NEW MEXICO STATE TRANSPORTATION COMMISSION
Las Cruces Convention Center
Rooms 1-3
680 East University Avenue
Las Cruces, New Mexico 88001
April 21, 2016
8:30 am

Meeting Agenda

1) Call to Order: Ronald Schmeits, Chairman
   a) Pledge of Allegiance

2) Approval of Agenda: Ronald Schmeits, Chairman

3) Approval of Minutes: Belen Meeting February 18, 2016

4) Introductions: Ronald Schmeits, Chairman
   a) Elected Officials
   b) Commission Members
   c) NMDOT Executive Staff

5) Welcoming Remarks: The Honorable Ken Miyagishima, Mayor, City of Las Cruces

6) Elected Officials Delegations Presentations:
   David Armijo, Executive Director, South Central Regional Transit District, “The Challenge of Starting a Transit System”

7) Public Comment:

8) District One Presentation & Employee Recognition: Trent Doolittle, P.E., District One Engineer, NMDOT

9) National Asphalt Pavement Association Award Presentation District One and District Three: Brian Jones, Executive Director, National Asphalt Pavement Association

10) STC Workshops:
   a) Finance Committee- Ron Schmeits, Chairman
      1. Monthly Financial Report: Ron Baca, Financial Control Division Director, NMDOT
      2. NMFA Monthly Report: Mark Lovato, Investment Manager, NMFA
3. **Resolution for Extension and Revision of Terms for Direct Purchase of Index Notes Agreements/PFM Market Update:** Marcos B. Trujillo, Policy Director, NMDOT and Peter Shellenberger, Managing Director, PFM

4. **FY17 Operating Budget:** Michael S. Friel, Accounting Services Director, NMDOT

5. **Budget Adjustment Requests (BAR’s) P562 for Programs & Infrastructure:** Michael S. Friel, Accounting Services Director, NMDOT

6. **Budget Adjustment Requests (BAR’s) P563 for Highway Operations:** Michael S. Friel, Accounting Services Director, NMDOT

b) **Infrastructure Committee-** Butch Mathews, Chairman
   1. **Resolution of Support for the Amtrak Southwest Chief and City of Lamar Colorado TIGER VIII Grant Application:** Frank Sharpless, Transit and Rail Director, NMDOT

c) **Policy Committee-** Kenneth White, Chairman
   1. **Proposed Amendments to Commission Policy 1, New Mexico State Transportation Commission Organization and Meetings:** Loren Hatch, Deputy Secretary, NMDOT
   2. **Proposed Amendments to the 2016 STC Meeting Schedule:** Loren Hatch, Deputy Secretary, NMDOT
   3. **Discussion Regarding the Development of a New Commission Policy Relating to Senate Bill 270, Off-Highway Vehicles on Paved Roads (SB 270):** Loren Hatch, Deputy Secretary, NMDOT

11) **Staff Briefings:**
   a) **Secretary Report:** Tom Church, Cabinet Secretary, NMDOT

   b) **FHWA Report:** J. Don Martinez, Division Administrator, NMDOT

12) **Action Items:**
   a) **Approval of Resolution for Extension and Revision of Terms for Direct Purchase of Index Notes and Agreements:** Marcos Trujillo, Policy Director, NMDOT

   b) **Approval of STC’s Official Recognition of the importance of the Amtrak Southwest Chief and Its Endorsement and Support to the City of Lamar, Colorado’s TIGER Grant Application for Funds to Aid in the Continued Operation of the Amtrak Passenger Train Service on its Current Route:** Frank Sharpless, Transit and Rail Director, NMDOT
c) **Approval of FY17 Operating Budget:** Michael S. Friel, Accounting Services Director, NMDOT

d) **Approval of FY17 BAR #6 for Programs & Infrastructure/FHWA:** Michael S. Friel, Accounting Services Director, NMDOT

e) **Approval of FY17 BAR #8 for Programs & Infrastructure/Transit and Rail:** Michael S. Friel, Accounting Services Director, NMDOT

f) **Approval of FY17 BAR #9 for Programs & Infrastructure/Aviation:** Michael S. Friel, Accounting Services Director, NMDOT

g) **Approval of FY17 BAR #11 for Programs & Infrastructure/Interlock:** Michael S. Friel, Accounting Services Director, NMDOT

h) **Approval of FY17 BAR #7 for Highway Operations/US550:** Michael S. Friel, Accounting Services Director, NMDOT

i) **Approval of FY17 BAR #10 for Highway Operations/CAT 200:** Michael S. Friel, Accounting Services Director, NMDOT

j) **Approval of Proposed Amendments to Commission Policy 1, New Mexico State Transportation Commission Organization and Meetings:** Loren Hatch, Deputy Secretary, NMDOT

k) **Approval of Revised Meeting Schedule for 2016:** Loren Hatch, Deputy Secretary, NMDOT

13) Commissioner’s Comments

14) Adjournment
Tab 1-2
Call to Order
Pledge of Allegiance &
Approval of Agenda
1. Call to Order: Ronald Schmeits, Chairman  
a) Pledge of Allegiance

2. Approval of Agenda: Ronald Schmeits, Chairman
Tab 3
Approval of Minutes
Belen Meeting
February 18, 2016
The New Mexico State Transportation Commission (STC or Commission) held a regular meeting on February 18, 2016, at the NMDOT Belen Patrol Yard, Belen, New Mexico. Chairman Schmeits called the meeting to order at 8:30 a.m. Commissioner Mortensen led meeting attendees in the Pledge of Allegiance.

**Approval of the Agenda**

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

**Approval of the Minutes**

Chairman Schmeits asked for a motion to approve the minutes of the regular meeting of January 21, 2016; Commissioner Mathews made a motion to so approve; Commissioner White seconded; motion carried unanimously.

**Elected Officials and Delegations:**

Jerah Cordova, Mayor, City of Belen  
Charles Eaton, Commissioner, Valencia County, District Four  
Lina Benavidez, Public Works Director, City of Belen
State Transportation Commissioners Present:

Kenneth White, Secretary, District One
David Sepich, Commissioner, District Two
Keith Mortensen, Commissioner, District Three
Ron Schmeits, Chairman, District Four
Butch Mathews, Vice-Chairman, District Five
Jackson Gibson, Commissioner, District Six

NMDOT Staff Present:

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

Welcoming Remarks

The Honorable Jerah Cordova, Mayor, City of Belen, welcomed the STC and NMDOT staff to Belen. He spoke briefly about transportation and infrastructure in Belen.

