and looked within the  
41 organization.

42 My administrative policy is looking for people that meet the  
43 qualifications of the position generally internal candidates. Technically I  
44 can provisionally appoint anybody that's qualified in the position. Normally  
45 it's somebody from within the organization who is qualified and in this case

1 we reviewed the qualifications of Mr. Wray. He is qualified. He is a  
2 member of the MPO Staff and so we made the provisional appointment.

3 The City's typical process for pay is typically 5% or the low end of  
4 the position. So the position of Director has a salary scale, a maximum  
5 and a minimum and so the typical analysis is we'll look at Mr. Wray's  
6 salary and then add 5% for the provisional appointment or if the minimum  
7 of the position that he is provisionally occupying is higher than that 5%  
8 then he will get the additional amount that covers the entry level salary for  
9 that position. So that's typically how the salary analysis is done. Again  
10 the Board has deferred the administrative oversight of that position so we  
11 treat this position just like with any other policy and procedure. As it  
12 stands right now there is the JPA Agreement and so moving forward we  
13 would look to do just like we do with other critical positions it is our past  
14 practice to include the committees, relevant technical members of our  
15 community in this case with the JPA we would certainly be looking at an  
16 inclusive process with the Board and making sure that you are a part of  
17 that process and played an active role in assessing candidates and having  
18 a say in the final decision.

19 I think there is some question about how El Paso does it compared  
20 to here. I've spent a lot of time with the MPO in El Paso so I've actually  
21 got a lot of historical information. I'll try not to get too extensive with that. I  
22 would say that based upon the size of the region, the resources of the  
23 region, it's a little different here just by virtue of that. When I first landed in  
24 El Paso, the MPO was very much centered through the City of El Paso,  
25 just like this position is; specifically the MPO staff were hired by the City of  
26 El Paso; the staff was located within City Hall and so that kind of mirrors  
27 the arrangement that we have now and that was back in 1995. And then  
28 as time progressed the MPO Board decided to have more autonomy and  
29 so there was a real strong push to move that entity physically out of City  
30 Hall and so the MPO Board looked at identifying a new location, moving  
31 the MPO out of City Hall but with that comes additional costs.

32 So, what happened was that increased the cost of the MPO. There  
33 had to be a plan in place to pay for the administrative duplication of  
34 equipment, office space, monthly lease, paper, pencils, pen all of the day-  
35 to-day operations. That was really a serious consideration that the region  
36 had to discuss how that was going to be paid for and so those are the type  
37 of things that each of the entities that make up the MPO would have to  
38 address.

39 You do gain efficiencies by housing the function here. Obviously  
40 we're the largest governmental entity in the region and so there's I think  
41 traditionally been that inclusion here and we do as a city absorb a lot of  
42 the administrative costs and I think the City hasn't had any issues with  
43 that. It's not something that hasn't been something that the City's been  
44 unwilling or that it's been an issue to address with the Board. So, at any  
45 time if that becomes not acceptable or you wish to make a change again,  
46 moving the location here in the administrative oversight will incur some

1 additional costs that you will have to consider. But those are some things  
2 that happened in El Paso.

3 The other thing that is a difference is the Director for the El Paso  
4 MPO was primarily paid for by the MPO so what you found was the  
5 executive leadership is paid for by the region and then the administrative  
6 staff is generally paid for by the City and so these are things that are  
7 negotiated between the Board and all of the entities, not just the City of  
8 Las Cruces, but all of the entities to come to an agreement in terms of  
9 these cost centers so those are the types of things that you all would have  
10 to work out with one another.

11 So, I hope that answers some of your questions. I think what I will  
12 share with you all is I'm very sensitive to the regional nature of the MPO  
13 and respect it and so I want to assure you that given our configuration now  
14 I'm going to certainly comply with the JPA in terms of the letter of the law,  
15 but I think the spirit of that agreement is the regionalization of the MPO  
16 and the fact that it has impacts on all of our communities and jurisdictions.  
17 And so I want to assure the Board that I'm sensitive to that. I have a  
18 complete understanding of that having a background in transit and  
19 transportation myself, and I fully understand the complexities and I'm not  
20 looking to add to any of those complexities. I want to do everything that I  
21 can to minimize those and to work together and be inclusive and so you  
22 have my professional and personal assurance that I'll always have a  
23 respect for that and as we move forward with the hiring of the permanent  
24 position we will certainly include the region and include the Board with that  
25 process, so that the outcome is something that's very agreeable to the  
26 Board. And I stand for any questions Mr. Chair.

27  
28 Eakman: Thank you Mr. Ed. I have a question for the Policy Committee then. How  
29 many members of the Policy Committee would like to be on the Selection  
30 Committee? We all have so much extra time. We have a member, a  
31 trusty from Mesilla. We could have one from each entity. Then with Vice  
32 Chair Rawson, Board Member Sorg and Johnson-Burick. Yes Mr.  
33 Doolittle.

34  
35 Doolittle: Mr. Chair, if it would please the Board, I'd also like to sit in on that  
36 selection panel.

37  
38 Eakman: Well, thank you so much. Mr. Ed, Mr. Nichols, would this be possible as  
39 you go through your deliberations?

40  
41 Ed: The process would be and we do have the position being recruited. So  
42 the normal process is that our HR Department will be in charge of the  
43 recruitment and will receive the applications and screen those applications  
44 and identify through the HR Process a list of candidates and kind of  
45 provide the order merit list in terms of education, experience and  
46 qualifications. Make a recommendation of five finalists and then we would

1 have a selection process that would include the Committee made up of  
2 you all.

3  
4 We would ask from the Committee to submit questions that they  
5 wish to ask. Those questions would be collected and vetted through the  
6 HR Department to make sure there is legal compliance and there's not  
7 duplication. The list of questions would be synthesized and then on the  
8 date of the Committee those questions would be distributed at that time.

9 Once the Committee formed and the candidates would cycle  
10 through, and then the process would be each of the Committee Members  
11 would be assigned a question to ask so that every candidate faces the  
12 exact same questions asked by the same person. Certainly as questions  
13 are answered additional questions that may extend from the interview  
14 directly related to the answer provided by each of the candidates could be  
15 asked by the Committee.

16 Then at the conclusion of each interview the Committee Members  
17 would rate each of the candidates. There would be provided HR a matrix  
18 you could score each of the candidates. Then you would have an  
19 individual score for each of the candidates and then we would collect and  
20 have an aggregate for the Committee and then that score would be  
21 available to the Committee to review, make any final comments and in  
22 terms of the hiring and normally that's based upon the administrative  
23 arrangement.

24 I understand, my understanding is that I would be the one to do the  
25 hiring. But I would defer that to the Committee's number unless and if  
26 there was anything based upon the Committee's feedback that didn't  
27 make any sense or something that was difficult for me to make the  
28 selection, I would share that with the Committee. We could sort all that  
29 out at that time, but that's kind of generally the process that I see. And if  
30 that's an agreeable process we can proceed forward with that. If it's not, if  
31 there's an adjustment to that, I would be happy to entertain that.

32  
33 Eakman: Does anyone have a counter opinion to that process, especial members of  
34 this selection Committee? Sound feasible. Very good. Mr. Ed, would you  
35 introduce Mr. Nichols?

36  
37 Ed: Yes, I would like to introduce Mr. Larry Nichols. He's our Community  
38 Development Director and he's also available if you have any questions.

39  
40 Nichols: Good afternoon Mr. Chairman and Members of the Committee. I'm Larry  
41 Nichols the Director of the Community Development Department. The  
42 MPO Officer is under my prevue in the department. I think it would be  
43 very informative for the Committee to know that our department has  
44 completed our PEAK Performance and our Managing for Results  
45 Structuring and we have a strategic business plan. The MPO Officer is a  
46 Program Manager in that structure similar to the program manager for the

1 building or for the planning. So it's an important position and one that we  
2 fully resource and make available to your Committee as well as to the  
3 citizenry of the City. We'd have weekly staff meetings in addition to the  
4 meetings that you will have with that individual, but the recruitment as Mr.  
5 Ed spoke to will be one that will be advertised. We have been very  
6 fortunate in the recent last few months some of the other vacancies that  
7 we have filled or we have been getting a very responsive number of folks  
8 apply for the positions that we have been advertising. I would anticipate  
9 this would be the similar situation given the importance of the position.  
10 We will certainly keep you informed on the progress of the recruitment.  
11

12 Eakman: Any questions of Mr. Nichols? Yes, Ms. Johnson-Burick.  
13

14 J-Burick: Thank you. Would it be possible to have in advance, well one, are there  
15 going to be any modifications that HR will be doing to the job description  
16 that you foresee? And secondly, would it be possible to forward that job  
17 description to the Board?  
18

19 Ed: Mr. Chair. We'd be happy to forward the job description to you all and  
20 have you review. If there's anything that you would like to have adjusted  
21 you can provide that feedback. I don't believe at this point there's a desire  
22 to change the job description. We always make sure to do a review, we're  
23 in the process of going through a classifications and compensation study  
24 that has been done by an outside third party reviewing all of our job  
25 descriptions and our compensation packets and that includes this position.  
26 So, frankly it's already been reviewed so I'm happy to forward that to you  
27 and if you have any feedback on that or something that's a showstopper  
28 that you feel needs to be addressed we can certainly make that  
29 adjustment. If we were to adjust the job description we would provide that  
30 to the entire Board.  
31

32 J-Burick: Thank you. I'm just probably more, would like to have it prior to obviously  
33 selecting the candidates so I can review it. Thank you.  
34

35 Ed: Yes ma'am.  
36

37 J-Burick: Thank you.  
38

39 Ed: There was one other minor, a clarification for the difference between this  
40 MPO and the El Paso MPO. I had mentioned that the salary of the MPO  
41 Staff was paid by the City of El Paso, the Executive Leadership, the  
42 Director and Assistant Director, were paid for by the region. And so, when  
43 this all transformed there was a decision made that the Executive Director  
44 would no longer report as a department to within the City of El Paso but  
45 that the MPO Director would report to the Board. And so the MPO  
46 Director actually has twenty-seven bosses in the El Paso MPO.

1           On a professional note, you know I observed that, that has its  
2 strengths and its weaknesses. I would strongly recommend that given the  
3 size of the MPO, the population densities the resources available in the  
4 region, unless there's been a lack of satisfaction by the MPO Board I  
5 would recommend we maintain the current structure. I think it's most  
6 efficient and effective, but of course that always up for review. And for  
7 that MPO Director to have 20 bosses or 27 bosses it's a bit of a challenge  
8 in the region. I mean it's got its strengths you know each of the regional  
9 leader political entities has a say directly to the Director and that's  
10 something viewed as a benefit, but in terms of qualifying, quantifying  
11 performance evaluations, that's always a bit of a challenge. You gain and  
12 you lose, but I think given the size of our region and the resources, I would  
13 recommend we stay with the arrangement. I think the City is happy to  
14 continue the arrangement as well. And that it would be my  
15 recommendation to Mayor and Council that we continue as well. Thank  
16 you.

17  
18 Eakman: Thank you Mr. Ed. Are there further questions of Mr. Ed or Mr. Nichols?  
19 Mr. Doolittle.

