



# METROPOLITAN TRANSPORTATION BOARD

Friday, April 16, 2021  
10:00 a.m.-11:00 a.m.

809 Copper Avenue N.W., Albuquerque, NM 87102

**Instructions for joining the meeting via Zoom are at the bottom of this page.**

Jack Torres, *Chair*

Cynthia Borrego, *Vice Chair*

## AGENDA

### Call to Order

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

### Approval of Agenda for April 16, 2021

Tab 1

### Approval of Action Summary of March 19, 2021

## PUBLIC COMMENTS AND REPORTS

### Public Comments.

Anyone wishing to address the MTB must join via Zoom.

### Reports

## ACTION ITEMS

There are no Action Items for this agenda.

## DISCUSSION AND INFORMATION ITEMS

Tab 2

### Highway Infrastructure Programs-Coronavirus Response and Relief Supplemental Appropriations Act, 2021

**Adjournment (A motion to adjourn is not necessary.)**

**Next Meeting: Friday, May 21, 2021, 10:00 a.m. - 11:00 a.m.  
MRCOG Board Room or Via Teleconference**

*Anyone requiring special accommodations is requested to notify the MRCOG at (505) 247-1750 or email [bthomas@mrcog-nm.gov](mailto:bthomas@mrcog-nm.gov) seven days prior to the meeting.*

## Zoom link below....

Mrcog Zoom8 is inviting you to a scheduled Zoom meeting.

Topic: April 16 MTB Meeting

Time: Apr 16, 2021 10:00 AM Mountain Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/95823862046?pwd=M045WHBrUlh0VVNMa2t6MDlMSnhFUT09>

Meeting ID: 958 2386 2046

Passcode: 679413

One tap mobile

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+1 669 900 6833 US (San Jose)

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Mid-Region Council of Governments  
**Metropolitan Transportation Board**  
**Action Summary**  
**Friday, March 19, 2021**

**Jack Torres, Chair**

**Cynthia Borrego, Vice Chair**

ORGANIZATION		MEMBER		ALTERNATE
Village of Los Ranchos de Albuq	X	<b>Donald Lopez</b> , Mayor		Ann Simon
Bernalillo County	X	<b>Walt Benson</b> , Commissioner		Brian Lopez
Bernalillo County	X	<b>Debbie O'Malley</b> , Commissioner		Rodrigo Eichwald
Bernalillo County	X	<b>Steven M Quezada</b> , Commissioner		Richard Meadows
City of Albuquerque	X	<b>Isaac Benton</b> , Councilor		Tom Menicucci
		<b>Diane Gibson</b> , Councilor	X	Abigail Stiles
	X	<b>Brook Bassan</b> , Councilor		Tom Menicucci
	X	<b>Cynthia Borrego</b> , Councilor		Susan Vigil
	X	<b>Klarissa Peña</b> , Councilor		
	X	<b>Lan Sena</b> , Councilor		Tom Menicucci
	X	<b>Lawrence Rael</b> , COO		Patrick Montoya
AMAFCA	X	<b>Ron Brown</b> , Board Member		
Albuquerque Public Schools	X	<b>Candy Patterson</b>		Dave Peercy
Town of Bernalillo	X	<b>Jack Torres</b> , Mayor		Troy Martinez
Village of Bosque Farms		<b>Russell Walkup</b> , Mayor		Vacant
Village of Corrales	X	<b>Kevin Lucero</b>		JoAnne Roake
Village of Los Lunas	X	<b>Michael Jaramillo</b>		Erin Callahan
MRGCD	X	<b>Barbara Baca</b>		Karen Dunning
New Mexico DOT	X	<b>David Quintana</b>		
New Mexico DOT		<b>Justin Gibson</b>	X	Jill Mosher
City of Belen		<b>Jerah Cordova</b>	X	Steven Tomita
City of Rio Rancho		<b>Robert Tyler</b> , Councilor		Peter Wells
	X	<b>Greggory Hull</b> , Mayor		Peter Wells
City of Rio Communities	X	<b>Jim Winters</b>		
Rio Rancho Public Schools		<b>Mike Padilla</b>		Sal Maniaci
Cochii Pueblo		<b>Vacant</b>		Other councilmen
Isleta Pueblo		<b>Kathy Trujillo</b>		
Laguna Pueblo		<b>Vacant</b>	X	Sharon Hausam
Sandia Pueblo		<b>Jon Paul Romero</b>		
Sandoval County		<b>David Heil</b> , Commissioner		Mark Hatzenbuhler
Valencia County	X	<b>Nancy Gonzales</b>		Lina Benavidez, Danny Monette
SSCAFCA		<b>Jim Fahey</b>		Dave Gatterman
RMRTD	X	<b>Terry Doyle</b> , Director		Tony Sylvester
Village of Tijeras	X	<b>Jake Bruton</b>		Vacant