District Three Presentation and Employee Recognition

Kenneth Murphy, P.E., Acting District Three Engineer, NMDOT, gave a presentation regarding District Three activities, during which he discussed completed, active and upcoming projects. He also reported on the District’s Employee Recognition Program and acknowledged 2015 award recipients, Bernard Armijo, Heavy Equipment Supervisor, as Employee of the Year; the Environmental Management Crew as Statewide Crew of the Year; the North Urban/Ben Lopez Patrol as Statewide Best Patrol; and the “Brush Hog” and “Skid Mount Herbicide Spray System” as Best Practices winners.
Presentations by Elected Officials and Delegations

Steven Tomita, Development Services Manager, City of Belen, gave a presentation entitled “Importance of the Transportation Systems in the City of Belen and their Impact on Economic Development,” during which he discussed the City’s transportation network and its significance in economic development.

Public Comment

Brian Jones, Executive Director, Asphalt Paving Association of New Mexico (APANM), spoke briefly regarding the national awards that New Mexico recently won.

Workshop Agenda

Finance Committee

Monthly Financial Report

Ron Baca, Financial Control Director, NMDOT, presented the NMDOT operating budget financial summary for the month ending January 31, 2016. He reported that NMDOT is in good financial standing, revenues are tracking as forecasted, and expenditures are being managed according to revenues. 75% of NMDOT’s operating budget has been encumbered and expended. Cash balances as of February 3, 2016 are $79.1 million, and the total operating fund balance is presently $83.4 million.

New Mexico Finance Authority (NMFA) Monthly Report

Mark Lovato, Investment Manager, NMFA, provided an update regarding NMDOT’s portfolio funds under NMFA management. As of January 31, 2016, the balance in the portfolio was $107.6 million, a net increase of $4.1 million from December. The change is attributed to
debt service payments of $256,750, $6.1 million in draws, plus total earnings of $6,456, and
$10.5 million in debt service set asides payments. There is 59% in the project account, of which
$2.2 million is in the 2010A bond fund account, $62 million in the 2014A Highway
Infrastructure Fund (HIF) account, 39% in debt service, and 2% in the arbitrage rebate account.
On January 31, 2016, the balance in the taxable line of credit at RBC was $42 million for
collateral needs, and the balance in the taxable line of credit at Wells Fargo was $50 million for
the BNSF Escrow account. As of February 5, 2016, the amount to exit the swaps was
approximately $119.6 million. Mr. Lovato also provided a breakdown regarding
NMDOT/NMFA outstanding debt service.

**Infrastructure Committee**

**U.S. Department of Energy (DOE) Alternate Routes Request for New Mexico Waste
Isolation Pilot Program (WIPP)**

Todd Shrader, Manager, DOE, Carlsbad Field Office, and Bill Mackey and James
Mason, DOE, presented an alternate routes request for WIPP, during which they discussed
existing negotiated routes, the New Mexico settlement agreement, and proposed route repairs
and alternate routes. They also provided an update on WIPP recovery efforts.

Ernest Archuleta, P.E., Operations Division Director, NMDOT, also briefed the STC
regarding NMDOT’s 2015 WIPP related road maintenance activities.
Regular Meeting Agenda

Staff Briefings

Secretary Report

Tom Church, Cabinet Secretary, NMDOT, reported regarding the budget passed in the 2016 New Mexico Legislative Session. NMDOT received a total appropriation in the amount of $867.5 million, which includes $458 million from State Road Fund revenues and $408.9 million from federal funding sources. The appropriation represents a $2.8 million increase above FY16 approved operating levels, including $529.9 million for Project Design and Construction, $233.8 million for Highway Operations, $42.2 million for Business Support, and $61.7 million for Modal Programs.

Loren Hatch, Deputy Secretary, NMDOT, acknowledged Associated Contractors of New Mexico (ACNM) for its support of NMDOT’s design-build procurement bills (House Bill 206 and Senate Bill 215), both of which passed during the 2016 Legislative Session. Because the bills are identical, NMDOT anticipates that at least one of the two will be signed by the Governor and become law.

FHWA Report

J. Don Martinez, Division Administrator, FHWA, commented briefly regarding NMDOT’s 2016 Legislative Session design-build procurement bills. He also reported that highway crash fatalities in New Mexico have decreased by 20% in the last year.
**Commissioner Comments**

Chairman Schmeits extended his thanks to the City of Belen for hosting the STC meeting and to the representatives of DOE for presenting an update on WIPP.

Commissioner White thanked the City of Belen for hosting the STC meeting.

Commissioner Sepich stated that he enjoyed Mayor Cordova’s presentation regarding the City of Belen and commended NMDOT employees for their exceptional work.

Commissioner Mortensen thanked the City of Belen.

Commissioner Mathews expressed his appreciation to NMDOT staff and thanked the City of Belen.

Commissioner Gibson commended Secretary Church and NMDOT staff and thanked Brian Jones of APANM for the information he shared regarding the awards that New Mexico recently received.

Chairman Schmeits asked for a motion to adjourn the regular meeting at 10:45 a.m.; Commissioner Mathews made a motion to so adjourn; Commissioner White seconded; motion carried unanimously.

__________________________                                     ________________________
Chairman                                                                   Secretary
Ronald Schmeits      Kenneth R. White
Tab 4

Introductions
Agenda Items 4

Introductions

a. Elected Officials
b. Commission Members
c. NMDOT Executive Staff
Tab 5
Welcoming Remarks
Commission Brief

SUBJECT: Welcoming Remarks

PRESENTER:

BACKGROUND:

- The Honorable Ken Miyagishima, Mayor, City of Las Cruces

ACTION: No Action
Tab 6
Elected Officials
Delegations
Presentations
SUBJECT: Elected Officials/Delegations Presentations

PRESENTER:

BACKGROUND:

- David Armijo, Executive Director, South Central Regional Transit District “The Challenge of Starting a Transit System”

ACTION: No Action
Tab 7
Public Comment
SUBJECT: Public Comment

PRESENTER:

BACKGROUND:

ACTION: No Action
Tab 8
District One
Presentation & Employee Recognition
SUBJECT: District One Presentation

PRESENTER: Trent Doolittle, P.E., District One Engineer, NMDOT

BACKGROUND:

ACTION: No Action
Welcome to District One
Active Construction

- I-25/Missouri Avenue – FNF Construction - Bridge reconstruction with additional acceleration lane between Lohman Ave. and University Ave. scheduled to be complete April 2016; cost $15.6 Million.

- I-10/Union Avenue – La Calerita Construction – Bridge reconstruction with roadway construction scheduled to be complete June 2016; cost $6.8 Million.
Active Construction

- I-10 Las Cruces – Mountain States Constructors, Inc. – Mill and Inlay of existing roadway, MM 133 to 146; cost $5.9 Million.
- I-10 Las Cruces – Mountain States Constructors, Inc. – Mill and Inlay of existing roadway, MM 146 to 164.45 (Texas State Line); cost $11.2 Million.
Upcoming Projects

- NM-188/Valley Drive between Picacho Ave/Avenida de Mesilla – Roadway reconstruction, drainage improvements, ADA, curb and gutter, lighting, traffic control. Production date: March 2016, Letting May 2016; cost of $14 Million

- US/70 Intersection of Spitz/Solano Drive – Roadway reconstruction with roadway realignment, ADA improvement, traffic signalization and traffic control. Production date: August 2016, Letting October 2016; cost of $6.2 Million.