20  
21 Doolittle: Thank you Mr. Chair. I don't really have any questions, I just wanted to  
22 clarify. I appreciate you all coming and answering my questions, I also  
23 appreciate the fact that some of this Board will be able to sit in on the  
24 interviews. I think that was probably the biggest difference that I noticed  
25 at least in the hiring process. I agree with what Mr. Ed said sitting on both  
26 MPO Boards and the Executive Committee in El Paso, I think the way we  
27 manage here certainly serves the region well. But I just wanted to say I  
28 appreciate the fact that we'll be able at least participate and review the  
29 candidates and you know regionally see what works best for all of us to  
30 include each entity and the DOT. So thank you for answering my  
31 questions and I look forward to working with you all.

32  
33 Ed: Yes sir. The last thing I will say Mr. Chair, is I understand the importance  
34 of the concerns with the Director position, which is why I'm here and this is  
35 I think my first MPO Meeting so this is a big deal, you know it's a big  
36 change. Mr. Murphy was a long standing officer for the MPO so I  
37 recognize that this is a critical moment which is why I'm here. So I wanted  
38 to personally share my thoughts with each of the members of the Board  
39 just so that they heard it from me and I wanted to let you all know that I  
40 understand the concerns and I take them very seriously and I'm here for  
41 you and I'm going to be very responsive to you as a Board. So, I just  
42 wanted to be here to talk with you during this transition time. So, thank  
43 you.

44  
45 Eakman: Thank you. Ms. Baum where do we stand on this? Have we had a motion  
46 and a second for 7.4?

1  
2 Baum: Yes sir, we have.  
3  
4 Eakman: Then I think it is time to vote on that issue if we could unless somebody  
5 has another question. Ms. Baum will you poll the Board.  
6  
7 Baum: Certainly. Board Member Barraza.  
8  
9 Barraza: Yes.  
10  
11 Baum: Board Member Hakes.  
12  
13 Hakes: Yes.  
14  
15 Baum: Board Member Doolittle.  
16  
17 Doolittle: Yes.  
18  
19 Baum: Board Member Solis.  
20  
21 Solis: Yes.  
22  
23 Baum: Board Member Vasquez.  
24  
25 Vasquez: Yes.  
26  
27 Baum: Board Member Johnson-Burick.  
28  
29 J-Burick: Yes.  
30  
31 Baum: Board Member Sorg.  
32  
33 Sorg: Yes.  
34  
35 Baum: Board Member Rawson.  
36  
37 Rawson: Yes.  
38  
39 Baum: Chairman Eakman.  
40  
41 Eakman: Yes. Thank you so much for your time. I appreciate the Board's keen  
42 interest in this. It's a very important time in our history. Thank you.  
43  
44 **7.2 Resolution 18-08: A Resolution Adopting the Mesilla Valley MPO**  
45 **Title VI Plan**  
46

1 Eakman: Now let us move to Resolution 18-08 adopting the Mesilla Valley MPO  
2 Title VI Plan. Mr. Wray.  
3  
4 Wray: Thank you Mr. Chair if the Committee will indulge me for a moment while I  
5 adjust the podium. Mr. Chair, Members of the Committee as this Board is  
6 aware since April of this year we have had an open public comment period  
7 for our impending adoption of Title VI Plan. This plan is a requirement  
8 from the State of New Mexico and the U.S. Department of Transportation.  
9 This plan exercises the assurance to the U.S. DOT that no persons are  
10 excluded from the planning process.  
11 I would like to note that in compliance with regulations from  
12 NMDOT the Title VI Policy statement and the Title VI Complaint Forms  
13 that are now included in the Title VI Plans are included in Spanish as well.  
14 The full and complete draft is included in your packets for you today.  
15 One final note, the Title VI Plan has historically existed as part of  
16 the Public Participation Plan which this Committee just updated as part of  
17 the consent agenda today. New requirements from NMDOT that this plan  
18 be updated every three years now requires that the Title VI Plan exists on  
19 its own.  
20 The BPAC reviewed the draft of Title VI Plan at their August 21st  
21 meeting and recommended approval. The Technical Advisory Committee  
22 reviewed the plan at their October 4th meeting and recommended  
23 approval. And MPO Staff also recommends that the Policy Committee  
24 adopt this. And I will stand now for any questions.  
25 Actually, if the Committee will indulge me there's one last thing I  
26 wish to show everyone. In that our website, if I can spell correctly, is now  
27 viewable in Spanish. This was not a specific requirement of the DOT yet,  
28 but when we first publicly displayed this to the TAC last week DOT was  
29 very pleased, so a little feather in our cap.  
30  
31 Eakman: Are there any questions or comments from the Board? Board Member  
32 Sorg.  
33  
34 Sorg: Thank you Mr. Chairman and thank you Mr. Wray for presenting this. This  
35 is the Title VI Plan? Am I reading the correctly?  
36  
37 Wray: Yes, Title VI of the Civil Rights Act, yes.  
38  
39 Sorg: And it is Resolution 18-08?  
40  
41 Wray: Yes, that is correct.  
42  
43 Sorg: I think we kind of took this out of order didn't we? We didn't do 18-07 yet.  
44  
45 Wray: Mr. Chair, Councilor Sorg. Resolution 18-07 the Public Participation Plan  
46 that was done via the consent agenda.

1  
2 Sorg: Oh, I'm sorry I didn't see the asterisk there, I apologize. So, in this case  
3 then, I do have a question. I do have a question. Page 26 of this, I  
4 believe it's this Resolution, and page 25 there's an Appendix D and an  
5 Appendix E and as far as I can tell are those exactly the same or are they  
6 different? The language in it is so much the same. Are they different?  
7  
8 Wray: Yes, Mr. Chair, Councilor Sorg. Yes, staff actually had some I don't know  
9 if qualms is the right word, we questioned the need to include all the  
10 appendices from the template that NMDOT gave to us, including these  
11 appendices because as the Committee if they reviewed the appendices  
12 would notice for a small MPO such as ours there's very little applicability  
13 for a number of these items. But the recommendation is that these be  
14 kept as part of the Title VI Plan just as a "just in case." And, yes,  
15 Appendix D and Appendix E there is some slight variation between the  
16 language in the document but yes, staff did question the need to keep the  
17 appendices in, but the recommendation is that we keep all the appendices  
18 in as part of the Title VI Plan so that is part of the recommendation staff is  
19 making today.  
20  
21 Sorg: Right. Well as you can see, I was kind of confused because the title of the  
22 Appendix is exactly the same in both.  
23  
24 Wray: Yes. They are covering similar topics, but the language is slightly  
25 different.  
26  
27 Sorg: Okay, no problem. That is all for now Mr. Chairman. Thank you.  
28  
29 Eakman: Thank you. Vice-Chair Rawson.  
30  
31 Rawson: Thank you Mr. Chair. First I would like to congratulate Mr. Wray.  
32 Congratulations on your new position.  
33  
34 Wray: Thank you very much, I appreciate it.  
35  
36 Rawson: We have a current Title VI Plan already in place. It was just included in  
37 the Public Participation Plan correct?  
38  
39 Wray: That is correct, yes.  
40  
41 Rawson: Are there any substantial differences from the old Title VI Plan and to the  
42 new Title VI Plan?  
43  
44 Wray: The most notable difference is going to be the inclusion of the Spanish  
45 translation of the Policy Statement and the Complaint Form itself.

1 Historically we operated that if a complainant wished to have  
2 copies available in Spanish that we would then get those translated. The  
3 decision was made, and I agree with this decision, that that was no longer  
4 to be considered adequate and that's the reason why it's now a  
5 requirement that those documents be available in the Complaint  
6 Document itself in Spanish.

7 Additionally, and I'm not sure what page it is on, but it is also a  
8 requirement of an NMDOT for compliance that an individual's name  
9 appear within the document. It is on page nine of the, I apologize we did  
10 not number the packet as a whole, but it is on page nine of the Title VI  
11 Plan. An individual's name must appear within the document for an  
12 aggrieved party to direct their complaint to. And with retirement of Mr.  
13 Murphy two weeks ago we updated the existing document that at that time  
14 was the Title VI Plan with my name. My name is included in this  
15 document here today that will go up on to the website as the published  
16 document as soon as the Committee takes action on it. Those are really  
17 the two most significant changes.

18 I'm glad to say that in the fifteen years that I am aware of drawing  
19 on Mr. Murphy's previous experience from having been here before I was,  
20 this MPO has never had a Title VI complaint filed against it. We certainly  
21 aim and strive to continue that perfect record.

22  
23 Rawson: Terrific. Thank you Mr. Chairman. Mr. Wray one last comment that I have  
24 is on the second page of the Resolution. We have an interesting setup of  
25 voters for this item that appears to be an old list and so I just want to make  
26 sure that we correct that as we vote. I don't think there's any substantial,  
27 I just wanted to bring that to people's attention. Thank you.

28  
29 Wray: Thank you Mr. Chair and Commissioner Rawson. We did miss that. We  
30 will get this corrected.

31  
32 Eakman: Thank you Vice-Chair Rawson. Is there any other comments or  
33 questions? Yes Miss Johnson-Burick.

34  
35 J-Burick: Thank you. People are forgetting my name and I'm forgetting to turn this  
36 on and I just better start all over. Okay, I had a couple of comments and I  
37 know that I think a few of us caught the one Commissioner Rawson had  
38 mentioned, but in the and I just want to confirm because even though the  
39 stand alone for the Title VI is again a stand alone document we're still  
40 listing it in the Table of Contents for the Public Participation Plan and  
41 having a section that addresses that.

42  
43 Wray: I did not notice that. I will verify that in the Public Participation Plan right  
44 now.

45  
46 J-Burick: It's under Public Participation Requirements.