**NON-VOTING ADVISORY MEMBERS**

MEMBER		ORGANIZATION		ALTERNATE
Albuq/Bern Cty Air Qual Control Board		<b>Vacant</b>		Vacant
City of Albuquerque Aviation				Jim Hinde
Federal Highway Administration		<b>J. Don Martinez</b> <b>Rodolfo Monge Oviedo</b>		
Federal Transit Administration		<b>Robert Patrick</b>		
Kirtland Air Force Base		<b>Vacant</b>		Susan Leitner
NM State Transportation Commission		<b>Vacant</b>		Vacant
NM Public Schools Facility Authority		<b>Vacant</b>		
NM Construction Industry Division		<b>Vacant</b>		
		<b>NON-VOTING ASSOCIATE MEMBERS</b>		
Santa Ana Pueblo		<b>Nathan Tsosie</b>		
Bernalillo Public Schools		<b>Vacant</b>		Vacant
Santo Domingo Pueblo		<b>Kathy Ashley</b>		

## MRCOG STAFF PRESENT

Steven Montiel, Barbara Thomas, Kendra Montanari, Jacob Wolff

## AGENDA

### Call to Order

The virtual meeting of the MTB was called to order at 10:05 a.m. by Chair Debbie O'Malley, Bernalillo County. Roll call was taken and the persons noted above were present

The presence of a quorum was noted.

### Approval of Agenda for March 19, 2021

#### Action Taken:

Chair O'Malley made a motion to:

#### **APPROVE THE AGENDA FOR MARCH 19, 2021**

The motion was seconded by Cynthia Borrego, City of Albuquerque, and passed unanimously on a roll call vote of 26 in favor and none opposed. See attendance above.

### Approval of Action Summary of December 18, 2020

#### Action Taken:

Steven Tomita, City of Belen, made a motion to:

#### **APPROVE THE ACTION SUMMARY OF DECEMBER 18, 2020**

The motion was seconded by Lan Sena, City of Albuquerque, and passed on a roll call vote of 26 in favor and none opposed. See attendance above.

## PUBLIC COMMENT AND REPORTS

### Public Comments

There were three comments from members of the public. Nancy Montañó voiced her support of the West Side Albuquerque Complete Streets projects as well as the Unser and 98<sup>th</sup> Street project.

Jerry Gallegos said he is supportive of the I-40/Rio Bravo project and the West Side projects.

Luis Hernandez said he supports the West Side projects.

### Reports

◆**Staff** Staff continues to work remotely for the most part.

◆**TCC** The MTB will review the same agenda items that were presented at TCC.

## ACTION ITEMS

## Amending the FFY 2020-2025 TIP (Transportation Improvement Program)

Mr. Montiel presented the TIP (Transportation Improvement Program) amendment saying that the amendment has been posted for the 15-day public review period. The TPTG did not have a recommendation for approval but it was agreed that the TCC and MTB would review the concerns regarding project A300849 and determine if that proposal should move forward with the amendment. The TCC reviewed the amendment at its last meeting and the amendment was modified to remove the City of Albuquerque – DMD request for FFY 2023 Surface Transportation Program – Large urban funds for project A300849 (Albuquerque Complete Streets West). The motion to remove the line item passed on a vote of ten to 6 with four abstentions and is now presented to the MTB as the revised and recommended TIP amendment.

Attachments A and B were the proposed TIP amendment and the TIP amendment summary.