- I-25/University (Triviz Ave) – Bridge replacement with ramp realignment between Lohman Ave and University Ave. Production date: August 2018, Letting October 2018, cost of $25 Million
Maintenance

- NM 478/N. Main - Paveover Inc. - MM 0-22 in Las Cruces - Hot in-place recycle, striping. Cost $4 Million scheduled to finish end of April, 2016. The NMDOT District Office tied in to several City and County routes in order to provide a smooth connection on to the new mat.
- Bridge Deck Sealing with Hasse Construction on various bridge’s throughout the State of NM. $
- Chip Sealing scheduled to start Summer, 2016 in southern Dona Ana County.
District 1 Best Maintenance Patrol

Magdalena Patrol

Will Dixon, Jason Henderson, Tommy Grandanergo and Frank Dobson (not pictured) retired Patrol Supervisor-Abie Carabajal
District 1 Employee & Crew of the Year

Aaron Chavarria, Technical Support Engineer was voted as the District One Employee of the Year.

District 1 Purchasing Section was voted as the Crew of the Year.
Tab 9
National Asphalt Pavement Association Award Presentation District One and District Three
SUBJECT: National Asphalt Pavement Association Award
Presentation District One and District Three

PRESENTER: Brian Jones, Executive Director, National Asphalt Pavement Association

BACKGROUND:

ACTION: No Action
Commission Brief


PRESENTER: Ron Baca, Financial Control Director

BACKGROUND:

ACTION: No Action
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<td>616,294,567</td>
<td>48%</td>
<td>229,577,241</td>
<td>18%</td>
<td>229,577,241</td>
<td>342,500</td>
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</table>
### FY2016 NMDOT Financial Summary as of March 31, 2016

#### UNRESTRICTED STATE ROAD FUND ONLY

(Dollars in Millions)

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
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<th>F</th>
<th>G</th>
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<td><strong>Revenues</strong></td>
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<td>Begin FY16 OPBUD Rollover +FY16 BARS COMBINED FY16 BUDGET Actual FY16 Rev/Exp PCT YTD FY15 Net Change</td>
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<td>$0.0</td>
<td>$384.0</td>
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<td><strong>FHWA Funding</strong></td>
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<td><strong>1) TOTAL INFLOWS (REVENUES):</strong></td>
<td>$790.1</td>
<td>$280.5</td>
<td>$85.1</td>
<td>$1,155.7</td>
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<td>753.6</td>
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<td>22.5</td>
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<td>58.2%</td>
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<td>12</td>
<td>Aviation Fund (Restricted)</td>
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<td>3.0</td>
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<td>Traffic Safety Funds (5 Restricted Funds)</td>
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<td>1.9</td>
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<td>1) TOTAL INFLOWS (REVEnUES):</td>
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<td>$1.8</td>
<td>$128.1</td>
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<td>$1.2</td>
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<td>26</td>
<td>Contractual Services</td>
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<td>2.2</td>
<td>61.3%</td>
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<td>27</td>
<td>Other Operating Costs</td>
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<td>Debt Service</td>
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<td>2) TOTAL OUTFLOWS (EXPENDITURES):</td>
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<td>31</td>
<td>3) CURRENT INFLOWS MINUS OUTFLOWS</td>
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<td>4) PLUS Beginning FY16 FUND BALANCE RESERVES - NOT A FINAL</td>
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<td>5) CURRENT FY16 OPERATING FUND BALANCES</td>
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<td>Cash Balance as of 03/31/16</td>
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### Cash Balances for Operating Budget Funds for March 31, 2016

(Balances based on data from SHARE Trial Balances on March 31, 2016)

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<tr>
<td>ROAD FUND (10040,20100)</td>
<td>Unrestricted</td>
<td>40,311,696</td>
<td>(6,280,687)</td>
<td>(7,760,147)</td>
<td>17,334,431</td>
<td>18,600,611</td>
<td>22,063,271</td>
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<td>LOCAL GOVT (20300)</td>
<td>Restricted</td>
<td>22,325,752</td>
<td>20,925,324</td>
<td>20,641,565</td>
<td>18,062,378</td>
<td>17,246,439</td>
<td>17,804,231</td>
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<td>8,244,527</td>
<td>6,056,489</td>
<td>5,727,598</td>
<td>5,519,227</td>
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<td>4,783,681</td>
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<td>Restricted</td>
<td>19,949,971</td>
<td>19,965,187</td>
<td>19,713,923</td>
<td>19,519,255</td>
<td>19,152,572</td>
<td>19,094,125</td>
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<td>AVIATION (20500)</td>
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<td>16,925,262</td>
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<td>12,362,179</td>
<td>11,666,513</td>
<td>11,689,270</td>
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<td>TRAFF FUNDS (10020,206,207,208)</td>
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<td>2,130,686</td>
<td>1,383,146</td>
<td>1,447,544</td>
<td>1,488,717</td>
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<td>(1,433,622)</td>
<td>(1,766,709)</td>
<td>(1,293,797)</td>
<td>(580,384)</td>
<td>(529,747)</td>
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<td>INTERLOCK (82600)</td>
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<td>3,685,851</td>
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<td>63,673,013</td>
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### FY16 FUND BALANCES AS OF March 31, 2016

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<th>Encumbrance</th>
<th>(Less)</th>
<th>Unbudgeted</th>
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<td>FY16 BARS &amp; OPRs</td>
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<td>FY16 Budget</td>
<td>6/30/2016</td>
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<td><strong>Unrestricted:</strong></td>
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<td>ROAD FUND (20100)+ INVENTORY (10040)</td>
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<td>(21,984,100)</td>
<td>(54,897,619)</td>
<td>(21,000,000)</td>
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<td>LOCAL GOVT (20300)</td>
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<td>309,026</td>
<td>0</td>
<td>(384,530)</td>
<td>0</td>
</tr>
<tr>
<td>NHTSA (10010)</td>
<td>(2,929,159)</td>
<td>0</td>
<td>0</td>
<td>(2,929,159)</td>
</tr>
<tr>
<td>FTA (10030)</td>
<td>350,305</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>INTERLOCK (82600)</td>
<td>3,969,981</td>
<td>0</td>
<td>(1,500,000)</td>
<td>2,469,981</td>
</tr>
<tr>
<td><strong>Total Restricted Funds:</strong></td>
<td>73,907,507</td>
<td>(4,275,400)</td>
<td>(37,241,691)</td>
<td>(3,633,000)</td>
</tr>
<tr>
<td><strong>TOTAL OPERATING FUND BALANCES</strong></td>
<td>213,685,421</td>
<td>(26,259,500)</td>
<td>(92,139,310)</td>
<td>(24,633,000)</td>
</tr>
</tbody>
</table>
Uncommitted Fund Reserves as of March 31, 2015 (Not Final)

**UNRESTRICTED FUND BALANCES--- Fund 20100-State Road Fund = $41,896,195**

(This is the operating fund of the department and used to account for substantially all of the department’s financial activities. Created by section 67-3-65, NMSA 1978.)