1  
2 Wray: Oh, okay that's ...  
3  
4 J-Burick: Because it kind of introduces it but, I can see us having an additional  
5 document.  
6  
7 Wray: Yes, that is actually intentional and appropriate as part of that.  
8  
9 J-Burick: Okay.  
10  
11 Wray: Yes, yes that is I understand what you are asking now and yes that is a  
12 section within the Title VI Plan. It is very closely related to the Public  
13 Participation Plan. Basically it is kind of just a short summation for these  
14 purposes.  
15  
16 J-Burick: That's what I was, okay. That's what I wanted to confirm. The second  
17 comment is under the State Open Meetings Act and I always kind of bring  
18 this up and whenever I'm in meetings such as this because we have here  
19 three days prior for the agenda to be posted, but I'm always comfortable  
20 with following what the actual State Open Meetings Act states and that's  
21 the 72 hours prior.  
22  
23 Wray: Yes.  
24  
25 J-Burick: So, I mean that's just a suggestion that I would propose to, you know for  
26 the transparency and following because three days is different than  
27 seventy-two hours.  
28  
29 Wray: Mr. Chair, Trustee Johnson-Burick. The practice of this MPO in order for  
30 compliance with the Open Meetings Act as far as the public  
31 announcement getting it in local a newspaper, the Sun News in the case  
32 of this MPO, we actually published the MPO agenda nearly two weeks in  
33 advance of the meeting itself. So just to allay concerns on that we are  
34 well in compliance with the Open Meetings Act on that front. However,  
35 certainly this document is open to amending by this Committee if it is  
36 decided that 72-hour language would be better in this document, we can  
37 certainly make that change.  
38  
39 J-Burick: I'm just more comfortable with that language, but I confer to my fellow  
40 Committee members.  
41  
42 Eakman: Ms. Johnson-Burick would you like to make an amendment to this to make  
43 that change 72 hours from three days?  
44

1 J-Burick: I would, yes, like to make an amendment that, I wish it was, a page  
2 number, but under the Open Meetings Act that we revise it or amend it  
3 from three days to the language of 72 hours.  
4  
5 Eakman: And would there be a second to that amendment?  
6  
7 Vasquez: Second.  
8  
9 Eakman: Discussion on the amendment.  
10  
11 Wray: Mr. Chair. I beg your pardon. I didn't catch who made the second.  
12  
13 Eakman: Board Member Vasquez.  
14  
15 J-Burick: Councilor Vasquez.  
16  
17 Wray: Thank you.  
18  
19 Eakman: Would you take a vote on the amendment Ms. Baum.  
20  
21 Rawson: Mr. Chairman.  
22  
23 Eakman: Yes Vice-Chair Rawson.  
24  
25 Rawson: Mr. Chairman. Could you help me with where that amendment is  
26 happening? Okay, but that's in the ...  
27  
28 J-Burick: Public Participation.  
29  
30 Rawson: Right, which is not the motion that we have in front of us because that  
31 would be item 7.1 which we would probably need to go back and  
32 reconsider, but that wouldn't have anything to do with the Title VI Plan.  
33  
34 Eakman: I believe you are right Vice-Chair Rawson. Would you like to withdraw  
35 your motion Miss Johnson-Burick?  
36  
37 J-Burick: Yes. I withdraw.  
38  
39 Eakman: Yes. And Board Member Vasquez would you like to remove your second?  
40  
41 Vasquez: Yes.  
42  
43 Eakman: That item is no longer on the floor then for this issue. More discussion on.  
44  
45 Wray: Mr. Chair.  
46

1 Eakman: Yes.  
2  
3 Wray: I would just like to say that if the Policy Committee would like for the Public  
4 Participation Plan to come back to this Board for such an amendment staff  
5 can certainly do that at the November meeting if so directed.  
6  
7 Eakman: I'll have a comment on that right after this vote if I might. Are we ready to  
8 vote on this issue? We are. Would you please take the role of the Board?  
9  
10 Baum: First I'll need a motion and a second please.  
11  
12 Barraza: Mr. Chair. I make a motion that we approve resolution, I'm all confused  
13 here, I make a motion that we approve resolution number 18-08.  
14  
15 J-Burick: Mr. Chair. I'm so sorry, but I did have another comment on that one, on  
16 the Title VI Plan.  
17  
18 Eakman: Yes.  
19  
20 J-Burick: Because I missed, yes, all that asterisk, yes. Okay, second.  
21  
22 Eakman: And then would you like to make a comment?  
23  
24 J-Burick: Yes. Okay thank you.  
25  
26 Eakman: So, it is moved by Board Member Barraza, seconded by Board Member  
27 Johnson-Burick.  
28  
29 J-Burick: I was just, had a comment on page 10 of Title VI, towards the very bottom  
30 it says "Title VI complaints may also be filed directly with the following  
31 agencies as stated above." So is that supposed to be "as stated below?"  
32  
33 Wray: Below. Yes.  
34  
35 J-Burick: And then my next, on a follow-up, are we just limited to these two entities  
36 other than going directly to you as in your acting role. We don't have the  
37 New Mexico Human Rights Division listed as somewhere else where  
38 someone could file a complaint. Because they do public accommodation,  
39 housing, etc.  
40  
41 Wray: Mr. Chair, Trustee Johnson-Burick. I will apologize. The New Mexico  
42 Human Rights Commission it's an agency we just didn't think of to add to  
43 this list. That can also certainly be amended into, be added, have their  
44 contact information. Just to provide a little bit more explanation, the  
45 reason why these agencies are added to the conclusion of this list,  
46 absolutely a complaint can be filed through the MPO Officer through which

1 would then, the MPO Officer would then turn that process over to the City  
2 of Las Cruces in the case that the MPO was the one that was held to be  
3 the aggrieving party. The reason why these other agencies are listed is in  
4 case, for whatever reason, the aggrieved party does not have confidence  
5 that their complaint would be handled fairly by the MPO, that's why the  
6 requirement that these additional agencies be added.  
7

8 J-Burick: So, may I make an amendment?  
9

10 Eakman: You may at this time.  
11

12 J-Burick: I would like to make an amendment to the motion that we include the New  
13 Mexico Human Rights Division as part of an agency in which one can file  
14 a complaint in this plan.  
15

16 Eakman: Is there a second to that amendment?  
17

18 Vasquez: Second.  
19

20 Barraza: Mr. Chair. I can make a second Nora Barraza Town of Mesilla.  
21

22 Eakman: Very good. We do have a motion and a second on that amendment. We  
23 will vote on the amendment. Yes.  
24

25 Doolittle: Mr. Chai. Aare we allowed to comment on that before we vote?  
26

27 Eakman: We certainly are.  
28

29 Doolittle: I just have one clarification. So the Trustee brought up on page ten where  
30 it says "as stated above" just for clarification, on page nine it does talk  
31 about filing complaints with the New Mexico DOT, U.S. DOT and so I think  
32 that, although minimal, I think that "as stated above" is actually accurate.  
33

34 J-Burick: That's what I thought initially too, but then I got confused when I saw the  
35 other two entities below.  
36

37 Wray: The intent of the language is referring to the entities below, is the intent of  
38 the statement so the Trustee is correct that that sentence should be  
39 referring to the below listed agencies.  
40

41 Eakman: Does that make sense Mr. Doolittle?  
42

43 Doolittle: I'll agree with that language, but I still think it's a little confusing only  
44 because on page nine the paragraph up above complaint process  
45 overview it specifically says "Title VI Complaints may also be filed directly  
46 with the DOT" and then it lists several agencies within the 180 day period.

1 So, when I read that line, I thought that it was referring to page nine the  
2 direction that it previously gave to file complaints with those agencies. Not  
3 that it and then at the bottom of page 10 and the top of page 11 all that's  
4 doing is clarifying who those complaints go to.  
5

6 Eakman: I understand your point. We have a comment from Vice-Chair Rawson.  
7

8 Rawson: Mr. Chair, thank you. I think that's the reason that it says the following  
9 agencies, and so that's why we list the two agencies there as stated above  
10 referring back. I think the language in there is correct, but I really think  
11 that's almost mute because the motion that was made did not include  
12 changing that language. The motion that's in front of us was only to add  
13 the one other agency and did not change that one word.  
14

15 Eakman: That is correct. That is an excellent clarification. Then can we move  
16 ahead with the amendment and a vote on the amendment. Ms. Baum.  
17

18 Baum: Board Member Barraza.  
19

20 Barraza: I have one question. I'm so sorry. Mr. Chair.  
21

22 Eakman: Yes.  
23

24 Barraza: Just for clarification, I'm getting a little confused here. So, we have an  
25 amendment to add Human Rights Division to what section is that on page  
26 10? Is that on page nine or top of 11? I'm so confused now because on  
27 page nine it does say the "Title VI Complaints may also be filed directly  
28 with" and all those agencies and then on page 10 it says "Title VI  
29 Complaints may also be filed directly with the following agencies as stated  
30 above." Which is it referencing the agencies on Page nine? And then the  
31 agencies that are listed on page 10 and 11 are we adding it to that? So,  
32 where exactly are we adding Human Rights Division is my question for  
33 clarification.  
34

35 Eakman: The intent of the motion was to add it at the bottom of [age 10, top of page  
36 11. That is my understanding. Is that correct?  
37

38 J-Burick: Yes Chair.  
39

40 Eakman: We are supposed to avoid redundancies each and every day and we're  
41 not doing it. So, but can we vote then on the motion.  
42

43 Barraza: I'm ready.  
44

45 Eakman: Yes. Ms. Baum will you poll the Board.  
46

1 Baum: Board Member Barraza.  
2  
3 Barraza: Yes.  
4  
5 Baum: Board Member Hakes.  
6  
7 Hakes: Yes.  
8  
9 Baum: Board Member Doolittle.  
10  
11 Doolittle: Yes.  
12  
13 Baum: Board Member Solis.  
14  
15 Solis: Yes.  
16  
17 Baum: Board Member Vasquez is absent.  
18  
19 Baum: Board Member Johnson-Burick.  
20  
21 J-Burick: Yes.  
22  
23 Baum: Board Member Sorg.  
24  
25 Sorg: Yes.  
26  
27 Baum: Board Member Rawson.  
28  
29 Rawson: Yes.  
30  
31 Baum: Chairman Eakman.  
32  
33 Eakman: Yes. Are we ready to discuss the main motion? We're ready for the vote  
34 Ms. Baum.  
35  
36 Baum: Board Member Barraza.  
37  
38 Barraza: Yes.  
39  
40 Baum: Board Member Hakes.  
41  
42 Hakes: Yes.  
43  
44 Baum: Board Member Doolittle.  
45  
46 Doolittle: Yes.

1  
2 Baum: Board Member Solis.  
3  
4 Solis: Yes.  
5  
6 Baum: Board Member Vasquez is absent. Board Member Johnson-Burick.  
7  
8 J-Burick: Yes.  
9  
10 Baum: Board Member Sorg.  
11  
12 Sorg: Yes.  
13  
14 Baum : Board Member Rawson.  
15  
16 Rawson: Yes.  
17  
18 Baum: Chairman Eakman.  
19  
20 Eakman: Yes. If any of you have a dental appointment you've got to get to now is  
21 the time to declare because we've got a pretty full agenda here. Thank  
22 you for that.  
23  
24 **7.3 Resolution 18-09: A Resolution Amending Transport 2040:**  
25 **Metropolitan Transportation Plan Update**  
26  
27 Eakman: Let us move on to 7.3, Resolution 18-09.  
28  
29 Wray: Thank you Mr. Chair, as this Committee is aware there is an MTP  
30 amendment that has been brought to us by the City of Las Cruces. It  
31 relates to the MPO Truck Route Map. There are four routes that have  
32 been requested by the City of Las Cruces to be deleted from the Truck  
33 Route Map. Those routes are: Main, Picacho to Amador; Water,  
34 Picacho to Amador; Church, Picacho to Amador and Melendres, Picacho  
35 to Main. At their August 21st Meeting the BPAC also recommended an  
36 additional deletion. That deletion being Court, Mesilla to Melendres. This  
37 map will illustrate the reason why these are the main body of the requests  
38 that have been made by the City of Las Cruces. Those deletions would  
39 have left this stub existing on the Truck Route Map connecting to nothing.  
40 For that reason BPAC recommended that this portion of Court here  
41 Mesilla to Melendres be also deleted from the Truck Route Map. MPO  
42 staff concurs with this recommendation from the V-Pac. The BPAC  
43 recommended approval of these amendments at their August 21st  
44 meeting. The Technical Advisory Committee recommended approval of  
45 the amendment at their October 4th meeting.