The Proposed TIP Amendment Summary is as follows:

### City of Albuquerque-Department of Municipal Development - 2 TIP amendment proposals

1. **Project A300849 Albuquerque Complete Streets West** - Add \$1,000,000 in local funds in Federal Fiscal (FFY) Year 2022 and \$3,000,000 of unprogrammed Surface Transportation Program funds in FFY 2023.

There was a recommendation to modify project A300849 at the Friday, March 5, 2021 Technical Transportation Committee meeting. The motion was to remove the request for unprogrammed Surface Transportation Program Large Urban funds in FFY 2023 from R-21-01. This motion to modify the amendment passed 10 to 6 with 4 abstentions and is being presented as the recommended TIP amendment to MTB.

2. **Project A302331 West Central Complete Streets** moves FFY 2021 local funds to A300849.

### City of Albuquerque-Parks and Recreation - 1 TIP amendment proposal

1. **Project A301032 Alameda Drain and Second Street Bike and Pedestrian Trail** - adding \$200,000 of state funds and \$2,516,000 of local funds to existing project.

### City of Rio Rancho- 2 TIP amendment proposals

1. **Project A301042 Southern Boulevard Reconstruction Phase 2** is partially removing FFY 2022 Surface Transportation Program funds and moving them to project A302240 Loma Colorado Boulevard Extension.
2. **Project A302240 Loma Colorado Boulevard Extension** is adding FFY 2022 Surface Transportation Program funds and removing the equivalent amount in FFY 2025. This proposal advances the project in the TIP.

### NMDOT District 3 - 7 TIP amendment proposals

1. **Project A300425 NM 6 Pavement Preservation West of I-25** - Partially removing FFY 2021 Surface Transportation Flex funds and adding Private funds in FFY 2021.
2. **Project A301235 US 550 Bridge Rehab** - Adding additional Non-Chargeable

National Highway Program funds to FFY 2021.

3. **Project A301441 NM 14 Slope Erosion Mitigation** – Adds FFY 2021 and 2022 Surface Transportation Flex funds and partially removes FFY 2022 Surface Transportation Rural Funds.
4. **Project A301442 NM 14, NM 536 and Frost Road Intersection Improvements** – Adds FFY 2023 Surface Transportation Flex Funds to existing project.
5. **Project A302201 Albuquerque Metro Planning Area Wide Motorist Assistance Courtesy Patrols** – Removes \$170,880 of Surface Transportation Program funds and moves them to project A302100.
6. **Project A302100 District 3 Pavement Preservation: Interstate 40 West of Coors Boulevard** – Adds FFY 2021 and 2022 National Highway Performance Program funds. Adds FFY 2021 Surface Transportation Program-Flex funds. Adds Surface Transportation Program-Large Urban funds from project A302201. Adds the new National Highway Freight Program funds in FFY 2022. Removes FFY 2022 Surface Transportation Program-Flex funds in FFY 2022 and removes FFY 2023 National Highway Performance Program funds in FFY 2023.
7. **Project A302120 Interstate 40 Canyon Pavement Rehabilitation** – Adds \$6,382,361 of FFY 2023 National Highway Performance Program funds to existing project.

## **NMDOT Central Regional Design – 2 TIP amendment proposals**

1. **Project A301620 NM 337 Bridge Replacement in Chilili, New Mexico** – Adds \$125,773 of FFY 2022 Surface Transportation Program-Rural funds to existing project.
2. **Project A301901 Interstate 25 and Montgomery Boulevard Interchange Reconstruction** – Partially removes FFY 2022 National Highway Performance Program funds and adds FFY 2023 National Highway Performance Program funds from project A302100.

## **Village of Los Lunas – 2 TIP amendment proposals**

1. **Project A301122 Interstate 25 and NM 6 Interchange Beautification Enhancements** – Partially removes FFY 2021 Surface Transportation Program-Rural funds and moves those funds to project A301350.
2. **Project A301350 Southeast Los Lentes Road Improvements** – Adds FFY 2021 Surface Transportation Program- Rural funds from project A301122.