**RESTRICTED FUND BALANCES---- TOTAL= $28,757,416**

Fund 20300-Local Government Road Fund = $1,500,690
(This fund accounts for construction and reconstruction of highways, streets and parking lots not on the state highway system as well as maintenance, improvements, and construction of school bus routes and public school parking lots and county roads. Created by Section 67-3-28.2 NMSA 1978.)

Fund 20800-State Traffic Safety Fund = ($75,504)
(This fund accounts for state matching monies received for various traffic safety programs. Created by Section 66-7-512, NMSA 1978.)

Fund 20500-State Aviation Fund = $2,025,177
(This fund is used to account for planning, construction and maintenance of a system of airports, navigation aids, and related facilities serving New Mexico. Created by Section 64-1-15, NMSA 1978.)

Fund 10010-Federal Traffic Safety Fund = ($2,929,159)
(This funds accounts for federal grant monies received for various traffic safety programs from NHTSA.)

Fund 10020 – Driver Improvement Program Fund = $28,362
(Used account for the operation of a driver improvement program. Created by Executive Order 87-20.)

Fund 20700 – DWI Prevention and Education Fund = $284,375
(This fund is used to account for the operation of DWI prevention and education program for elementary and second school students. Created by Section 66-5-35 NMSA 1978.)

Fund 89300- State Infrastructure Fund = $19,693,629 (This fund is used to track funding, loans and repayments associated with the State Infrastructure Bank.)

Fund 20200 – Highway Infrastructure Fund = $5,409,560
(This fund is used to account for acquisition of right of ways, planning, design, engineering, construction or improvement of state highway projects pursuant to provisions of Laws of 1998, Chapters 84 and 85.). This fund was created by NMSA 67-3-59.2.)

Fund 82600-Interlock Device Fund = $2,469,981
(This fund is used to account for the fees used to pay for interlock devices for indigent people. (Created by Section 66-8-102.3 NMSA 1978.)

Fund 10030 – Federal Mass Transit Fund = $350,305
(This fund is used to account for Urban Mass Transit Authority grant monies and state matching funds for mass transit program activities.)

Fund 43100- Fund 43100 – WIPP Projects Fund = $0.00
(This fund is used to account for monies received from the U.S. Department of Energy for special designated roads associated with WIPP.)
Tab 10a2
NMFA Report
Commission Brief

SUBJECT: NMFA Report

PRESENTER: Mark Lovato, Investment Manager, NMFA

BACKGROUND:

ACTION: No Action
1. NMDOT Combined Investment Summary ending March 31, 2016
   a. NMDOT Executive Summary Bond Series 2006
   b. NMDOT Executive Summary Bond Series 2008 & 2011
   c. NMDOT Executive Summary Bond Series 2009
   d. NMDOT Executive Summary Bond Series 2010
   e. NMDOT Executive Summary Bond Series 2012
   f. NMDOT Executive Summary Bond Series 2014 (HIF)
   g. NMDOT Executive Summary Bond Series 2014B-1&2
   h. NMDOT Executive Summary (GRIP 2)

2. NMDOT Line of Credit (taxable) ending March 31, 2016

3. NMDOT Swap Valuation Report as of April 11, 2016

4. NMDOT/NMFA Debt Service outlook for FY 2016 as of March 31, 2016
The market value of the NMDOT Investment Portfolio as of March 31, 2016 was $123.7 million, a net increase of $8.5 million from February. The change is attributed to debt service payments of $348,537, $1.7 million in draws for the month, plus total earnings of $18,797 and $10.5 million Debt Service set asides payments.

As of March 31, 2016 the total NMDOT Portfolio was composed of 50% in the project account (of which 2.2 million is in the 2010A and 59 million in 2014A HIF), 50% in debt service accounts, and less than 1% in the arbitrage rebate account.

The February month end portfolio holdings were 100% in money market mutual funds, and a yield of .22%.

<table>
<thead>
<tr>
<th>Asset Type</th>
<th>Yield</th>
<th>Market Value</th>
<th>% of Portfolio</th>
<th>Term (days)</th>
</tr>
</thead>
<tbody>
<tr>
<td>US Treasuries</td>
<td>0.00%</td>
<td>-</td>
<td>0.0%</td>
<td>0</td>
</tr>
<tr>
<td>US Agencies</td>
<td>0.00%</td>
<td>-</td>
<td>0.0%</td>
<td>0</td>
</tr>
<tr>
<td>Invesco US Govt Fund</td>
<td>0.22%</td>
<td>123,735,185</td>
<td>100.0%</td>
<td>1</td>
</tr>
<tr>
<td>Primary MM Fund*</td>
<td>0.00%</td>
<td>-</td>
<td>0.0%</td>
<td>0</td>
</tr>
<tr>
<td>SLGS</td>
<td>0.00%</td>
<td>-</td>
<td>0.0%</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>0.22%</td>
<td>123,735,185</td>
<td>100%</td>
<td>1</td>
</tr>
</tbody>
</table>
- The market value of the NMDOT 2006 Bond Series on March 31, 2016 was $486,860, an increase of $43,084 from February. The change was attributed to interest earnings of $72, and debt service set aside payments of $43,013.

- As of March 31, 2016, the portfolio composition was 28% in debt service accounts and 72% in the arbitrage rebate account.

*NOTE*: The project funds are 100% committed (Let)

- The March month end portfolio holdings were 100% in money market mutual funds and a yield of .22%.
INVESTMENT OF NM DEPT OF TRANSPORTATION BONDS
NMDOT - SERIES 2008 A-B & 2011 A - TOTAL PORTFOLIO SUMMARY

as of March 31, 2016

- The market value of the NMDOT 2008 & 2011 Bond Series on March 31, 2016 was $6.5 million. The change of $1.6 million was attributed to debt service payments of $348,537 plus interest earnings of $797, and debt service set aside payments of $1.9 million.

- As of March 31, 2016 the portfolio composition was 100% in debt service accounts.