1 I would like to note that this amendment is in compliance with  
2 requirements laid on this MPO which require 30-day public comment  
3 period for any MTP amendment. That public comment period started on  
4 August 2nd so we are well past that now so I will now stand for any  
5 questions.

6 One final note, and an important one to add, the City of Las Cruces  
7 wants it to be very clearly stated that by deleting these routes they're in no  
8 way intending to make these trucks prohibited, they're just wanting to have  
9 them removed from the map so that it's no longer having the appearance  
10 of being encouraged.

11 I would like to draw the Committee's attention to Mesquite here and  
12 this portion of Alameda here, those routes are trucks prohibited, but the  
13 City is not intending that any of these routes that we are discussing today  
14 that any of them be truck prohibited, just that they cease to appear on the  
15 Truck Route Map. I will stand now for any questions.

16  
17 Eakman: So that we can begin questions and concerns, could I ask for a motion to  
18 approve?

19  
20 Sorg: Move to approve.

21  
22 Eakman: Is there a second?

23  
24 Barraza: Second.

25  
26 Eakman: Very good. We can start questions and discussion now. Board Member  
27 Sorg.

28  
29 Sorg: I only have one real brief question. What size trucks are we talking about  
30 here?

31  
32 Wray: Since no trucks are going to be prohibited any trucks can still go on those  
33 facilities without penalty.

34  
35 Sorg: So it doesn't matter what size truck.

36  
37 Wray: No, no it does not.

38  
39 Sorg: Okay. That's good. I would like to add a few more streets to this list, but I  
40 can't do that so I'll pass.

41  
42 Wray: There can be another process started if the Councilor wishes.

43  
44 Sorg: Okay. Thank you Mr. Chairman.

45  
46 Eakman: Questions or concerns? Vice-Chair Rawson.

1  
2 Rawson: Thank you Mr. Chair, Mr. Wray. Where are you trying to push truck traffic  
3 then? Is that going to Solano and Valley?  
4

5 Wray: Mr. Chair, Commissioner Rawson. That is exactly right. That is, in a  
6 statement from Mr. Terrazas that is in your packet. Yes, he makes the  
7 statement that the City of Las Cruces would prefer to see the truck traffic  
8 traveling north to south on Solano and on Valley. Again I apologize that  
9 we did not get page numbers in this month's packet. That was a staff  
10 oversight.  
11

12 Rawson: Mr. Chairman, Mr. Wray. I appreciate that. The concern that I have of  
13 course is the current condition of Valley. Would it be possible to go ahead  
14 and pass this with an effective date of when Valley is complete and  
15 suitable for truck traffic?  
16

17 Wray: I suppose that is within the power of the Board to grant if they so choose.  
18 I will note though that we are in the process of starting our next MTP,  
19 more on that later, which may very well happen around the time that the  
20 Valley Project is completed so, just a note there for this Committee.  
21

22 Eakman: Vice-Chair Rawson would you like to follow up and see?  
23

24 Rawson: Mr. Chairman, Mr. Wray. I didn't really understand the comment that you  
25 were making there. I know more is coming later, but it would be a little bit  
26 more to help me understand.  
27

28 Wray: The MTP which this map is a part of Metropolitan Transportation Plan  
29 that's the flag ship document of this MPO and we are going to be starting  
30 the public involvement process for that at the end of next month. It will be  
31 about a two-year process for that to be completed. And that is where all  
32 the plans are reviewed by whatever members of the public wish to review  
33 and have input by the jurisdictions, by this Committee. It really is a very  
34 comprehensive process that we go through for these next two years and  
35 this map that we're working on, that was a part of the last MTP update  
36 back in 2015 was adopted through that process and then we are  
37 amending it today.

38 So, my note as far as putting an expiration date or an effective  
39 date on this amendment to it today, my note was that by the time that  
40 Valley is complete we're going to be nearly into the next MTP in any case.  
41 So this discussion would also have a lot of relevance to that next  
42 discussion that we're about to start. Does that explain any better?  
43

44 Rawson: It does. Mr. Chairman what I'm kind of hearing on that though is that this  
45 is a temporary and we really don't want to send temporary traffic over to  
46 North Valley so it almost sounds like we should put off this entire

1 discussion until we come to review the next document. To me it sounds  
2 like if what you're trying to say is we don't want to push truck traffic to  
3 Valley right now, which I know Mr. Doolittle would appreciate that now is  
4 not the right time to close off these and although I think in the long-term  
5 we certainly want to do that, to me what I'm hearing is that I'll have a no  
6 vote on this motion. Thank you Mr. Chair.  
7

8 Eakman: Any other concerns of the Board Members or input? Yes, Board Member  
9 Vasquez.  
10

11 Vasquez: Yes, Mr. Wray or Mr. Doolittle, when do we anticipate the completion of  
12 the full construction of the two-way Church and Water Street conversions?  
13

14 Wray: Mr. Chair, Councilor Vasquez you're asking about the Church and Water  
15 that's a City of Las Cruces project. I believe the intention of that  
16 conversion is to be completed very soon, but I'm afraid I don't know the  
17 specific date. But before the end of this year I believe is the intention by  
18 the City.  
19

20 Vasquez: Thank you. And the reason that I ask is if we don't take action on this until  
21 Valley or until the next MTP is in the planning process that leaves us  
22 Church and Water Street complete with obviously much narrower  
23 intersections now without them being prohibited and that I think causes an  
24 issue for this particular area of town where we're what it looks like is  
25 discouraging the truck traffic there because of the narrowing and two-way  
26 lane conversion of those streets with the additional street parking which I  
27 think causes a pedestrian safety issue. So my concern with putting this off  
28 is that we don't address the two-way street conversions on Water Street  
29 and Church Street and removing those from the map today. It's just my  
30 comment to the Committee. Thank you.  
31

31 Eakman: The Chair is open to more comments at this time. Yes, Vice-Chair  
32 Rawson.  
33

34 Rawson: Mr. Chair just to clarify. The action that's in front of us would not prohibit  
35 truck traffic on those roads. Truck traffic would still be allowed on those  
36 roads it's just no longer designated a truck route so the action today would  
37 not prohibit truck traffic on those roads.  
38

39 Vasquez: Chair if I may.  
40

41 Eakman: Yes.  
42

43 Vasquez: Yes, I do understand that. My concern is that if we don't remove this from  
44 the actual, not that I would prohibit, but we remove it effectively as a viable  
45 truck route from the document that I'm presuming that truck drivers use or  
46 truck companies or I'm not sure as the MTP Plan is widely used by truck

1 drivers today or logistics companies. But I would feel more comfortable  
2 removing those from the map. I guess is what we're voting on is my  
3 understanding. Now because given the near completion of this two-way  
4 street conversion you're narrowing those two streets and I think as it is  
5 today it's already unsafe for truck traffic.

6  
7 Eakman: Thank you. Board Member Sorg.

8  
9 Sorg: Thank you Mr. Chair. Good points by both of you, but keep in mind I  
10 believe for example 17th Street and Motel Boulevard are both truck routes  
11 are they not?  
12

13 Wray: Yes those are on the truck route.  
14

15 Sorg: Those are alternatives to the west of Valley Drive. So it's not like Valley  
16 Drive is going to be a huge hindrance to truck traffic in the temporary  
17 situation. So I would encourage truck not to take the Church and Water  
18 Streets route. I don't think allowing that or encouraging that would make  
19 much difference so I'm okay with this resolution.  
20

21 Eakman: Clarification Mr. Wray. Are we telling truck traffic which routes to use as a  
22 part of this?  
23

24 Wray: Mr. Chair. No, this MPO doesn't have the ability to tell anybody to do  
25 anything. The City of Las Cruces, Doña Ana County, the Town of Mesilla,  
26 in their role as ordinance passing municipalities and/or County  
27 governments can do that. That is what the City of Las Cruces has done  
28 on Mesquite and Alameda. I believe Doña Ana County has a similar  
29 prohibition on Dripping Springs, prohibiting truck traffic out there. I don't  
30 know if the Town of Mesilla has any similar prohibitions on truck traffic.  
31 But this MPO can't prohibit anybody from doing anything.

32 What this map is, this map is informational. The intended audience  
33 of this map while it's certainly is available for public consumption, the  
34 intended audience of this map really is the member jurisdictions of this  
35 MPO for purposes of future planning. So that elected officials and staff in  
36 dealing with freight movements through this MPO area which is a very  
37 important issue not only to deliver freight within this MPO but also as it  
38 traverses the area. To do planning for that freight movement and have a  
39 regionally focused document available as a resource for those jurisdictions  
40 to utilize in those plans so that the individual jurisdiction can see where the  
41 network connects to the neighboring regions. Again, any member of the  
42 public who wishes to review the document is certainly welcome and  
43 encouraged to do so, but really the intended audience of this document is  
44 our member jurisdictions.  
45

1 Eakman: Are there any more questions, concerns or perhaps an amendment to this  
2 resolution before we proceed? Hearing none I believe it is time for a vote  
3 on the resolution Ms. Baum.  
4  
5 Baum: Board Member Barraza.  
6  
7 Barraza: Yes.  
8  
9 Baum: Board Member Hakes  
10  
11 Hakes: Yes.  
12  
13 Baum: Board Member Doolittle.  
14  
15 Doolittle: Yes.  
16  
17 Baum: Board Member Solis.  
18  
19 Solis: Yes.  
20  
21 Baum: Board Member Vasquez.  
22  
23 Vasquez: Yes.  
24  
25 Baum: Board Member Johnson-Burick.  
26  
27 J-Burick: Yes.  
28  
29 Baum: Board Member Sorg.  
30  
31 Sorg: Yes.  
32  
33 Baum: Board Member Rawson.  
34  
35 Rawson: No.  
36  
37 Baum: Chairman Eakman.  
38  
39 Eakman: Yes.  
40  
41 Sorg: Mr. Chairman. Can I make a brief comment?  
42  
43 Eakman: Yes, Board Member Sorg.  
44  
45 Sorg: Related to this resolution is the fact that I know for the many years I've  
46 been involved in City government here we've always had a challenge for

connectivity in this City with all the different streets going all different directions and not making connections all the time and so I appreciate efforts to try to make more connectivity wherever we can. But it's a challenge. Thank you Mr. Chair.

Eakman: Thank you.

## **8. DISCUSSION ITEMS**

### **8.1 Performance Measure Presentation**

Eakman: Then if we could Mr. Wray could we move on to discussion items.

Wray: Thank you Mr. Chair. The next item that we have to present to the Policy Committee today relates to the Performance Measure Targets that this MPO is required to adopt. I do want to advise this Committee at the beginning of this presentation, this presentation is very information intensive. I will try to move through this in the interest of time as I see we're already past two o'clock. I will try to move through this presentation as quickly as possible, but there is a lot of information contained within this presentation. Anyone who has any questions of me, please feel free to stop me, ask for clarification, and we can discuss at that time.

Starting off 23 CFR 490 requires that MPO set Performance Targets in three areas as of right now. This will change. There will be more performance measures that will be coming down, but for this year for the calendar year 2019 and on down these are the three performance measures that the Federal government has handed down to us. They are safety, state of good repair and system performance. I know that this is a familiar topic to this Board because we adopted Safety Targets for the 2018 calendar year last year. The state of good repair and the system performance targets are brand new targets as of this year.