Mr. Montiel said that the amendment before the Board is the revised TCC amendment. He noted that it is rare that there is not consensus and also that an amendment is modified at the TCC. Mr. Montiel said he is reminding the Board where the amendment stands to address confusion.

The MPO staff, he said, has reviewed and vetted all projects to assure their eligibility and that all projects met TIP amendment criteria.

Mr. Montiel then stood for questions.

Lan Sena, City of Albuquerque, voiced her concerns about the Complete Streets West Project and the process by which it was removed.

Mr. Montiel responded that all calls for the quarterly amendments allow agencies to make changes including major financial revisions to a project. Unprogrammed federal funds can be added to a project through the TIP amendment process and must follow approved process identified in the MRMPO TIP Policies and Procedures. Fiscal constraints require that projects cannot be programmed if they are in excess of funds available. Mr. Montiel said he conducts a monthly check on this federal requirement at the monthly TPTG meetings.

Ms. Sena asked if the funds which were moved were available to all agencies and noted that she was told that the movement of the funds in question was “sleight of hand” on the part of the agency requesting the transfer and that it did not follow approved procedures.

Mr. Montiel responded that unprogrammed funds were available for any agency and that the request would have to follow the same process identified in the TIP Policies and Procedures. Mr. Montiel also stated that any request would have to be vetted through the MPO committees and ultimately the MTB for final recommendation just like the request before the MTB.

**Action Taken:**

Ms. Sena made a motion to:

**MOVE THE \$3 MILLION BACK INTO PROJECT A300849 TO MAKE IT WHOLE AS ORIGINALLY SUBMITTED BY CABQ-DMD**

The motion was seconded by Klarissa Peña, City of Albuquerque. The motion failed on a vote of nine (9) in favor, fifteen (15) opposed and one (1) abstention.

Ms. Sena requested information on how this action happened. Mr. Montiel responded that the TCC is a recommending body and that the change which came to the MTB was a result of a TCC recommendation.

Steven Michael Quezada, Bernalillo County, said that although the action in question was done properly, it was done with manipulative intent. He said he does not believe the TCC should have the authority to amend/manipulate what moves forward to the MTB. He believes the decision should be left for elected officials to make the decision.

Chair O'Malley noted that the TCC is an important recommending body and its function has been our process for a long time. It is required to be fair to all. Chair O'Malley said that no procedures have been violated and that the funds should have been made available to all agencies.

Lawrence Rael, City of Albuquerque, said that “the buck stops” with the MTB and the funds should be available to all. The MTB is where policy is made and this is the time and place for discussion about procedures.

Justin Gibson, NMDOT, commented that it is his hope that this kind of misunderstanding will not happen again and that he believes that nothing procedural was done wrong. This situation goes against the cohesion of the TCC/MTB team.

Michael Jaramillo, Village of Los Lunas, said he would like to have had the smaller communities also have access to the funds in question and that they should have been notified that they also could ask for the monies. Staffing levels, he said, make it difficult to move fast with very short notice on availability of funds.

Elias Archuleta, Bernalillo County, asked that the MPO's process for this type of transaction be clarified. Mr. Montiel responded to Michael Jaramillo that the funds in question were earmarked for large urban areas.

Isaac Benton, City of Albuquerque, noted that this an awkward situation and asked what the source of the \$3 million in question is. Mr. Montiel responded that \$2.8 was designated as a buffer for 2023 and some in 2021-22 and that normally, we do not have a large buffer. Also, we do not wish to over-program the TIP.

Rachel Hernandez, representing Ms. Sena thanked Mr. Archuleta for his comments and noted that Mr. Montiel had said the fund sources are reviewed every month for accuracy.

Larry Horan, MRCOG Counsel, was asked about the TVCC being a recommending body and he responded that no final action was taken by the TCC. He said that the process could be reviewed.

Chair O'Malley noted again that the TPTG did not have a recommendation and that the TCC voted not to include the funding. The issue, she said, was availability of funds. Ms. O'Malley said she does not believe this was a fair process.

Mr. Benton asked when the next opportunity for discussion would be and Mr. Montiel said the next TIP amendment would be presented in June 2021. Also, the TPTG will meet several times in the near future.

Mr. Gibson again noted that these funds are for regional projects.