- The March month end portfolio holdings were 100% in money market mutual funds and a yield of .22%.
INVESTMENT OF NM DEPT OF TRANSPORTATION BONDS
NMDOT - SERIES 2009 A - TOTAL PORTFOLIO SUMMARY

as of March 31, 2016

- The market value of the NMDOT 2009 Bond Series on March 31, 2016 was $4.4 million. The change of $510,207 was attributed to interest earnings of $625, and debt service set aside payments of $509,582.

- As of March 31, 2016 the portfolio composition was 100% in debt service accounts.

- The March month end portfolio holdings were 100% in money market mutual funds and a yield of .22%.
The market value of the NMDOT 2010A Bond Series project funds was $2.2 million on March 31, 2016, the small increase was $360 in interest earnings, no draws this month.

Interest earnings for the month of March was $360 up from $267 in February. Total earnings for the fiscal year 2016 is $2,181.

The weighted average yield was .22% at month-end, unchanged from .22% in February.

The March month end portfolio holdings were 100% in money market mutual funds and a yield of .22%.
The market value of the NMDOT 2010A and B Bond Series on March 31, 2016 was $10.7 million, the net change of $2.4 million from February was attributed to interest earnings of $1,306, no construction draws for the month, and $2.4 million in Debt Service set aside payments.

As of March 31, 2016 the portfolio composition was 79% in debt service accounts and 21% in Project accounts.

The March month end portfolio holdings were 100% in money market mutual funds and a yield of .22%.
The market value of the NMDOT 2012 Bond Series on March 31, 2016 was $40 million. The net change of $4.9 million was due to interest earnings of $5,653 and $4.9 million in Debt Service set aside payments.

As of March 31, 2016 the portfolio composition was 100% in debt service accounts.

The March month end portfolio holdings were 100% in money market mutual funds and a yield of .22%.
The market value of the NMDOT (HIF) 2014A Bond Series project funds was $59.1 million on March 31, 2016, the decrease was attributed to interest earnings of $10,021 and $1.7 million in draws for the month.

Interest earnings for the month of March was $10,021. Total earnings for the fiscal year 2016 is $36,332.

The weighted average yield was .22% at month-end, unchanged from .22% in February.

The March month end portfolio holdings were 100% in money market mutual funds.
INVESTMENT OF NM DEPT OF TRANSPORTATION BONDS
NMDOT (HIF) - SERIES 2014 A - TOTAL PORTFOLIO SUMMARY

as of March 31, 2016

The market value of the NMDOT(HIF) 2014A Bond Series on March 31, 2016 was $60.3 million, the net change of $1.3 from February was attributed to interest earnings of $10,155, debt service set aside payments of $318,682 and $1.7 million in draws.

As of March 31, 2016 the portfolio composition was 2% in debt service accounts and 98% in Project accounts.

The March month end portfolio holdings were 100% in money market mutual funds and a yield of .22%.

<table>
<thead>
<tr>
<th>Account</th>
<th>Investment Type</th>
<th>Yield</th>
<th>Prior Yld</th>
<th>Market Value</th>
<th>% of Portfolio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project</td>
<td>Invesco Govt Fund</td>
<td>0.22%</td>
<td>0.22%</td>
<td>59,109,717</td>
<td>98.1%</td>
</tr>
<tr>
<td>Debt Service</td>
<td>Invesco Govt Fund</td>
<td>0.22%</td>
<td>0.22%</td>
<td>1,171,371</td>
<td>1.9%</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>0.22%</td>
<td>0.22%</td>
<td>60,281,089</td>
<td>100%</td>
</tr>
</tbody>
</table>
The market value of the NMDOT 2014B-1 and B-2 Bond Series on March 31, 2016 was $1.4 million, the change attributed to interest earnings of $165, and debt service set aside payments of $360,932.

As of March 31, 2015 the portfolio composition was 100% in debt service accounts.

The March month end portfolio holdings were 100% in money market mutual funds and yield of .22%.
INVESTMENT OF NM DEPT OF TRANSPORTATION BONDS
NMDOT (GRIP 2) - Severance/General Fund Approp - PROJECT FUND

as of March 31, 2016

- The market value of the NMDOT (GRIP2) Severance and General Fund Appropriation project funds was $628,826 on March 31, 2016. This is up from February. The change was attributed to $350 in interest earnings.

- Net Income for the month of March was $350 this is up from $306 in February. Total interest earnings for FY16 is $3,006.

- The weighted average yield was .696% at month-end, up from .623% in February. The average term of the portfolio was 364 days up from 325 days from the previous month.

- The February month end portfolio holdings were 100% in the NMFA Operating Pool Funds. This pool is a diversified pool with US Treasury and US agency securities as well as some money market funds.

<table>
<thead>
<tr>
<th>Investment Type</th>
<th>Yield</th>
<th>Prior Yld</th>
<th>Market Value</th>
<th>% of Portfolio</th>
<th>Policy Max</th>
</tr>
</thead>
<tbody>
<tr>
<td>LGIP*</td>
<td>-</td>
<td>-</td>
<td></td>
<td>0.0%</td>
<td>25%</td>
</tr>
<tr>
<td>NMFA Operating Pool</td>
<td>0.70%</td>
<td>0.62%</td>
<td>628,826</td>
<td>100.0%</td>
<td>100%</td>
</tr>
<tr>
<td>Primary MM Fund*</td>
<td>0.00%</td>
<td>0.00%</td>
<td>-</td>
<td>0.0%</td>
<td>100%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>0.70%</strong></td>
<td><strong>0.62%</strong></td>
<td><strong>628,826</strong></td>
<td><strong>100.00%</strong></td>
<td></td>
</tr>
</tbody>
</table>
On January 31, 2016, the balance in the Taxable Line of Credit at RBC was $36 million for collateral needs. The balance in the Taxable Line of Credit at Wells Fargo was $50 million for the BNSF Escrow account.

During the month of March there was no draws on collateral line of credit, and none on the BNSF LOC. We have $24 million posted in collateral posted with JP Morgan, RBC and UBS.

There was no unused (commitment) and no used (interest) fees paid in March. The next quarterly fees are due in April.

Total Fees Paid Since Inception
Unused (commitment Fee) - $330,793
Used (interest cost) - $624,113

Current LOC agreement is for $50 million from Royal Bank of Canada with the following terms
Interest Cost (Used Portion) - 1 mo LIBOR plus .53%
Commitment Fee (Unused Portion) - .15%
Expires Dec 31, 2018

There was $25,278 unused (commitment) and no used (interest) fees paid in March. The next quarterly fees are due in July.