Now safety remains largely unchanged. So I will move through this portion relatively quickly. Still the metrics continue to be number of fatalities rate of fatalities per 100 million VMT number of serious injuries rate of serious injuries per 100 million VMT, and number of non-motorized fatalities and serious injuries. The next couple slides are the targets that NMDOT has set for itself for calendar year 2019. To provide a little bit of context, I've also got the numbers here to compare the performance measures that were adopted last year as well. So the target statement from NMDOT is to limit fatalities to 375 by December 31, 2019. That number for calendar year 2018 which we are not yet completed on so we're still operating under the previously adopted performance target. The number for last year was 364 so unfortunately as stated in DOT's justification statement they do anticipate that there will be a continued increase in fatalities on the roads across the State of New Mexico due to increase VMT, increased exposure etc. Number of serious injuries fortunately is on the decline and compare the target from last year for

1 December 31, 2018, last year the DOT and Mesilla Valley MPO target was  
2 1,219.4. Next year DOT's target is 1,100, which shows DOT is confident  
3 that the rate of serious injuries is continuing to go down. We did have a  
4 very good discussion at the Technical Advisory Committee last week  
5 about this seeming anomaly that fatalities are going up and yet serious  
6 injuries are going down. That is in large part due to improved safety  
7 features in the vehicles that are out on the roads today. Thankfully we are  
8 seeing a significant drop in the rate of serious injuries, but unfortunately if  
9 an accident is going to be fatal it is what it is. I meant to pause after the  
10 last slide, does anyone have any questions about these two metrics? All  
11 right, moving on to fatalities per 100 million VMT, this one DOT anticipates  
12 continuing to be relatively flat over the performance area. The target for  
13 December 31, 2019 is 1.318. The target for this year that was adopted  
14 last year is 1.330 so a slight, slight decrease in the overall rate there which  
15 is good and that is a function of the increased VMT even though the  
16 number of fatalities is anticipated to go up tragically. But the rate of VMT  
17 is actually pulling that rate per 100 million VMT number down slightly.  
18 Does anybody have any questions?

19 Serious Injuries per VMT, this one very fortunately is also going  
20 down along with the absolute number. The rate DOT has adopted for  
21 2019 is 3.825. The target for last year was 4.456, so a significant  
22 anticipated decrease in the rate of serious injuries. Does anyone have  
23 any questions about this metric?

24 And lastly non-motorized, again unfortunately the anticipation is  
25 that this number is going to continue to increase because of increased  
26 exposure. Fortunately, people are cycling and walking more, but  
27 unfortunately this increases exposure and risk and the numbers as you  
28 can see, the absolute numbers the overall trend through 2012 through  
29 2015 was a rather pronounced increase. In 2016 which is the most recent  
30 years for which we have numbers, that number did drop, but NMDOT  
31 does anticipate that that number will again begin to climb. The target  
32 number is 220.6 by December 31, 2019 the target number for December  
33 31, 2018 was 228. So actually a slight improvement if you compare the  
34 metrics that have been, the targets that have been adopted by the DOT  
35 that they are anticipating a little bit of an improvement in that area. This is  
36 the final metric for safety, the recommendation from MPO staff is going to  
37 be that we adopt the State targets again for a lot of the same reasons that  
38 we advocated for that last year. Staff time and resources are very limited.  
39 We don't have the ability really in-house to do the sort of tracking and  
40 reporting that would be required for this MPO to setup an independent  
41 target for this particular performance measure. This concludes this  
42 particular performance measure so I'll pause for questions before moving  
43 on to the next.

44  
45 Eakman: Board Member Hakes.  
46

1 Hakes: Yes Mr. Chair. How do you have a fatality with bicycles or pedestrians?  
2 Is there not a car involved at all? I mean I don't understand that.  
3

4 Wray: Mr. Chair, Commissioner Hakes. Yes, what this metric is, is the  
5 implication is that for all fatalities and I'm sure there could be some sort of  
6 exotic scenario that someone could come up with, but fatalities are  
7 assumed when it come to non-motorized that there was a vehicle  
8 involved.  
9

10 Eakman: Vice-Chair Rawson.  
11

12 Rawson: Thank you Mr. Chair, Mr. Wray. Do we have all of the numbers that  
13 you've given us of course are the State numbers, do we know how the  
14 MPO measures in any of these categories?  
15

16 Wray: Mr. Chair, Commissioner Rawson. It has to be understood unfortunately  
17 that these numbers are always two years in arrears. That's the nature of  
18 the beast. In December, it is the intention of MPO staff to bring a crash  
19 and safety report specific to this area before this Committee and we will  
20 have those numbers for the most recent year for which we have to this  
21 Committee at that time. We are still working on that report as of right now.  
22

23 Rawson: Thank you Mr. Wray. Mr. Chair, Mr. Wray. So like going back to the total  
24 number of fatalities, obviously, or I would think that we know the number  
25 of fatalities here in the MPO area. And what I was looking for is just to see  
26 where we measure in this matrix that the State has put together.  
27

28 Wray: The most recent year we have for certain is 2016. We have 2017  
29 preliminary data. I don't know off the top of my head what our numbers for  
30 those two years were. I don't know if Dr. McAdams who is actually  
31 working on that. Do you have the numbers off the top of your head for  
32 fatalities in the area for 2016/2017?  
33

34 Rawson: Mr. Chair. Of I could.  
35

36 Eakman: Yes.  
37

38 Rawson: And I don't know that we need to have this right now for this meeting, but I  
39 think it would be beneficial to be able to put that information in here and  
40 see if as the State trend is staying relatively flat if we're going up or going  
41 down I would think that would be valuable information for this Committee.  
42

43 McAdams: I can address some of these. I'm still looking at, I don't have the exact  
44 figures, but we are parallel with the trends except for serious injuries,  
45 we're a little bit higher. So, I'm processing/finalizing the data and whether  
46 sort of wait till December to give the full report to the Committee.

1  
2 Eakman: Any follow-up Vice-Chair? I do have one question Mr. Wray. Are these  
3 every roadways in New Mexico or just under the auspices of NMDOT?  
4

5 Wray: These are the numbers from across the entire State.  
6

7 Eakman: So every roadway in the State.  
8

9 Wray: Every fatality, every serious injury etc.  
10

11 Eakman: Very good. Yes, Board Member Vasquez.  
12

13 Vasquez: Thank you Mr. Chair, Mr. Wray. Within the national comparison per capita  
14 is where does New Mexico rank in terms of total fatalities? I don't know if  
15 you know that off the top of your head, but it would be also great to get  
16 that comparison.  
17

18 Wray: Mr. Chair, Councilor Vasquez. I do not know that number off the top of my  
19 head. I anticipate that will be something that will be in the crash report  
20 discussion in December.  
21

22 Vasquez: Okay. I think that would be useful information to include so that we can  
23 evaluate the bench-marks to see if they're in line with what other states  
24 are doing particularly rural states with long stretches of dusty roads just  
25 like ours. Thank you.  
26

27 Eakman: If there's no more question, then we'll move on to the next discussion item.  
28

29 Wray: Thank you Mr. Chair. Again, the state of good repair performance metric  
30 or performance measure handed down by the Federal government this is  
31 the new one for this year. MPOs are responsible for establishing targets  
32 for our areas. Currently, the DOT expects that MPOs will establish targets  
33 for state of good repair every four years. So unlike safety which MPOs  
34 are expected to adopt annual targets currently MPOs would not be  
35 expected to adopt state of good repair targets more than every four years.  
36 I keep on emphasizing currently because my belief is that DOT is  
37 ultimately going to move to wanting MPOs to adopt targets every two  
38 years, but that is not the requirements as of right now, but I just want  
39 everyone to be aware that this may change.  
40

41 There are six performance measures for which the DOT and MPOs  
42 must set targets. These all relate to having percentage of roadways in  
43 good and poor condition on the interstate and non-interstate NHS, in  
44 addition to having percentages of bridges on the NHS in poor and/or good  
45 condition. We have here the specific definitions included in the table at  
46 bottom. I will confess I am not an engineer, I don't know what all of these  
mean. I would defer to Mr. Doolittle who is, if he wishes to add any

1 elaboration defining, but these are the metrics that NMDOT is utilizing to  
2 make the determinations of the state of good repair on the non-interstate  
3 NHS. If a measure is deemed to be poor in more than two of these  
4 metrics at bottom then the roadway segment is classified as poor. The  
5 measurements are also taken on all of the NHS every tenth of a mile.  
6

7 Eakman: Yes Mr. Wray. I do have a question on the condition of bridges. Is that  
8 the paving on the bridges or the total engineering structural condition of  
9 the bridges?  
10

11 Wray: Mr. Chair. It's the total engineering structural condition of the bridge.  
12

13 Eakman: Thank you.  
14

15 Wray: Yes. NMDOT utilized some funding forecast to make their projections out  
16 for the next four years. An encouraging and a discouraging note is while  
17 these numbers do look significant for the pavement and for bridge  
18 maintenance those funds have to be spread across the entire State of  
19 New Mexico. The encouraging note is that these funds are not actually  
20 encompassing all the funds that are available for the maintenance  
21 requirements and processes. There is more money that is available for  
22 the maintenance on the bridges and the pavement than DOT took into  
23 consideration. Problem is nobody knows exactly how much more,  
24 because these monies are basically Federal monies that are utilized and  
25 the monies that were not taken into consideration are State maintenance  
26 monies that are also used on these facilities. But these in general are the  
27 numbers that DOT would look at for their projections.

28 These are the performance measures that DOT has stated for  
29 themselves. DOT and this is part of the reason why I think that MPOs will  
30 ultimately have to adopt targets every two years is that DOT is required to  
31 adopt targets every two years. We, the MPO, will only be asked to adopt  
32 a target for a target year of 2021 rather than 2019.

33 This is a map of the NHS System within the Mesilla Valley MPO  
34 area. There are no NHS facilities, while this map is not inclusive of the  
35 entire MPO area there are no NHS facilities either further to the north or to  
36 the south other than these roadways.

37 There has been some, I don't know if controversy is the right word,  
38 some disagreement as to the exact definition what exactly is on the NHS.  
39 The letter of the regs say that all principle arterials rural and urban are  
40 included on the NHS. State of New Mexico disagrees with that  
41 interpretation and that the roads that you see on the map before you are  
42 the ones that are on the NHS. There is a stewardship agreement in place  
43 between FHWA and NMDOT that gives NMDOT very broad powers to  
44 implement things on behalf of the Federal government within the State of  
45 New Mexico. So for the purposes of the performance measures at least

1 as of right now, the network that you see on the map in front of you is the  
2 one that we will be looking at and considering as the NHS.

3 Now the table that you see here, these are the projected values for  
4 the Mesilla Valley MPO interstate NHS. As you can see for the most part  
5 projected out we will still be making some improvements due to some of  
6 the work that NMDOT is going to be doing to the facilities, but then we'll be  
7 having an anticipated decline from 74% down to 70 in good condition and  
8 an increase in fair by the 2021 metric.