Mr. Montiel presented information about the Project Prioritization Process which chooses the best projects and how that is done. If there is "extra" money available, it is allocated toward advancing unfinished projects. The PPP process is not a static process and changes over time. It is only one of the tools that MRMPPO has to select new projects. There are other tools that the MPO uses as part of project selection as well.

Ms. Candelaria expressed her support for the amendment and Ms. Borrego said the MTB has a charge to work together for the good and it is now clear that nothing wrong was done. She encouraged the vote to proceed.

Jack Torres, Town of Bernalillo, said the process should be fair, open and respectful and an effort should be made to accommodate all of our communities. This misunderstanding has created anger and animosity and there is not a problem with the project itself.

**Action Taken:**

Ms. Sena made a motion to:

**APPROVE THE TIP AMENDMENT AS PRESENTED**

The motion was seconded and passed on a vote of twenty-three (23) in favor and one (1) opposed. There were no abstentions.

Tab 3  
R-21-02 MTB

**Committing Programmed Funds in the FFY 2020-2025 Transportation Improvement Program (TIP) for the Albuquerque Metropolitan Planning Area (AMPA) to Provide Repayment of the Financial Obligation Created for the Design and Construction of A301501 98<sup>th</sup> Street & Gibson Blvd. Intersection Improvements**

Mr. Montiel presented R-21-02 MTB. He explained that Advance Construction (AC) allows a lead agency to proceed with construction (or large-scale design) of a project with non-federal funds sooner than the FFY in which funds are programmed in the TIP/STIP.



Advanced construction allows a lead agency to utilize non-federal funds, up-front, for a project and preserve eligibility for future federal funding for that project. At a later point, in the FFY in which the federal funds are programmed, the federal funds can be obligated for reimbursement of the federal share to the lead agency. This technique allows projects to be implemented that are eligible for federal aid when the need arises, rather than when availability of the federal funds have been programmed.

The following applies:

- The lead agency pays for the construction with the understanding that reimbursement will not occur until the federal funds become available in succeeding federal fiscal years.
- The lead agency assumes financial liability if federal funding is eliminated (by Congress) or the project ceases to be eligible to receive federal-aid.
- All federal design criteria, environmental documentation, certifications, procurement procedures, and other project level requirements remain in effect.
- AC requires a lead agency to secure a commitment that federal funds programmed in the TIP/STIP remain programmed for the project. However, the category of federal funding may be subject to change by the MPO and/or NMDOT.
  - A funding commitment from the policy board of the metropolitan planning organization (see sample resolution) for projects located within a metropolitan planning area.
  - The governing body of the jurisdiction shall provide a resolution or letter committing non-federal funds to pay for the advance construction of the project with reimbursement in subsequent federal fiscal years, and with an acknowledgement the jurisdiction assumes financial liability in the event federal funding is eliminated and/or the project ceases to be eligible for federal-aid.
- The programming of federal funds may be rescheduled upon concurrence of both the MPO and the jurisdiction. (Ex. moving funds to manage the TIP and/or match the project's development timeframe.)
- The Local Government Agreement (LGA) must reflect the advance construction of the project.

This a procedural item and has been reviewed by the TPTG and the TCC.

**Action Taken:**

Greggory Hull, City of Rio Rancho, made a motion to:

**APPROVE R-21-02 MTB AS PRESENTED**

The motion was seconded by Mr. Rael and passed unanimously on a vote of 26 in favor and none opposed. See attendance sheet above.

## DISCUSSION AND INFORMATION ITEMS

Tab 4      **Highway Infrastructure Programs – Coronavirus Response and Relief Supplemental Appropriations Act, 2021**

Mr. Montiel presented this information item which explains how Covid 19 supplemental funds can be used. He noted that the funds need to be obligated by 2024 and be shovel ready. No match is required. Projects will go through the TPTG and the TCC to ensure fairness. Mr. Montiel said the TIP will be reviewed for projects needing funds to be made whole. They will then be presented to the MTB.

Mr. Rael asked if, given the previous conversation regarding funding, the Board can have a conversation about this new funding opportunity to avoid the type of conversation just held by the Board.