Total Fees Paid Since Inception
Unused (commitment Fee) - $238,333
Used (interest cost) -

Current LOC agreement is for $50 million from Wells Fargo with the following terms
Interest Cost (Used Portion) - 1 mo LIBOR plus .77%
Commitment Fee (Unused Portion) - .20%
Expires June 30, 2019
# New Mexico Finance Authority

**Report as of 4/11/2016**

<table>
<thead>
<tr>
<th>Client</th>
<th>Snapshot</th>
<th>Accrued Interest</th>
<th>MTM Value</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4/11/2016</td>
<td>($6,041,635.56)</td>
<td>($123,298,550.37)</td>
</tr>
</tbody>
</table>

**Client:** New Mexico Finance Authority

<table>
<thead>
<tr>
<th>Bank Counterparty</th>
<th>Product</th>
<th>Client Pays - Semi Annual</th>
<th>Client Receives - Monthly</th>
<th>Trade Date</th>
<th>Effective Date</th>
<th>Maturity Date</th>
<th>MTM Value</th>
<th>Initial Notional</th>
<th>Current Notional</th>
<th>Accrued Interest</th>
<th>Moody’s</th>
<th>S&amp;P</th>
<th>Fitch</th>
</tr>
</thead>
<tbody>
<tr>
<td>JPMorgan Chase Bank, N.A.</td>
<td>Swap</td>
<td>5.0720%</td>
<td>SIFMA Swap Index</td>
<td>4/22/2004</td>
<td>12/15/2006</td>
<td>12/15/2026</td>
<td>($40,401,092.02)</td>
<td>$110,000,000.00</td>
<td>$110,000,000.00</td>
<td>($1,775,442.06)</td>
<td>Aa3</td>
<td>A+</td>
<td>AA-</td>
</tr>
<tr>
<td>JPMorgan Chase Bank, N.A.</td>
<td>K-I Swaption</td>
<td>0.34% Premium; 5.0720% upon Exercise</td>
<td>SIFMA Swap Index</td>
<td>4/22/2004</td>
<td>12/15/2006</td>
<td>12/15/2026</td>
<td>$2,659,324.03</td>
<td>$110,000,000.00</td>
<td>$110,000,000.00</td>
<td>N/A</td>
<td>Aa3</td>
<td>A+</td>
<td>AA-</td>
</tr>
<tr>
<td>UBS AG, Stamford Branch</td>
<td>Swap</td>
<td>5.0720%</td>
<td>SIFMA Swap Index</td>
<td>4/22/2004</td>
<td>12/15/2006</td>
<td>12/15/2026</td>
<td>($40,401,092.02)</td>
<td>$110,000,000.00</td>
<td>$110,000,000.00</td>
<td>($1,775,442.06)</td>
<td>A1</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>UBS AG, Stamford Branch</td>
<td>K-I Swaption</td>
<td>0.34% Premium; 5.0720% upon Exercise</td>
<td>SIFMA Swap Index</td>
<td>4/22/2004</td>
<td>12/15/2006</td>
<td>12/15/2026</td>
<td>$2,659,324.03</td>
<td>$110,000,000.00</td>
<td>$110,000,000.00</td>
<td>N/A</td>
<td>A1</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>Goldman Sachs</td>
<td>Swap</td>
<td>3.93400%</td>
<td>SIFMA Swap Index $6/15/06; 68% of USD-LIBOR Thereafter</td>
<td>4/23/2004</td>
<td>5/20/2004</td>
<td>6/15/2024</td>
<td>($11,953,753.60)</td>
<td>$50,000,000.00</td>
<td>$50,000,000.00</td>
<td>($622,687.86)</td>
<td>Aa2</td>
<td>AA+</td>
<td>N/A</td>
</tr>
<tr>
<td>Royal Bank of Canada</td>
<td>Swap</td>
<td>3.93400%</td>
<td>SIFMA Swap Index $6/15/06; 68% of USD-LIBOR Thereafter</td>
<td>4/23/2004</td>
<td>5/20/2004</td>
<td>6/15/2024</td>
<td>($23,907,507.19)</td>
<td>$100,000,000.00</td>
<td>$100,000,000.00</td>
<td>($1,245,375.72)</td>
<td>Aa3</td>
<td>AA-</td>
<td>AA</td>
</tr>
<tr>
<td>Deutsche Bank AG</td>
<td>Swap</td>
<td>3.93400%</td>
<td>68% of USD-LIBOR</td>
<td>10/6/2008</td>
<td>10/6/2008</td>
<td>6/15/2024</td>
<td>($11,953,753.60)</td>
<td>$50,000,000.00</td>
<td>$50,000,000.00</td>
<td>($622,687.86)</td>
<td>Baa1</td>
<td>BBB+</td>
<td>A-</td>
</tr>
</tbody>
</table>

The valuations of derivatives transactions provided by PFM are indicative values based on mid-market levels as of the close of business on the date they are provided. These valuations are provided for information purposes only and are intended solely for internal use. These valuations do not represent the actual terms at which new transactions could be entered into or the actual terms at which existing transactions could be liquidated. The valuations provided are derived from proprietary models based upon well-recognized financial principles and reasonable estimates about relevant future market conditions. Valuations based on other models or different assumptions may yield different results. PFM believes its methodology to be consistent with accepted practice in the market for interest rate swaps. Additional information is available on request. Information herein is believed to be reliable, but PFM does not warrant its completeness or accuracy. PFM does not hold a position or act as a market maker in the financial instruments of any issuer discussed herein.

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*Report Generated Date: 4/12/2016*
### NMDOT/NMFA OUTSTANDING BOND DEBT SERVICE