9 The non-interstate NHS, this area is worse than the State average.  
10 We have over 17% anticipated non-interstate NHS roadways that will be  
11 considered to be in poor condition, maintaining a steady 72% in fair and a  
12 slight decline in good. And then these are the current bridge conditions,  
13 again a pretty good overall bridge rating, only 12% is considered to be  
14 poor.

15  
16 Doolittle: I'm sorry. Mr. Chair.

17  
18 Eakman: Yes, Mr. Doolittle.

19  
20 Doolittle: Can I make a point of clarification real quick? On the bridge conditions, I  
21 have some additional information that I received from my staff, but just so  
22 you all know, I'm showing one, two, three, four, five, six bridges listed as  
23 poor for NHS and we've replaced some of those. So for instance, Rumpy  
24 and Union we've replaced those bridges so I actually, Andrew talked about  
25 how good we're doing on the bridge conditions. I expect that number to  
26 even go up more just because within the City limits specifically on the  
27 interstates we've been replacing those for load restriction. So this is one  
28 that I think overall is actually higher than it's showing on his graphs.

29  
30 Eakman: If I might ask Mr. Doolittle, is it public record which bridges in this area are  
31 in poor condition?

32  
33 Doolittle: So the information that I have Mr. Chair it just gives me bridge ID  
34 numbers. So I am working on trying to clarify which ones those are. But if  
35 memory serves me correctly, the only ones that we have within our area  
36 that might be poor are the bridges on I-10 over Cholla just because they're  
37 old steel structures. But I know for a fact that Union Ramp E intersection  
38 at I-10, Valley Drive where the Whataburger area is, the on and off ramps  
39 to El Paso, all of those were recently replaced and those were on the list.  
40 I'll work on trying to find that for you, but I think the only two that we have  
41 possibly are Cholla and I-10.

42  
43 Eakman: Mr. Doolittle we're all friends here. We'd like to know which bridges to  
44 avoid. Thank you.

1 Doolittle: Mr. Chair. Just to clarify, Andrew did talk about the overall condition. A lot  
2 of it has to do with deck area. Typically our substructure is in good shape.  
3 It's the decks that tend to fall apart and we can do things to repair those.  
4 You're not gonna fall off one of our bridges. So, that I will guarantee you.

5  
6 Eakman: Did you get that Ms. Baum? Very good. Mr. Wray.

7  
8 Wray: Thank you Mr. Chair. I do want to make a couple of comments at the end  
9 of this part of the presentation before I open it up to more general  
10 questions. With all due respect to NMDOT, they have struggled mightily  
11 with the development of this particular performance measure. We have  
12 had a number of instances where we have been given one set of data  
13 then a little while later we're given another set of data that is a process  
14 that to my understanding from Jolene just as of last week, they are still  
15 trying to reconcile some things from one set of data within NMDOT to  
16 another.

17 There have been some silos that DOT staff has been trying to work  
18 through throughout this process. Some silos that I think that DOT was not  
19 even aware of existed and there may still be some like that. I will say,  
20 unfortunately, and I will go back to the relevant slide due to the fact  
21 especially when you look at the number of roadways that are in poor  
22 condition on the non-interstate NHS. DOT has requested that this MPO  
23 adopt an independent target from the target in the State. If you want to go  
24 back, or if I can take everyone back to this slide you will note that the final  
25 metric here, percentage of non-interstate NHS pavements in poor  
26 condition their target is 12%. Our anticipated number is 17% and DOT  
27 would appreciate it if this MPO does not end up dragging the performance  
28 metric into non-compliance via attempting to endorse the State's standard.

29 As of right now there really is no additional staff time or resource  
30 burden that would be placed upon this MPO in order for us to adopt an  
31 independent target. Believe me, this was something that we asked and  
32 asked and asked about and were reassured over and over again, but it  
33 also comes down to the fact that there is no member of this MPO staff that  
34 is an engineer. There is no member of this MPO staff that has the tools  
35 available to go out and do the pavement assessments. DOT understands  
36 that. They understand that the reporting and data collection requirements  
37 will still be on the DOT, it's just that they would prefer that this MPO  
38 endorse a target and more conservative target if you will or in the DOT's  
39 eyes a more realistic target as to what the pavement conditions are going  
40 to be going forward and the same thing for the bridges. Although, again,  
41 all due respect to Mr. Doolittle, I don't know if all of the information that you  
42 just relayed to us is in the hands of the DOT staff up in Santa Fe that's  
43 doing the development of this particular metric. So, they will be asking us  
44 to adopt an independent standard with regards to bridges as well. Staff  
45 weighed this, I guess we don't have to give an official recommendation as  
46 of right now since this is not an action item for this Committee today, but

1 staff on the whole does think that since there is really no ability for there to  
2 be any additional staff impact because we cannot go out and do this work.  
3 We don't have the ability to do so. That staff believes it is probably in the  
4 best interest of this MPO that we do adopt an independent standard for  
5 this particular target. But that is obviously at the discretion of this Policy  
6 Board. With all of that being said, this is the end of this portion of the  
7 presentation. So I'll stand for any questions regarding the state of good  
8 repair performance measure.  
9

10 Eakman: Board Member Sorg.

11

12 Sorg: Could you just go back to the previous graph?

13

14 Wray: Previous as in that one or.

15

16 Sorg: No, that one. Thank you I just wanted to see it.

17

18 Wray: I will add that this presentation can certainly be made available to the  
19 Policy Committee if they would like to review it after today's meeting is  
20 over.  
21

22 Eakman: Vice-Chair Rawson.

23

24 Rawson: Mr. Chairman. Thank you. Mr. Chairman, Mr. Wray can you go back to  
25 the map?  
26

27 Wray: Okay.

28

29 Rawson: So, what I'm seeing on here so the NHS is the National Highway System?

30

31 Wray: Yes, that's correct.

32

33 Rawson: We have then on here some National Highway System roads that we are  
34 now saying should not be truck routes. Do we need, what's the process to  
35 go about changing this and is that something we need to change?  
36

37 Wray: Mr. Chair, Commissioner Rawson. As long as the City of Las Cruces  
38 does not attempt to prohibit trucks on those routes then there's not a  
39 problem as far as the NHS is concerned. There would be a problem if the  
40 City of Las Cruces attempted to prohibit trucks on NHS routes. I believe  
41 ultimately, I'm looking at Mr. Doolittle, I believe that would not be allowed.  
42

43 Doolittle: Mr. Chair. That's correct, because again we are not prohibiting.

44

45 Rawson: Thank you Mr. Chairman.

46

1 Eakman: Thank you. Mr. Wray. At a future meeting could you advise us if there is  
2 money in the budget for this MPO to hire its own engineering consultants  
3 to look at the bridges?  
4

5 Wray: Mr. Chair. I don't believe that there is going to be money in the budget for  
6 such a thing.  
7

8 Eakman: Okay. Thank you.  
9

10 Doolittle: Mr. Chair.  
11

12 Eakman: Yes Mr. Doolittle.  
13

14 Doolittle: A couple of comments. I will tell you that although I agree with Andrew I  
15 think when it comes to the bridges as a State collecting the data that's  
16 needed to properly analyze is probably a fair and accurate statement.  
17 I will tell you that I would, I'm going to brag on my bridge engineer  
18 that we have in our District, I would say that he knows our bridges forward  
19 and backward. He understands. He has a bridge preservation program.  
20 He utilizes some of the District money that Andrew was mentioning that's  
21 not Federal funding. I will tell if specifically Andrew, if you're looking for  
22 something for our area, if we'll get with Earl he'll know every bridge  
23 condition. He'll know which one's poor. He'll know why it's poor. He'll  
24 know what we need to do to fix it. He'll have a plan to fix it. So I would  
25 say at least come November when we get ready to vote for these  
26 performance measures, if there's data that you're missing, for the bridges  
27 specifically, let me know and I will get you what you need. Because Earl,  
28 he has spreadsheets that'll tell you what color the concrete is, I mean it's  
29 ridiculous, it's a little overwhelming honestly.  
30

31 Wray: I would actually very much like to take you up on that. Getting the bridge  
32 data specifically was very difficult. In fact, we were editing this  
33 presentation up until this past Monday because we didn't have the bridge  
34 information available to us when we gave this presentation to TAC last  
35 week. So if this MPO is to be expected to adopt an independent target,  
36 which will be the staff's recommendation, I think it is in the best interest of  
37 this MPO that we have as much information, so I would like to take you up  
38 on that offer.  
39

40 Doolittle: Prepare to be overwhelmed.  
41

42 Wray: I will prepare myself.  
43

44 Doolittle: Mr. Chair. One more comment that I have. Andrew if you don't mind  
45 going back to the interstate. Correct. So one thing I just want to point out

1 on this one, so the performance measures or the ratings that Andrew  
2 mentioned earlier were cracking, rutting and.  
3  
4 Wray: Do you want me to go back to the table? Yes.  
5  
6 Doolittle: So on flexible, it's just cracking and rutting. So on the previous graph that  
7 Andrew showed you it showed that we're doing a very good job and I will  
8 tell you when you ride the surface especially on our interstates they're  
9 smooth and they're holding up. They're 50 years old and I think I've  
10 presented to this Board they are falling apart. So, we're doing what we  
11 can to make them safe and drivable, but we're to the point of, it's about  
12 time to start spending major money reconstructing. So the graph, our  
13 performance measures, I will tell you that we're committed to meeting  
14 those, but as a department we're looking at funding to do a study  
15 specifically on I-10 and from Arizona to Texas to determine what we need  
16 to do to start reconstructing because the top surface is not showing you  
17 what's happening underneath and it's on the verge of failing. Very  
18 specifically if you drive from Arizona to Lordsburg it is falling apart in front  
19 of our eyes very literally. So keep in mind that some of these performance  
20 measures, although that's what we're being rated on, they're not telling the  
21 whole picture. So just keep that in mind as we have these discussions  
22 moving forward. And then the other thing I'll commit to the Board is I'll get  
23 Andrew the information that he needs so that come November you have  
24 the most accurate information you have to vote on our performance  
25 measures.  
26  
27 Eakman: Thank you. Board Member Hake.  
28  
29 Hakes: Mr. Chair. I have a question. What does it mean to adopt a standard that  
30 is lower or worse than the State? Does that mean we're settling that we're  
31 okay with that? What do we do about the problem rather than worry about  
32 just lowering our standard?  
33  
34 Wray: Mr. Chair, Commissioner Hakes. That is a valid concern. Unfortunately,  
35 due to the nature of the Federal legislation, the legislation is all stick and  
36 no carrot. So while it could be viewed that adopting a lower standard is  
37 settling, staff would argue quite fervently in fact that given the nature of the  
38 Federal legislation that we're facing, that it is in the best interest of not just  
39 this MPO, any MPO, any Department of Transportation across the nation,  
40 to be very realistic. Take a very sober look at the conditions. Not just on  
41 this performance measure or any of the three that we're going to talk  
42 about today, but as more come down the road, which they will, this  
43 Committee must be aware of that, there will be more of these performance  
44 measures that are going to come down to us over the years, that it is in  
45 the best interests that a very sober look be taken at the conditions and this  
46 is not a good opportunity to exercise ambition. It is probably the best way

1 that staff can say it and it can seem like settling. I certainly understand  
2 and sympathize with that impulse because that was several years ago  
3 when MAP-21 came out and it was apparent that this would start  
4 happening. There was discussion of "Oh we can set these targets and do  
5 well," but there's really no benefit to you doing so where as if you set  
6 ambitious targets and fail you are punished for doing so. I hope that  
7 explains the position of staff with regards to why we have the attitude that  
8 we do.

