



**Mid-Region Council of Governments  
Metropolitan Transportation Board's  
TRANSPORTATION COORDINATING COMMITTEE**

Friday, June 5, 2020  
1:30 p.m. – 3:00 p.m.

Luke Smith, *Chair*

Richard Meadows, *Vice Chair*

**AGENDA**

**Meeting held via teleconference due to public health emergency. Call-in information below.**

**Call to Order**

*A roll-call of those in attendance will be done. The presence of a quorum will be noted.*

Tab 1      **Approval of the June 5, 2020 Agenda**

Tab 2      Approval of March and April 2020 Action Summaries deferred until public health emergency is over. The May meeting was cancelled.

**PUBLIC COMMENT AND REPORTS**

Tab 3      **Public Comments**

Anyone who wishes to address the TCC must call-in and identify themselves.

Tab 4      **Reports**

    ♦ **Staff**

**ACTION ITEMS**

Tab 5      **Amending the FFY 2020-2025 Transportation Improvement Program (TIP)**  
R-20-04 MTB

Tab 6      **Approval of the UPWP (Unified Planning Work Program)**  
R-20-05 MTB

Tab 7      **Approval of Open Meetings Resolution**  
R-20-06 MTB

**NOTES**

**Next Meeting:**    Friday, July 9, 2020 1:30 p.m. - 3:00 p.m.  
Mid-Region Council of Governments  
809 Copper Ave. N.W.  
(505) 724-3616

*Anyone requiring special accommodations is requested to notify the MRCOG office at (505)247-1750 seven (7) days prior to the meeting or e-mail bthomas@mrcog-nm.gov.*

Mrcog Zoom8 is inviting you to a scheduled Zoom meeting.

Topic: MRMPO June 5th TCC Meeting

Time: Jun 5, 2020 01:30 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/93648487110?pwd=NEhTbVl3NDFuOFhpc3N2WDFsbjJ5Zz09>

Meeting ID: 936 4848 7110

Password: 000108

One tap mobile

+12532158782,,93648487110#,,1#,000108# US (Tacoma)

+13462487799,,93648487110#,,1#,000108# US (Houston)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)  
+1 669 900 6833 US (San Jose)  
+1 301 715 8592 US (Germantown)  
+1 312 626 6799 US (Chicago)  
+1 929 436 2866 US (New York)

Meeting ID: 936 4848 7110

Password: 000108

Find your local number: <https://zoom.us/j/93648487110>

Join by Skype for Business

<https://zoom.us/skype/93648487110>

**R-20-04 MTB**  
***Amending the***  
***FFY 2020-2025 Transportation Improvement Program (TIP)***

Background: The requests for amendments to the current Transportation Improvement Program (TIP), for the AMPA come from various entities. These amendments to the TIP have been requested as part of the quarterly amendment cycle.

MPO Staff Recommendation: **All proposals meet the qualifications for a TIP Amendment and are consistent with *Connections 2040 Metropolitan Transportation Plan (2040 MTP)*.**

Public Comment:

**The amendment has been posted for the MPO's 15-day public review period. Any comments received will be presented at the meeting.**

TPTG Recommendation:

**This amendment was reviewed at the last meeting of the TPTG and the amendment is recommended for approval.**

1 RESOLUTION

2 of the

3 METROPOLITAN TRANSPORTATION BOARD

4 of the

5 MID-REGION METROPOLITAN PLANNING ORGANIZATION

6 Division of the

7 MID-REGION COUNCIL OF GOVERNMENTS OF NEW MEXICO

8 (R-20-04 MTB)

9 **AMENDING THE FFY 2020-2025 TIP**  
10 **TO ACCOMMODATE VARIOUS CHANGES**  
11

12 WHEREAS, the FFY 2020-2025 Transportation Improvement Program (TIP) is  
13 the TIP for the Albuquerque Metropolitan Planning Area (AMPA) and has been  
14 reviewed for conformity in conjunction with the *Futures 2040, Metropolitan*  
15 *Transportation Plan* and became effective October 1, 2019; and

16 WHEREAS, the TIP must contain all federally-funded transportation projects in  
17 the metropolitan transportation planning area prior to the distribution of funds to those  
18 projects; and