**For Period: 2st half Fiscal Year 2016**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Fixed Rate Bonds</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2004 A Sr</td>
<td>-</td>
<td>185,519</td>
<td>185,519</td>
<td>114,158</td>
<td>(71,361)</td>
</tr>
<tr>
<td>2006 A Sr</td>
<td>5,195,000</td>
<td>205,200</td>
<td>5,400,200</td>
<td>4,388,023</td>
<td>(1,012,177)</td>
</tr>
<tr>
<td>2006 B Sub</td>
<td>29,544</td>
<td>29,544</td>
<td>20,658</td>
<td>(8,885)</td>
<td></td>
</tr>
<tr>
<td>2009 A Sr</td>
<td>2010 A-1 Sr 2010 A-2 Sub</td>
<td>45,485,000</td>
<td>4,382,331</td>
<td>40,021,838</td>
<td>(9,845,493)</td>
</tr>
<tr>
<td>2010 B Sr</td>
<td>1,950,575</td>
<td>4,105,575</td>
<td>1,193,397</td>
<td>(757,179)</td>
<td></td>
</tr>
<tr>
<td>2012 Sr</td>
<td>45,000</td>
<td>10,916,050</td>
<td>11,311,050</td>
<td>7,278,151</td>
<td>(4,032,899)</td>
</tr>
<tr>
<td>2014 A Sub</td>
<td>1,752,750</td>
<td>1,534,500</td>
<td>1,171,371</td>
<td>(581,379)</td>
<td></td>
</tr>
<tr>
<td>2014 B-1 Sr</td>
<td>1,833,600</td>
<td>1,833,600</td>
<td>1,179,948</td>
<td>(653,652)</td>
<td></td>
</tr>
<tr>
<td>2014 B-2 Sub</td>
<td>1,752,750</td>
<td>1,534,500</td>
<td>1,171,371</td>
<td>(581,379)</td>
<td></td>
</tr>
<tr>
<td><strong>51,075,000</strong></td>
<td><strong>21,407,094</strong></td>
<td><strong>72,482,094</strong></td>
<td><strong>55,599,647</strong></td>
<td></td>
<td><strong>(16,882,447)</strong></td>
</tr>
<tr>
<td><strong>Variable Rate Bonds</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2008 A Sub</td>
<td>692,384</td>
<td>692,384</td>
<td>734,601</td>
<td>(42,217)</td>
<td></td>
</tr>
<tr>
<td>2008 B Sub</td>
<td>2,366,000</td>
<td>2,366,000</td>
<td>1,579,262</td>
<td>(786,738)</td>
<td></td>
</tr>
<tr>
<td><strong>FRNs (Fixed Rate Notes with Bank of America)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2011 A-1 Sub</td>
<td>1,833,600</td>
<td>1,833,600</td>
<td>1,179,948</td>
<td>(653,652)</td>
<td></td>
</tr>
<tr>
<td>2011 A-2 Sub</td>
<td>3,229,200</td>
<td>3,229,200</td>
<td>1,747,123</td>
<td>(1,482,077)</td>
<td></td>
</tr>
<tr>
<td>2011 A-3 Sub</td>
<td>1,943,616</td>
<td>1,943,616</td>
<td>1,239,450</td>
<td>(704,166)</td>
<td></td>
</tr>
<tr>
<td><strong>-</strong></td>
<td><strong>10,064,800</strong></td>
<td><strong>10,064,800</strong></td>
<td><strong>6,480,385</strong></td>
<td></td>
<td><strong>(3,584,415)</strong></td>
</tr>
<tr>
<td><strong>Total Fixed and Variable</strong></td>
<td><strong>51,075,000</strong></td>
<td><strong>31,471,894</strong></td>
<td><strong>82,546,894</strong></td>
<td></td>
<td><strong>(20,466,862)</strong></td>
</tr>
<tr>
<td><strong>Senior Lien</strong></td>
<td>51,075,000</td>
<td>19,174,175</td>
<td>70,249,175</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Subordinate Lien</strong></td>
<td><strong>-</strong></td>
<td><strong>12,297,719</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Payments on Dec 15, 2015</strong></td>
<td><strong>17,565,000</strong></td>
<td><strong>31,895,875</strong></td>
<td><strong>49,460,875</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL Annual DS</strong></td>
<td><strong>68,640,000</strong></td>
<td><strong>63,367,769</strong></td>
<td><strong>132,007,769</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Notes:**

Interest on Variable Rate Bonds is paid out monthly with a monthly receipt from the Swap providers

Interest on the 2008 A is based on the swap rate of 3.934%: does not take into account basis risk (any potential difference between adjustable rate payment to bondholders and payments received from swap providers)

Interest on the 2008 B is based on the swap rate of 5.072% less option of .34% (4.732%): does not take into account basis risk (any potential difference between adjustable rate payment to bondholders and payments received from swap providers)

Interest on the 2011 A-1 is based on the swap rate of 3.934% plus 65 basis points: does not take into account basis risk (any difference between adjustable rate payment to bondholders and payments received from swap providers)

Interest on the 2011 A-2, 2011 A-3 is based on the swap rate of 4.732% plus 65 basis points: does not take into account basis risk (any difference between adjustable rate payment to bondholders and payments received from swap providers)
Tab 10a3
Resolution for Extension and Revision of Terms for Direct Purchase of Index Notes Agreements/PFM Market Update
Commission Brief

SUBJECT: Extension & Revision of Terms for Direct Purchase of Index Notes Agreements/ PFM Market Update

PRESENTER: Marcos Trujillo, Policy Director, NMDOT & Peter Shellenberger, Managing Director, PFM

BACKGROUND:

ACTION: No Action
March 9, 2016

Memorandum

To: Marcos Trujillo, Policy Director, New Mexico Department of Transportation
From: Peter Shellenberger, Managing Director, Public Financial Management, Inc.
Christine Choi, Senior Managing Consultant, Public Financial Management, Inc.
Alex Laine, Analyst, Public Financial Management, Inc.


Public Financial Management, Inc. (“PFM”), as the financial advisor to the New Mexico Department of Transportation (the “DOT”) has prepared the following memo to address the upcoming mandatory tender relating to the DOT’s Series 2011A-1, 2011A-2, and 2011A-3 indexed notes (“Notes”). PFM presents the available options and highlights specific factors to consider in determining an appropriate approach.

Background
The DOT’s Notes have a mandatory tender date of June 27, 2016. Upon mandatory tender, a new price must be established on the Notes for a specific term, or a new product must be selected and negotiated. The current price on the Notes is 65 basis points for the original five year term. The Notes are currently held by Bank of America Merrill Lynch (“BAML”). A summary table of the DOT’s variable rate program is provided below.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Par</td>
<td>$35,200,000</td>
<td>$100,000,000</td>
<td>$80,000,000</td>
<td>$120,000,000</td>
<td>$84,800,000</td>
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<tr>
<td>Structure</td>
<td>VRDB</td>
<td>VRDB</td>
<td>FRN</td>
<td>FRN</td>
<td>FRN</td>
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<tr>
<td>Credit Support</td>
<td>LOC</td>
<td>LOC</td>
<td>FRN</td>
<td>FRN</td>
<td>FRN</td>
</tr>
<tr>
<td>Bank</td>
<td>State Street</td>
<td>State Street</td>
<td>Bank of America</td>
<td>Bank of America</td>
<td>Bank of America</td>
</tr>
<tr>
<td>LOC Fee / Spread to Index</td>
<td>0.41%</td>
<td>0.41%</td>
<td>0.65%</td>
<td>0.65%</td>
<td>0.65%</td>
</tr>
<tr>
<td>Final Maturity</td>
<td>6/15/2024</td>
<td>12/15/2026</td>
<td>6/15/2024</td>
<td>12/15/2026</td>
<td>6/15/2024</td>
</tr>
</tbody>
</table>

The DOT has entered into fixed-payer swap transactions totaling $420 million associated with the DOT’s variable rate bonds. The mark-to-market for all swap agreements and knock-out options is approximately $120.45 million as of March 8, 2016. A summary of the DOT’s swap portfolio and current mark to market position is provided below.

