

**NEW MEXICO STATE TRANSPORTATION COMMISSION
MEETING**

**New Mexico Department of Transportation
General Office, Training Room 2
1120 Cerrillos Road
Santa Fe, New Mexico 87504
June 13, 2017**

The New Mexico State Transportation Commission (STC or Commission) held a special meeting on June 13, 2017, at the New Mexico Department of Transportation, General Office, Training Room 2, Santa Fe, New Mexico. Chairman Schmeits called the meeting to order at 1:40 p.m. Secretary Church led meeting attendees in the Pledge of Allegiance.

Approval of the STC Meeting Agenda

Chairman Schmeits asked for a motion to approve the STC meeting agenda; Commissioner Mathews made a motion to so approve; Commissioner Mortensen seconded; motion carried unanimously.

Approval of the STC Minutes

Chairman Schmeits asked for a motion to approve the minutes of the regular STC meeting of May 18, 2017; Commissioner Mathews made a motion to so approve; Commissioner Mortensen seconded; motion carried unanimously.

State Transportation Commissioners Present:

Kenneth White, Secretary, District One (Via Teleconference)
David Sepich, Commissioner, District Two (Absent with Notice)
Keith Mortensen, Commissioner, District Three
Ron Schmeits, Chairman, District Four
Butch Mathews, Vice-Chairman, District Five
Jackson Gibson, Commissioner, District Six (Via Teleconference)

NMDOT Staff Present:

Tom Church, Cabinet Secretary
Anthony Lujan, Deputy Secretary
Loren Hatch, Deputy Secretary
NMDOT Staff

Welcoming Remarks

The Commissioners, NMDOT Executive Staff and J. Don Martinez, Division Administrator, FHWA introduced themselves and welcomed all those in attendance at the meeting.

Special Meeting Agenda

Staff Briefings

Request to Complete Rulemaking Action Regarding Proposed Amendments to NMDOT

Rule 18.31.6 NMAC, State Highway Access Management Requirements

Rick Padilla, P.E., State Maintenance Manager, NMDOT, presented a revised rule action report package regarding proposed amendments to NMDOT Rule 18.31.6 NMAC, State Highway Access Management Requirements. Pursuant to the STC's request at its May 18, 2017 regular meeting, Mr. Padilla and Anthony Lujan, Deputy Secretary, NMDOT, provided

additional information concerning the proposed amended rule and responded to the STC's questions regarding other possible rule amendments.

Proposed Authorizing Resolution Approving Alternate Waste Isolation Pilot Plant (WIPP)

Route Use

Loren Hatch, Deputy Secretary, NMDOT, discussed a request made by the Carlsbad Field Office (DOE-CBFO) of the U.S. Department of Energy (DOE) and a related, proposed STC resolution concerning limited temporary use of the negotiated Hobbs alternate WIPP route. Pursuant to the proposed resolution, no more than 23 shipments would be allowed to approach the WIPP facility from the Texas/New Mexico border. This route is approximately 13 miles shorter than the previously approved negotiated alternate route to the WIPP facility, via the South Access Road, from the Texas/New Mexico border. The proposed term of use would be from the date of STC approval to December 31, 2017, or after the final shipment, whichever occurs first.

Rick Padilla, P.E., State Maintenance Manager, NMDOT, discussed the present condition of the proposed route and related safety concerns.

Commissioner White commented regarding NMDOT receiving funds from DOE to help maintain the WIPP routes in the New Mexico.

Deputy Secretary Hatch explained to the STC that NMDOT is a beneficiary of certain funds under a settlement agreement relating to WIPP that was entered into in January 2016 between DOE and the New Mexico Environment Department. Per the terms of the settlement agreement, NMDOT is to receive a total of \$34 million. NMDOT received \$7.2 million of that

amount in fiscal year 2016, and used the funds to improve the WIPP North Access Road. It is anticipated that the \$26.8 million balance due will be paid in full to NMDOT by DOE before the end of federal fiscal year 2017, so that NMDOT can move forward to improve other roads as required by the settlement agreement.