19 WHEREAS, the TIP must contain all regionally significant projects in the  
20 metropolitan transportation planning area regardless of the source of funding; and

21 WHEREAS, the TIP may be revised in accordance with 23 CFR part 450.328.

22 NOW THEREFORE BE IT RESOLVED by the Metropolitan Transportation Board  
23 of the Mid-Region Metropolitan Planning Organization, a division of the Mid-Region  
24 Council of Governments of New Mexico, that the FFY 2020-2025 TIP for the  
25 Albuquerque Metropolitan Planning Area is revised to reflect the changes as set out in

26 ATTACHMENT A.

27 AND BE IT FURTHER RESOLVED, the Metropolitan Transportation Board, in  
28 accordance with 23 CFR 450.336, certifies that the transportation planning process is  
29 being conducted in accordance with all applicable requirements of:

- 30 a). fiscal constraint required in 23 CFR 450;
- 31 b). 23 U.S.C. 134 and 135, 49 U.S.C. Section 5303 through 5306 and 5323(1)  
32 and 23 U.S.C. 450.220;
- 33 c). Sections 174 and 176(c) and (d) of the Clean Air Act as amended (42 U.S.C.  
34 7504, 7506(c) and (d) and 40 CFR part 93;
- 35 d). Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and  
36 49 CFR part 21 and the Title VI assurance executed by each State under  
37 23 U.S.C. 324 and 29 U.S.C. 794;
- 38 e). 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed,  
39 national origin, sex, or age in employment or business opportunity;
- 40 f). Section 1101(b) of the Transportation Equity Act for the 21<sup>st</sup> Century (Pub. L.  
41 105-178) regarding the involvement of Disadvantaged Business  
42 Enterprises in FHWA and FTA funded planning projects (Sec. 105(f),  
43 Pub. L. 97-424, 96 Stat. 2100; 49 CFR, Subtitle A, Part 26);
- 44 g). 23 CFR part 230, regarding the implementation of an equal employment  
45 opportunity program on Federal and Federal-aid highway construction  
46 contracts;
- 47 h). The provisions of the Americans with Disabilities Act of 1990 (Pub. L. 101-  
48 336, 104 Stat. 327, as amended) and U. S. DOT implementing regulation;
- 49 i). The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting

- 50 discrimination on the basis of age in programs or activities receiving  
51 Federal financial assistance;
- 52 j). Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based  
53 on gender; and
- 54 k). Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR  
55 part 27 regarding discrimination against individuals with disabilities;
- 56 l). The provision of 49 U.S.C. Part 20 regarding restrictions on influencing certain  
57 activities;
- 58 m). 23 CFR 490, Final Rule on the Highway Safety Improvement Program;
- 59 n). 23 CFR 490 Subpart C, National Performance Management Measures for  
60 Assessing Pavement Condition;
- 61 o). 23 CFR 490 Subpart D, National Performance Management Measures for  
62 Assessing Bridge Condition;
- 63 p). 23 CFR 490, Final Rule on System Performance, Freight, and Congestion  
64 Mitigation Air Quality (CMAQ);
- 65 q). 49 CFR 625, Transit Asset Management; and
- 66 r). 23 CFR 450.326(d), Linking the TIP to the MTP and Performance Targets.

67 PASSED, APPROVED, AND ADOPTED this 19<sup>th</sup> day of June 2020 by the  
68 Metropolitan Transportation Board of the Mid-Region Metropolitan Planning  
69 Organization, a division of the Mid-Region Council of Governments of New Mexico.

70  
71 \_\_\_\_\_  
72 ATTEST: Jack Torres, Chairperson  
73 Metropolitan Transportation Board

74 \_\_\_\_\_  
75 Dewey V. Cave  
76 Executive Director, Mid-Region Council of Governments  
77 Executive Director, Mid-Region Metropolitan Planning Organization

***R-20-05 MTB  
Unified Planning Work Program  
for Transportation Planning  
for the Albuquerque Metropolitan Planning Area  
for Federal Fiscal Years 2021 and 2022***

**Action Requested**

Approval of the Unified Planning Work Program (UPWP).