9  
10 Hakes: What could we do to be equal with the rest of the State? Why would we  
11 be worse?

12  
13 Wray: Mr. Chair, Commissioner Hakes. It's a problem that is decades long.  
14 Again as Mr. Doolittle just elaborated there are problems underneath the  
15 surface of the roads below what is visible to the naked eye that the District  
16 is aware of, that the people from the State office in Santa Fe who are  
17 much greater experts at this sort of thing along with Mr. Doolittle's staff  
18 they can look at things and see while to the lay-person it looks oh it's  
19 great, they can look at it and see oh it's bad. And the fundamental  
20 problem that it comes down to is one of funding. Is there too much to  
21 have to spread the money over? And it just when you run out of dollars it  
22 just you can't spread it any longer. I don't know if Mr. Doolittle wishes to  
23 speak any further on that, but that's fundamentally the reason why.

24  
25 Doolittle: Mr. Chair, Andrew. Basically what Andrew just explained to you is  
26 accurate. The other thing I'll tell you is we as an agency are currently  
27 going through an asset management, and as an agency we're well below  
28 the Federal requirements for our bridge. We've had a very solid bridge  
29 program, it's been a solid scoring system. Our pavements not so much.  
30 We've had a transition the last couple of years where we're trying to get  
31 better at that. So during our asset management discussion we're actually  
32 talking about moving some money from our bridge program to our  
33 pavement program which you may see a drop in the bridge ratings but an  
34 increase in our pavement. And we're doing that because like Andrew  
35 said, there's just not enough money to go around and we have to meet  
36 these performance measures. So there are going to be some sacrifices  
37 even on our end in order to make sure that we meet these performance  
38 measures because he's right, if we don't, there is no incentive. It's a big  
39 stick.

40  
41 Hakes: But why is our area worse than the overall state? That's the question.

42  
43 Doolittle: Andrew, Mr. Chair. Honestly I don't know that that's the case. I can  
44 certainly try to find out to see how we compare to the other MPOs but I  
45 don't know.

1 Hakes: I thought it was said that we were worse than the State overall. So, the  
2 State doesn't want us to adopt the same target that they have because  
3 we're worse. Why would we be worse than the State overall?  
4

5 Wray: Mr. Chair, Commissioner Hakes. I don't know, I don't have access to all  
6 the available data. I just have access to the data which that State through  
7 their pains-taking process was able to assemble. We're not the only MPO  
8 which the State is going to request to adopt independent standards.  
9 Farmington also as well is going to be asked to adopt independent  
10 standards. The reason why Farmington has issues is because of all the  
11 oil and the freight of shipping the oil in the area just beats the roads up in  
12 northwestern New Mexico. And to some extent, my personal belief, and  
13 please understand this is just an uncritical, unanalyzed, and scientific  
14 opinion, but my personal belief is that we have a major international  
15 border immediately to our south which also has a major interstate  
16 east/west connection to Los Angeles down to Houston that goes through  
17 this MPO area with the accompanying freight movements and the  
18 accompanying damage that that does to the roadways in this area.

19 Now that's for the interstate. As far as why the non-interstate NHS  
20 numbers are poor in this area I really couldn't speculate. That would take  
21 a long period of study and I don't know again I would have to defer to Mr.  
22 Doolittle, I don't know if the State necessarily has developed an  
23 explanation as to why the MPOs that are a little below average as far as  
24 the quality, are below average. I don't know that there is really anymore  
25 information that I can get. These are very good questions, I want to say,  
26 but I just don't really have enough information to give what feels to me like  
27 a good answer to them.  
28

29 Doolittle: Mr Chair. If I may.  
30

31 Eakman: Yes Mr. Doolittle.  
32

33 Doolittle: So, I was looking at some information that I had from a previous  
34 presentation. So Santa Fe currently on non-interstate is currently at 17%  
35 poor. Mid-region which is in Albuquerque is at 8%, Farmington is at  
36 13.8% and El Paso I believe was at 2%, but keep in mind El Paso is a little  
37 bit skewed because a lot of their, we don't have a whole lot of non-  
38 interstate NHS routes in the El Paso MPO area. So you're correct,  
39 comparing statewide, which includes our routes as a DOT, this MPO area  
40 is less, but comparing to the other MPOs, granted Santa Fe and Mesilla  
41 Valley are at both 17%, but part of that is the local roads within the  
42 individual entity's jurisdiction not DOT; so Motel, Avenida de Mesilla,  
43 University, Lohman, Amador, Telshor, all of those are non-interstate NHS  
44 routes. So those are determined as part of this calculation of this 17%.  
45 So part of it is coordination with the DOT, but part of it is also, I don't know  
46 where those routes fit in with the City's priority list for instance because

1 they may have non-NHS routes that are just as important if not more so  
2 than those NHS. So a lot of the determination needs to fall on the  
3 priorities of the individual entity as well.  
4

5 Wray: Mr. Chair. If I may. I didn't really want to delve into what I'm about to say  
6 here, but I think given the conversation that's happened it probably  
7 behooves me to do so. But one of the areas which DOT seems to have  
8 struggled is again it gets back to the lack of clarity on the definition of what  
9 is and is not on the NHS which lends itself to a question of what did or did  
10 not DOT actually look at as far as the non-interstate NHS. And again all  
11 due respect to Mr. Doolittle, all due respect to NMDOT, there seems to  
12 have been some very distinct breakdowns in communication between  
13 different parts of NMDOT that were elaborated to me by Jolene over the  
14 past couple of weeks. Because it seems, and again, I have to apologize  
15 I'm not aware of all of what goes on. I haven't seen all of the data that has  
16 or has not been tracked, there's no way for me to know, but Jolene said  
17 that there has been some differences of opinion I guess if you will so what  
18 has been looked at as far as the matrix. It's my understanding that this is  
19 what has been looked at, but I could not say for 100% sure that that is the  
20 network that was looked at to develop those numbers.  
21

22 Eakman: Mr. Wray. We'll look forward to some clarification on that as best as you  
23 and your team are able. Okay?  
24

25 Wray: Thank you Mr. Chair.  
26

27 Eakman: Please continue.  
28

29 Wray: The final performance measure that has been handed down by the  
30 Federal government relates to system performance. There are two  
31 measures that are analyzing system performance by name. There's  
32 percentage of reliable person miles traveled on the interstate and then  
33 percentage of reliable person miles traveled on the non-interstate NHS. I  
34 have to pause at this point again, and this gets back to the Federal  
35 government, I was informed by Jolene last week at our TAC Meeting that  
36 there is as of right now no good definition for the term "reliable person  
37 miles."  
38

39 She did exactly what I see a number of members of the Committee  
40 doing right now sort of putting hands up in the air. But it is a requirement  
41 that this metric have targets established by the DOTs and by the MPOs.  
42 Lastly there is measure for freight movement, the Truck Travel Time  
43 Reliability Index. There are also three measures that are used to assess  
44 the CMAQ, the Congestion Mitigation and Air Quality Program, but those  
45 will not apply to the Mesilla Valley MPO.  
46

47 The DOT utilized three different forecast scenarios to develop their  
48 targets with high growth no-build kind of being the most extreme scenario

1 and then more in line with realistic growth with build and then no-build  
2 scenarios. These are the metrics that NMDOT has put out for themselves,  
3 again this MPO will be asked to establish a performance target for 2021.  
4 As you can see across all three possible scenarios very little change  
5 depending either on really high population growth, no-build or build.

6 And then on the non-interstate NHS system, again very little  
7 change. In fact if you look here along the no-build expected growth line it  
8 stays identical all the way across the board. Then lastly the Truck Travel  
9 Time Reliability Index you can't get more stable than that. No change is  
10 expected regardless of the scenario.

11 The NMDOT target statement is that their target is 95.1% reliable  
12 person miles traveled by 2021, their 2019 is 96.1. Non-interstate reliable  
13 person miles traveled is 90.4 for both 2019 and 2021. And then lastly the  
14 Truck Travel Index is 1.14 for 2019 and 1.15 for 2020.

15 The MPO staff is going to recommend that we adopt the State  
16 targets for the system performance metric, ours are completely in line with  
17 the rest of the State for this measure, so MPO Staff is going to  
18 recommend to this Committee that we adopt the State targets. This MPO  
19 has until November 16th of this year to adopt the targets. The safety  
20 target is a little bit anomalous because it is not required to be done until  
21 February, but MPO Staff would like to establish a practice in this MPO of  
22 adopting all the performance mat the same time of year, because we  
23 believe that will provide more clarity and simplify the burdens of reporting  
24 on staff and on this Committee. And we will be bringing the performance  
25 targets to the Policy Committee at their November meeting. And I will  
26 stand now for any questions.

27  
28 Eakman: If I might Mr. Wray, could you go back to the slide on air quality.

29  
30 Wray: Air quality. We don't have an air quality requirement.

31  
32 Eakman: Well there was a standard there that we're left out of air quality for  
33 whatever reason and according to the metrics Doña Ana County as a  
34 whole is down graded on its health status because of our air quality here.  
35 The measurements there on the U.S. News and World Report survey that  
36 was released earlier this year show that our air quality is eight times worse  
37 than national average. And it seems to me that if anyone is a candidate  
38 for those types of monies for research and what can be done to mitigate  
39 that situation, it would seem like we would be an ideal candidate for that  
40 unlike Las Alamos which their air quality is almost pristine. So I just have  
41 a question that perhaps you can't answer, but I want to make a point of it.  
42 We have a case for being a part of that metric and not being left out of it.

43  
44 Wray: Mr. Chair. I do have a partial answer for that comment. The southern  
45 portion of Doña Ana County is non-attainment for air quality. That portion  
46 of Doña Ana County is within the El Paso MPO. El Paso will have to set

1 performance targets for the three CMAQ and air quality targets. The  
2 northern portion of Doña Ana County is in attainment for air quality, so the  
3 problem area is not this MPO, it is the El Paso MPO that has the problem.  
4 While that does mean that Doña Ana County as a whole is looked at as a  
5 whole entity does have an issue. As far as the division between the  
6 MPOs goes, the problem is held by the EPA to be in southern Doña Ana  
7 County outside the bounds of this MPO. This MPO is in attainment for air  
8 quality.

9  
10 Eakman: I appreciate that explanation. I'm still going to fight on. Thank you. Other  
11 comments? Yes, Councilor Sorg.

12  
13 Sorg: Thank you Mr. Chairman, I would like to add some additional information  
14 to what you just said. The fact of the matter is within the last year and a  
15 half the Texas part of the El Paso MPO has been taken off of the non-  
16 attainment list and is now in attainment whereas the New Mexico part is  
17 still non-attainment due to political actions. Thank you Mr. Chair.