Mr. Montiel noted that a project can have different funding sources.

Ms. Sena asked if a call for projects will be sent out following this meeting. Mr. Montiel said there could be but would recommend looking at existing needs first. Mr. Montiel made a recommendation to take the COVID Relief Funds and unprogrammed Reserve STP-Large Urban funds back to the committee level (TPTG and TCC) to present a recommendation to the MTB from the MPO staff, TPTG, and TCC in April.

Tab 5      **Review of Revisions to the Community Engagement Committee Charter**

Due to the lengthy discussion of the previous agenda items, this discussion was postponed until the April or May MTB meeting.

### **Adjournment**

The March 19, 2021 meeting of the Metropolitan Transportation Board was adjourned at 12:47 p.m.

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Jack Torres, Chair  
Metropolitan Transportation Board

ATTEST:

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Dewey V. Cave, Executive Director

Mid Region Metropolitan Planning Organization Draft Programming Scenario for Unprogrammed STP-Large Urban and COVID Relief Funds

Date: April 6, 2021

Lead Agency	Project Name	Control Number	Fund Source	FFY 2021	FFY 2022	FFY 2023	FFY 2024	FFY 2025	Total
Bernalillo County Public Works	NM 500 Rio Bravo Blvd & 2nd St Intersection Improvements	A300942	COVID Relief	\$0	\$0	\$3,500,000	\$0	\$0	\$3,500,000
Bernalillo County Public Works	Bridge Blvd and Tower Rd Reconstruction Phase 2	A300504	COVID Relief	\$0	\$1,500,000	\$0	\$0	\$0	\$1,500,000
City of Albuquerque-DMD	Albuquerque Complete Streets-West	A300849	STP-Large Urban	\$0	\$0	\$3,000,000	\$0	\$0	\$3,000,000
City of Albuquerque-DMD	ITS - Albuquerque Traffic Management Systems - Louisiana Blvd, Indian School Rd & Americas Pkwy	A300759	COVID Relief	\$600,000	\$0	\$0	\$0	\$0	\$600,000
City of Albuquerque-DMD	Unser Blvd Gap Widening Phase 2	A300304	STP-Large Urban	\$0	\$0	\$0	\$900,000	\$2,500,000	\$3,400,000
City of Rio Rancho	NM 347 (Paseo del Volcan) and Broadmoor Blvd Intersection Improvements	A301753	COVID Relief	\$0	\$0	\$150,000	\$0	\$0	\$150,000
City of Rio Rancho	Westside Blvd Bike/Ped Path	A301052	COVID Relief	\$460,000	\$0	\$0	\$0	\$0	\$460,000
NMDOT	I-25 and Gibson Interchange	A301891	STP-Large Urban	\$0	\$0	\$1,773,409	\$610,932	\$602,727	\$2,987,068
Rio Metro	Commuter Rail: Centralized Traffic Control	TA00371	COVID Relief	\$0	\$333,926	\$0	\$0	\$0	\$333,926
Town of Bernalillo	Bernalillo Main St Streetscape Phase 4	A301313	SP-Large Urban & COVID Relief	\$0	\$0	\$322,603	\$677,397	\$0	\$1,000,000
Village of Los Ranchos	4th Street Revitalization Phase 2	A302151	COVID Relief	\$0	\$0	\$0	\$1,000,000	\$0	\$1,000,000
Reserve STP-Large Urban				\$0	\$0	\$1,000,000	\$0	\$0	\$1,000,000
<b>Total Amount Programmed in Scenario</b>				<b>\$1,060,000</b>	<b>\$1,833,926</b>	<b>\$8,746,012</b>	<b>\$3,188,329</b>	<b>\$3,102,727</b>	<b>\$18,930,994</b>
<b>Total Amount Unprogrammed in Scenario</b>						<b>\$1,000,000</b>			<b>\$1,000,000</b>
Total Funds Available (STP-Large Urban Reserve)									\$10,709,671
Total Funds Available (COVID Relief)									\$8,221,323
<b>Grand Total Available</b>									<b>\$18,930,994</b>
<b>Balance for reserve in FFY 2023</b>									<b>\$1,000,000</b>