Eletha Trujillo, New Mexico Radioactive Waste Consultation Task Force, Energy Minerals and Natural Resources Department, who coordinates the WIPP Transportation Safety Program for the State and collaborates with DOE-CBFO, spoke briefly about the proposed WIPP shipments and DOE funding.

Proposed Parameters Resolution Authorizing Bond Refunding

Marcos Trujillo, Project Oversight Division Director, NMDOT, discussed a proposed transaction whereby the New Mexico Finance Authority (NMFA) will issue one or more series of State Transportation Revenue Refunding Bonds for the purpose of restructuring some of NMDOT's existing Rail Runner related debt. The parameters set in place by the transaction are detailed in a related proposed STC resolution and would allow flexibility depending on market conditions. Each series of the 2017 refunding bonds will mature on dates no later than December 15, 2040, and bear interest at the rate or rates not to exceed 5.5% per annum. The debt service will be extended by 10 years.

Action Items

Approval of Final Rulemaking Action Regarding Proposed Amendments to NMDOT Rule 18.3.6 NMAC, State Highway Access Management Requirements

Chairman Schmeits asked for a motion to approve final rulemaking action regarding the proposed amendments to NMDOT Rule 18.3.6 NMAC, State Highway Access Management Requirements; Commissioner White made a motion to so approve; Commissioner Mathews seconded; motion carried unanimously.

Approval of Proposed Authorizing Resolution Approving Alternate WIPP Route Use (STC Resolution No. 2017-01 (JUN))

Chairman Schmeits asked for a motion to approve the proposed authorizing resolution approving alternate WIPP route use (STC Resolution No. 2017-01 (JUN)); Commissioner Mathews made a motion to so approve; Commissioner Gibson seconded; motion carried unanimously.

Approval of Final Rulemaking Action Regarding Proposed Repeal and Replacement of NMDOT Rule 18.28.3 NMAC, Selection Committee for Qualifications Based Proposals

Chairman Schmeits asked for a motion to approve final rulemaking action regarding the proposed repeal and replacement of NMDOT Rule 18.28.3 NMAC, Selection Committee for Qualifications Based Proposals; Commissioner Mathews made a motion to so approve; Commissioner Mortensen seconded; motion carried unanimously.

Approval of Parameters Resolution Authorizing Bond Refunding (STC Resolution No. 2017-02 (JUN))

Chairman Schmeits asked for a motion to approve the parameters resolution authorizing bond refunding (STC Resolution No. 2017-02 (JUN)); Commissioner Mathews made a motion to so approve; Commissioner Gibson seconded; motion carried unanimously.

Secretary Briefing

Secretary Church discussed a Navajo Nation Council resolution requesting the State of New Mexico to designate U.S. 491 as the “Chief Manuelito Highway”. Chief Manuelito was a revered advocate and leader of the Navajo Tribe.

Under the provisions of Commission Policy 61, *Memorial or Honorary Designation or Dedication of Highways, Transportation Facilities and Structures*, a highway must be complete before it may be designated or dedicated by name. Accordingly, Larry Maynard, P.E., District Six Engineer, will be working to identify a construction completion date, and will thereafter schedule the proposed U.S. 491 dedication to be considered by the STC at one of its meetings in the near future.

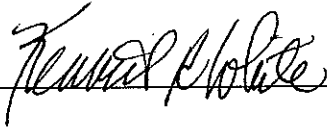
Secretary Church also introduced Jon Messier, President, New Mexico Rail Passenger Alliance. He commended Mr. Messier for championing the efforts to keep the Southwest Chief running. In turn, Mr. Messier thanked the Secretary and NMDOT staff for their exceptional work to preserve the Southwest Chief.

Adjournment

Chairman Schmeits asked for a motion to adjourn the special meeting at 2:35 p.m.; Commissioner Mortensen made a motion to so adjourn; Commissioner White seconded; motion carried unanimously.

Chairman

Ronald Schmeits



Secretary

Kenneth R. White