**Background**

Federal laws and regulations require an annual or biannual Unified Planning Work Program (UPWP) for the Albuquerque Metropolitan Planning Area that describes current transportation planning activities and those scheduled for the coming fiscal year. Estimates of the planning funds expected to be available, as well as money for UPWP programs funded through other sources are included in the UPWP document.

The resolution takes the following actions:

- adopts the UPWP for both FFY 2021 and FFY 2022
- authorizes the MPO Administrator and MRCOG Executive Director
  - to submit the final UPWP to the New Mexico State Department of Transportation, the Federal Highway Administration and the Federal Transit Administration
  - to execute the required contracts necessary to implement the UPWP

The UPWP has been posted for agency and public review and comment. Comments were addressed and minor revisions were made (typos and clarification).

**Staff Recommendation**

The MPO Administrator recommends adoption of this UPWP.

1 RESOLUTION

2 of the

3 METROPOLITAN TRANSPORTATION BOARD

4 of the

5 MID-REGION METROPOLITAN PLANNING ORGANIZATION

6 division of the

7 MID-REGION COUNCIL OF GOVERNMENTS OF NEW MEXICO

8 (R-20-05 MTB)

9 **ADOPTING THE UNIFIED PLANNING WORK PROGRAM (UPWP) FOR TRANSPORTATION**  
10 **PLANNING IN THE ALBUQUERQUE METROPOLITAN PLANNING AREA FOR**  
11 **FEDERAL FISCAL YEARS 2021 AND 2022**  
12

13 WHEREAS, the Mid-Region Council of Governments (MRCOG) is the designated  
14 Metropolitan Planning Organization (MPO) for the Albuquerque Metropolitan Planning Area  
15 (AMPA); and

16 WHEREAS, the Mid-Region Metropolitan Planning Organization (MRMPO) is a division  
17 of MRCOG established to conduct all metropolitan planning activities under 23 CFR 450; and

18 WHEREAS, the Metropolitan Transportation Board (MTB) is the governing body for the  
19 Mid-Region Metropolitan Planning Organization; and

20 WHEREAS, federal laws and regulations require an annual or biannual Unified Planning  
21 Work Program that describes current transportation planning activities and those scheduled for  
22 the coming fiscal period; and

23 WHEREAS, the NMDOT and the state's metropolitan planning organizations have  
24 agreed to develop two-year work programs; and

25 WHEREAS, a UPWP for FFY 2021 and 2022 has been prepared by the MPO staff in  
26 cooperation with representatives of various agencies including the New Mexico Department of  
27 Transportation, the City of Albuquerque Transit Department and the Rio Metro Regional Transit  
28 District; and



29 WHEREAS, the subject UPWP has been reviewed by the Metropolitan Transportation  
30 Board's Transportation Coordinating Committee; and

31 WHEREAS, the MTB is responsible for all policies, budget, and related work programs  
32 of the Mid-Region Metropolitan Planning Organization, including the UPWP for transportation  
33 planning in the AMPA,

34 NOW, THEREFORE BE IT RESOLVED by the Metropolitan Transportation Board of the  
35 Mid-Region Metropolitan Planning Organization that:

36 1. The Unified Planning Work Program (UPWP) for Federal Fiscal Years 2021 and 2022  
37 is adopted.

38 2. The MPO Administrator of the Mid-Region Metropolitan Planning Organization is  
39 authorized to submit the final Unified Planning Work Program to the New Mexico Department of  
40 Transportation and the U.S. Department of Transportation's Federal Highway Administration  
41 and Federal Transit Administration.

42 3. The Executive Director of the Mid-Region Council of Governments is authorized to  
43 execute the required contracts necessary to implement the Unified Planning Work Program for  
44 the Albuquerque Metropolitan Planning Area.

45 PASSED, APPROVED, AND ADOPTED this 19<sup>th</sup> day of June 2020 by the Metropolitan  
46 Transportation Board of the Mid-Region Metropolitan Planning Organization, a division of the  
47 Mid-Region Council of Governments of New Mexico.