18  
19 Eakman: Other comments and discussion? Hearing none.

20  
21 **8.2 MVMPO 2019 Meeting Calendar Discussion**

22  
23 Eakman: We'll move forward with the last item.

24  
25 Wray: Thank you Mr. Chair. As it is November of 2018 staff historically brings  
26 the next year's meeting calendar to the Committee for their initial review,  
27 excuse me October for potential adoption in November. What you see in  
28 your packet today is a draft meeting schedule for 2019, this is just the  
29 potential calendar, if no changes are made. Mr. Chair did let MPO staff  
30 know that as we did this year, he might like to see the meeting date of the  
31 September Policy Committee adjusted around the Dominici Conference.  
32 This would be the time to have those conversations as to what this  
33 Committee would like the 2019 meeting calendar to look like. So I'll stand  
34 for any comments, questions, direction that the Committee may have.  
35 This is intended to be an action item at the November meeting.

36  
37 Eakman: If there are no comments, we'll take up the discussion then at the  
38 November meeting.

39  
40 Wray: Mr. Chair would you like for us to adjust the September 2019 Meeting date  
41 away from the 11th to a different date around the Dominici Conference or  
42 should we present this calendar as-is to this Committee next month?

43  
44 Eakman: It's always the same week. It's always that second Wednesday and  
45 Thursday of the month of September, so my personal preference would be  
46 to move it one week earlier if that and Labor Day might be when then.

fourth, third, second, first. Labor Day would be the first, the second of the Month? So second of September so if there would be no objection could we make that one change? Hearing no objection, please.

Wray: We'll make that addition the 2019 draft to be added to next month's packet.

Eakman: Very good. It's time for comments.

### **8.3 NMDOT update**

Eakman: It's time for comments. Mr. Doolittle.

Doolittle: Thank you Mr. Chair. I really only have an update on one project; it's the Valley Drive and there really hasn't been much change. We're still continuing to work on Phase 1 which is the southbound section. If you've been through there lately, they are starting to work on the roadway typical sections you're seeing some base course and sidewalk. Our biggest problem is the Hadley intersection. We continue to encounter utilities in that area. Recently found a Sprint line that wasn't supposed to be there and we didn't know about so we're waiting on that to be re-located. But we continue to work on Phase 1 and we are making progress. Earlier in the meeting we were talking about timelines. Just so everybody's aware we started that project on June 25th that's a 340-working day project, which is about seventeen months, so just based on a contractor's schedule we're planning to be finished sometime around December of 2019. But I'll continue to keep you updated as we get ready to move to different Phases. Mr. Chair I hope that you're getting what you need from Ryan. Like I said, he's got your number in big letters on his white board so I understand that you're very interested and I will tell you that I continue to hear comments of appreciation for your involvement. It certainly makes our job a little easier, but if there's anything else that I can do to help let me know. But I'll take any questions.

Eakman: If I might, just let me say that as frustrated as some of the business owners are, they are very complimentary of the contractor. Very complimentary of the contract leader because he's square with them. He never tries to run away from an answer. He's right there for them up front and they can rely on what he has to say. So they don't like the answers, that's for sure, but they certainly understand they're hearing it exactly and this construction company I wish could get all of our business. Because they keep to their time commitments and they keep things going and our City departments enjoy the candor that goes with that. We have representatives of about five departments working hand in hand with the project and I just wish we weren't running into things we don't know about, but I guess that's what happens when you renovate. Any other

1                    comments? Does any member of the Policy Board have a comment  
2                    today?  
3  
4     Solis:           Mr. Chair.  
5  
6     Eakman:        Yes.  
7  
8     Solis:           I just want to say congratulations to Andrew. And you've done a fine job  
9                    and we thank you for answering all our questions to the best of your ability  
10                   and I just want to congratulate you on your Interim term.  
11  
12    Wray:            Thank you Madam Commissioner.  
13  
14    Eakman:        Excellent. Vice-Chair Rawson.  
15  
16    Rawson:        Mr. Chair. Would you entertain a motion to reconsider Item 7.1 so we can  
17                    change that three-day to 72 hours?  
18  
19    Eakman:        I would re-open that yes.  
20  
21    Rawson:        I'll make a motion to reconsider Action Item 7.1 Resolution 18-07  
22                    Resolution adopting the Mesilla Valley MPO Public Participation Plan.  
23  
24    Eakman:        Is there a second?  
25  
26    J-Burick:        Second.  
27  
28    Eakman:        Very good. Will we have to amend that motion or will that take care of it in  
29                    your opinion Vice-Chair Rawson?  
30  
31    Rawson:        Mr. Chairman. I believe that now puts item, we would need to take a vote  
32                    and that will allow us to come back to item 7.1 and make an amendment.  
33  
34    Eakman:        Excellent. We will do that at this time if there are no objections. Ms.  
35                    Baum will you take the role.  
36  
37    Baum:            Certainly. Board Member Barraza.  
38  
39    Barraza:        Yes.  
40  
41    Baum:            Board Member Hakes.  
42  
43    Hakes:           Yes.  
44  
45    Baum:            Board Member Doolittle.  
46

1 Doolittle: Yes.  
2  
3 Baum: Board Member Solis.  
4  
5 Solis: Yes.  
6  
7 Baum: Board Member Vasquez.  
8  
9 Vasquez: Yes.  
10  
11 Baum: Board Member Johnson-Burick.  
12  
13 J-Burick: Yes.  
14  
15 Baum: Board Member Sorg.  
16  
17 Sorg: Yes.  
18  
19 Baum: Board Member Rawson.  
20  
21 Rawson: Yes.  
22  
23 Baum: Chairman Eakman.  
24  
25 Eakman: Yes. And now could I hear a motion on this issue.  
26  
27 J-Burick: So moved.  
28  
29 Eakman: Would you feel comfortable stating the motion?  
30  
31 J-Burick: Absolutely. If I can recall it. No I would like to make an amendment to  
32 change in the Public Participation Policy Manual the three-day time notice  
33 to concur to 72 hours as per the Open Meetings Act.  
34  
35 Eakman: Thank you. Is there a second?  
36  
37 Rawson: Mr. Chairman. I second that move to approve of the Participation Plan  
38 with that amendment.  
39  
40 Eakman: Discussion on the amendment? Hearing none. Would you poll the  
41 Board?  
42  
43 Baum: Board Member Barraza.  
44  
45 Barraza: Yes.  
46

1 Baum: Board Member Hakes.  
2  
3 Hakes: Yes.  
4  
5 Baum: Board Member Doolittle.  
6  
7 Doolittle: Yes.  
8  
9 Baum: Board Member Solis.  
10  
11 Solis: Yes.  
12  
13 Baum: Board Member Vasquez.  
14  
15 Vasquez: Yes.  
16  
17 Baum: Board Member Johnson-Burick.  
18  
19 J-Burick: Yes.  
20  
21 Baum: Board Member Sorg.  
22  
23 Sorg: Yes.  
24  
25 Baum: Board Member Rawson.  
26  
27 Rawson: Yes.  
28  
29 Baum: Chairman Eakman.  
30  
31 Eakman: Yes. Thank you so much for your participation today  
32

## 33 9. COMMITTEE AND STAFF COMMENTS

34  
35 Eakman: Does staff have any comments?  
36  
37 Wray: Yes Mr. Chair. Thank you. As I alluded to earlier in the meeting we will  
38 be starting the Metropolitan Transportation Plan public involvement  
39 process. Staff is currently eyeing having meetings in the last week of  
40 November and in the early part of December, just as an initial kickoff.  
41 Staff anticipates that this process will stretch across several months into  
42 the first half of next year. While staff does intend to have meetings  
43 especially at the beginning kind of flying the MPO banner of these are our  
44 meetings, the intention of staff throughout this public involvement process  
45 is a bit different from the last time. We really would like to have more of  
46 an emphasis on having the opportunity to go to other organizations

1 meetings and speak to them rather than expecting people to come to us.  
2 So while we certainly will have some meetings, the emphasis this time  
3 around is going to be less on our own meetings and more on trying to go  
4 out and speak to people where they are.

5 You can expect that MPO staff will be contacting your jurisdictions.  
6 We certainly have every interest in and know the City Councilors have  
7 District meetings certainly have every interest if the Councilors want to  
8 have us of course, in speaking to the District meetings. Also same for the  
9 County Commissioners meeting with their constituents. Town of Mesilla, I  
10 know we went and spoke to the Town Board several times and to the  
11 County Commission and also to the City Council. We intend to do that  
12 again. But this is going to be a long process, also it's going to be over a  
13 couple of years. We intend on having three public involvement phases.  
14 This initial one that we're about to begin in a couple months. Then a  
15 second round that's going to be more focused taking in the input that  
16 we've received from the public and from our member jurisdictions, honing  
17 that and then finally a third public involvement process where staff  
18 basically presents the plan to the public saying "This is what we've heard.  
19 This is what our jurisdictions want to do. This is the plan," and then  
20 ultimately bringing it to this Policy Committee for their adoption in 2020.  
21 So MPO Staff has a lot of work ahead of us in the immediate and medium  
22 term.

23 Moving on to the next thing TAP and RTP those open-call for  
24 projects have closed. We will be taking the TAP and RTP applications, we  
25 received four. We'll be taking that to the BPAC next week, then to TAC  
26 the beginning of the next month, and then we'll be bringing those to this  
27 Committee for their approval to submit to NMDOT in November.

28 Then lastly, the open call for projects for CMAQ money has not  
29 closed yet, but due to the requirements of having a project feasibility  
30 meeting with NMDOT, if there's any jurisdiction that has not expressed an  
31 interest or started an application process to get that done you have to do it  
32 right now or there's not going to be time to get that in, because the close  
33 for that is November the 1st to get it in to Staff or we won't be able to  
34 accept it to get it through our committee process and then to DOT in time.  
35 So if any Committee Members have any questions about those items.

36  
37 Eakman: I'm hearing none Mr. Wray.

38  
39 Wray: Thank you Mr. Chair.

40  
41 Eakman: Mr. Nichols, did you have a comment?

42  
43 Nichols: Mr. Chairman and Members of the Committee. Larry Nichols Community  
44 Development. Just as a point of information and for the good of the order.  
45 The Active Transportation Plan that has been an item of study and

1 research will be coming before the City Council for adoption on October  
2 the 15th our next regular scheduled City Council Meeting.

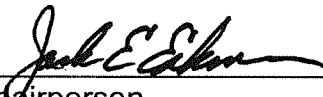
3  
4 Eakman: Thank you. And Mr. Wray can you tell us if we need to bring our jammies  
5 to future meetings or if this was an anomaly?

6  
7 Wray: I certainly hope that this was an anomaly. I would like to apologize to you  
8 Mr. Chair and to the Committee as a whole that this meeting took so long.  
9 I knew it was going to be a long one, but this was a bit longer than even I  
10 had anticipated.

11  
12 **10. PUBLIC COMMENT**

13  
14 **11. ADJOURNMENT (2:58 PM)**

15  
16 Eakman: Hearing no objection, we stand adjourned.

17  
18  
19  
20   
21 \_\_\_\_\_  
22 Chairperson