48  
49 ATTEST: \_\_\_\_\_  
Jack Torres, Chairperson  
Metropolitan Transportation Board  
50  
51 \_\_\_\_\_  
52 Dewey V. Cave  
53 Executive Director Mid-Region Council of Governments  
54 Executive Director, Mid-Region Metropolitan Planning Organization

1 RESOLUTION

2 of the

3 METROPOLITAN TRANSPORTATION BOARD

4 of the

5 MID-REGION METROPOLITAN PLANNING ORGANIZATION

6 Division of the

7 MID REGION COUNCIL OF GOVERNMENTS OF NEW MEXICO

8 (R-20-06 MTB)

9 **OPEN MEETINGS RESOLUTION**

10 WHEREAS, the Metropolitan Transportation Board is the governing body of the  
11 Mid-Region Metropolitan Planning Organization, a division of the Mid-Region Council of  
12 Governments; and

13 WHEREAS, Section 10-15-1(B) of the Open Meetings Act (Sections 10-15-1  
14 through 10-15-4 NMSA 1978) states that all meetings of a quorum of members of any  
15 board, commission, administrative adjudicatory body, or other policy making body of  
16 any state agency, any agency or authority of any county, municipality, district, or any  
17 political subdivision, held for the purpose of formulating public policy, including the  
18 development of personnel policy, rules, regulations or ordinances, discussing public  
19 business or for the purpose of taking any action within the authority of or the delegated  
20 authority of any board, commission or other policymaking body are declared to be public  
21 meetings open to the public at all times, except as otherwise provided in the constitution  
22 of New Mexico or the Open Meetings Act. No public meeting, once convened, that is

33 otherwise required to be open pursuant to the Open Meetings Act shall be closed or  
34 dissolved into small groups or committees for the purpose of permitting the closing of  
35 the meeting; and

36 WHEREAS, Section 10-15-1 (C) allows a public body to provide members of a  
37 public body to participate in a meeting of the public body by means of a conference  
38 telephone or other similar communicating equipment when it is otherwise difficult or  
39 impossible for the member to attend the meeting in person, provided that each member  
40 participating, by conference telephone can be identified when speaking, all participants  
41 are able to hear each other at the same time and members of the public attending the  
42 meeting are able to hear any member of the public body who speaks during the  
43 meeting; and

44 WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the Board of  
45 Directors of the Mid Region Council of Governments (MRCOG) of New Mexico to  
46 determine annually what constitutes reasonable notice of its public meetings; and

47 WHEREAS, Section 10-15-4 of the Open Meetings Act provides that all  
48 provisions of the Open Meetings Act shall be enforced by the attorney general or by the  
49 district attorney in the county of jurisdiction. However, nothing in that act shall prevent  
50 an individual from independently applying for enforcement through the district courts,  
51 provided that the individual first provides written notice of the claimed violation to the  
52 public body and that the public body has denied or not acted on the claim within fifteen  
53 days of receiving it. A public meeting held to address a claimed violation of the Open  
54 Meetings Act shall include a summary of comments made at the meeting at which the  
55 claimed violation occurred; and

56           WHEREAS, Section 10-15-4(c) of the Open Meetings Act provides that the  
57 district courts of the state shall have jurisdiction, upon the application of any person to  
58 enforce the purpose of the Open Meetings Act, by injunction, mandamus or other  
59 appropriate order. The court shall award costs and reasonable attorney fees to any  
60 person who is successful in bringing a court action to enforce the provisions of the Open  
61 Meetings Act. If the prevailing party in a legal action brought under this section is a  
62 public body defendant, it shall be awarded court costs. A public body defendant that  
63 prevails in court action brought under this section shall be awarded its reasonable  
64 attorney fees from the plaintiff if the plaintiff brought the action without sufficient  
65 information and belief that good grounds supported it.

66           NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Transportation  
67 Board, of the Mid-Region Metropolitan Planning Organization, a division of the Mid  
68 Region Council of Governments of New Mexico, that:

- 69           1.     Regular meetings of the Metropolitan Transportation Board, and the  
70                 Transportation Coordinating Committee, shall ordinarily be held as  
71                 established by the individual boards at their last meeting of the calendar  
72                 year. For the purposes of regular meetings, notice requirements are met if  
73                 notice of the date, time, place, and information on how the public may  
74                 obtain an agenda, is placed as a legal notice in newspapers of general  
75                 circulation in the state at least ten (10) days in advance of the meeting  
76                 date. Written notice shall also be mailed to those broadcast stations  
77                 licensed by the Federal Communications Commission and newspapers of  
78                 general circulation which have made a written request of the MRCOG for

- 79 notice of public meetings. A proposed agenda will be posted in the offices  
80 of the MRCOG one week before the meeting, located at 809 Copper Ave.  
81 NW, Albuquerque, New Mexico; and will be available on the MRCOG  
82 website at [www.mrcog-nm.gov](http://www.mrcog-nm.gov) one week before the meeting; and
- 83 2. The final agenda and all supporting documents will be available in the  
84 offices of the MRCOG not less than seventy-two (72) hours prior to the  
85 meeting; and will be posted on the MRCOG website at [www.mrcog-](http://www.mrcog-nm.gov)  
86 [nm.gov](http://www.mrcog-nm.gov) not less than seventy-two (72) hours before the meeting; and
- 87 3. Up to three (3) members of the Metropolitan Transportation Board, and  
88 the Transportation Coordinating Committee, may participate by  
89 conference telephone in any meetings that are held in the MRCOG  
90 Conference Room; and
- 91 4. Special meetings of the Metropolitan Transportation Board, and the  
92 Transportation Coordinating Committee may be called by the Chairman or  
93 a majority of the members upon three (3) days notice. For the purposes of  
94 special meetings, notice requirements shall be met by posting notices in  
95 the offices of the MRCOG. Facsimile notice of such meetings shall be  
96 provided to those broadcast stations licensed by the Federal  
97 Communications Commission and newspapers of general circulation that  
98 have made a written request of the MRCOG for notice of public meetings;  
99 and
- 100 5. Emergency meetings of the Metropolitan Transportation Board, and the  
101 Transportation Coordinating Committee are meetings called under circum-

102 stances which demand immediate action by those boards. Although the  
103 boards would avoid emergency meetings whenever possible, such  
104 circumstances may occasionally arise. Emergency meetings of those  
105 boards may be called by the Chairman or a majority of the members upon  
106 twenty-four (24) hours notice. For the purposes of emergency meetings,  
107 notice requirements shall be met by posting notices in the offices of the  
108 MRCOG. Facsimile notice of such meetings shall be provided to those  
109 broadcast stations licensed by the Federal Communications Commission  
110 and newspapers of general circulation that have made a written request of  
111 the MRCOG for notice of public meetings; and

112 6. Pursuant to Section 10-15-1(H)(I) NMSA 1978, the Metropolitan  
113 Transportation Board, and the Transportation Coordinating Committee  
114 may close a meeting to the public if the subject matter of such discussion  
115 or action is included in Subsection I of the Open Meetings Act, Section 10-  
116 15-1 NMSA 1978. If any such board meeting is closed pursuant to  
117 Section 10-15-1(H)(I) NMSA 1978, such closure:

118 (a) if made in an open meeting, shall be approved by a majority vote of  
119 a quorum of the members of such board and authority for the  
120 closure and subject to be discussed shall be stated in the motion  
121 calling for the vote on a closed meeting. The vote on a closed  
122 meeting shall be taken in an open meeting and the vote of each  
123 individual member is to be recorded in the minutes. Only those  
124 subjects announced or voted upon prior to closure by such board

125                                    may be discussed in a closed meeting; and  
126                                    (b)    if called for when such boards are not in an open meeting, the  
127                                    closed meeting shall not be held until public notice, appropriate  
128                                    under the circumstances, stating the specific provision of law  
129                                    authorizing the closed meeting and subject matter is given to the  
130                                    members and to the general public; and  
131                                    6.    Notwithstanding any provision, the Chairman may establish such  
132                                    additional notice as may be deemed advisable.

133                                    PASSED, ADOPTED, AND APPROVED this 19<sup>th</sup> day of June 2020 by the  
134                                    Metropolitan Transportation Board of the Mid-Region Metropolitan Planning  
135                                    Organization a division of the Mid Region Council of Governments of New Mexico.

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137                                    \_\_\_\_\_  
138                                    Jack Torres, Chairperson  
139                                    Metropolitan Transportation Board

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142                                    ATTEST:

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145                                    \_\_\_\_\_  
146                                    Dewey V. Cave  
147                                    Executive Director, Mid-Region Council of Governments  
148                                    Executive Director, Mid-Region Metropolitan Planning Organization