<table>
<thead>
<tr>
<th>Associated Series</th>
<th>Authority</th>
<th>Authority Receives</th>
<th>Effective Date</th>
<th>Termination Date</th>
<th>Bank Counterparty</th>
<th>Notional Outstanding</th>
<th>MTM Value As of (03/08/16)</th>
<th>Collateral Threshold Amounts</th>
<th>Current Posting (Estimate)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008 A-1, 2011 A-1</td>
<td>3.934%</td>
<td>68% of LIBOR</td>
<td>4/22/2004</td>
<td>6/15/2024</td>
<td>Goldman Sachs MMDP</td>
<td>$50,000,000</td>
<td>($11,605,950)</td>
<td>$20,000,000</td>
<td>-</td>
</tr>
<tr>
<td>2011 A-3</td>
<td>3.934%</td>
<td>68% of LIBOR</td>
<td>4/22/2004</td>
<td>6/15/2024</td>
<td>Royal Bank of Canada</td>
<td>$100,000,000</td>
<td>($23,211,900)</td>
<td>$20,000,000</td>
<td>$3,211,900</td>
</tr>
<tr>
<td>2008 B-1, 2011 A-2</td>
<td>5.072%</td>
<td>0.34% SIFMA</td>
<td>12/15/2006</td>
<td>12/15/2026</td>
<td>Deutsche Bank AG</td>
<td>$50,000,000</td>
<td>($11,605,950)</td>
<td>$20,000,000</td>
<td>-</td>
</tr>
<tr>
<td>2011 A-2</td>
<td>5.072%</td>
<td>0.34% SIFMA</td>
<td>12/15/2006</td>
<td>12/15/2026</td>
<td>JP Morgan Chase Bank</td>
<td>$110,000,000</td>
<td>($36,604,002)</td>
<td>$2,590,586</td>
<td>$9,604,002</td>
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<tr>
<td>Total Swaps</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$420,000,000</td>
<td>($120,450,632)</td>
<td>$22,419,004</td>
<td>-</td>
</tr>
</tbody>
</table>
Summary of Bids
The New Mexico Finance Authority (“Authority”) on behalf of the DOT issued a request for replacement standby bond purchase agreements (“SBPA”), direct-pay letters of credit (“LOC”), and direct purchase of floating rate note (“FRN”) proposals. In late January 2016, the Authority and DOT received several competitive responses including 12 proposals from 7 different banks: four SBPAs, four LOCs, and four FRNs. A comprehensive Summary of Bids is attached to the end of this memo.

Considerations
Taking into account the DOT’s goals of minimizing cost, reducing risk, and maintaining flexibility, PFM concentrates on the following factors: cost, credit, flexibility, and process in its analysis and recommendations. Please refer to the attached Summary of Bids for additional detail.

Cost: Given the strong, competitive pricing the DOT received, PFM focuses on the three, five, and eight year term options. These longer term options solidify commitments during a period of uncertainty with respect to implementation of Basel requirements and the potential impact on the liquidity supply environment. Based on pricing alone, the lowest cost options are with Sumitomo Mitsui, BBVA, Wells Fargo and the DOT’s existing provider: Bank of America Merrill Lynch.

Credit: In addition to pricing, the credit quality of the proposing banks is important to evaluate. In particular, with publicly traded variable rate demand bonds, the DOT is exposed to the credit and trading penalty associated with the LOC bank. With direct purchase FRN options, bank credit and remarketing risk are eliminated, so the value of a proposer’s credit quality is diminished. State Street, US Bank, and JP Morgan have the highest credit ratings among the SBPA/LOC proposers.
Flexibility: While there are several pertinent provisions to evaluate, PFM focuses on early termination, and term loan provisions. Variable rate bonds provide the DOT with the flexibility to redeem them at any time. Given the DOT’s long-term goals of terminating related swaps, the ability to redeem the bonds on any date without penalty may be useful in the future should a favorable swap and municipal market dynamic exist. All of the proposers include fees relating to early termination of the agreements ranging from one year to five years.

In addition to evaluating the ability to redeem bonds on any date, PFM analyzes the term loan provisions associated with each proposal. A longer repayment term provides a greater degree of flexibility to the DOT and reduces the repayment amount due within the near-term. Most proposals have favorable term loans spanning three to five years as opposed to BAML’s one year term loan.

Process: In terms of process, an amendment with the existing Notes purchaser, BAML, is the easiest approach. An SBPA, LOC, or FRNs with a new bank will require new documentation (e.g., a new reimbursement agreements and remarketing memorandum or loan agreement) and will likely require a mandatory tender and reoffering on a portion of the bonds.

For a summary of all the terms of each bids (some of which are not discussed above), please refer to the Summary of Bids attached to this memo.

Recommendations
Taking into account the goals of the DOT, PFM in conjunction with the Authority recommends the following:

1. Amend BAML agreement to a 8-year term for $164.8 million (2011A-1 and 2011A-3)
2. Amend BAML agreement to a 5-year term for $120.0 million (2011A-2)

The 8-year term takes the 2011A-1 and 2011A-3 Notes to maturity reducing the need for renewal/replacement options. The 5-year term provides diversity as to when liquidity needs are due and provides additional opportunities to reevaluate swap termination and cliff restructuring options for 2011A-2. In conjunction with the Authority and based on PFM’s understanding of the market, we recommend ensuring the DOT’s ability to terminate swaps and fix out the FRNs without penalty even if the timing is within the early termination make-whole period. In addition, we recommend extending term loan periods to at least one year to be consistent with existing agreements. With the Authority/DOT’s goals of minimizing cost, minimizing risk, and maintaining flexibility in mind, the following factors of cost, credit, flexibility, and process have been highlighted. BAML’s aggressive pricing and long-term options as well as the ease of process through use of existing documents support our recommendation to amend the existing agreements with BAML.
STATE OF NEW MEXICO
STATE TRANSPORTATION COMMISSION
RESOLUTION NO. 2016-__ (APR)

A RESOLUTION OF THE NEW MEXICO FINANCE AUTHORITY APPROVING DOCUMENTS RELATED TO THE EXTENSION AND REVISION OF THE STATE TRANSPORTATION REVENUE REFUNDING INDEX NOTES (SUBORDINATE LIEN), SERIES 2011A, INCLUDING A FIRST SUPPLEMENTAL INDENTURE OF TRUST TO THE FOURTEENTH SERIES INDENTURE OF TRUST, AND AMENDED AND RESTATED NOTE PURCHASE LOAN AGREEMENT, AMENDED AND RESTATED FORMS OF SERIES 2011A NOTES AND VARIOUS OTHER AGREEMENTS RELATING TO THE SERIES 2011A NOTES; AUTHORIZING THE TAKING OF ALL OTHERS ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; RATIFYING PRIOR ACTIONS CONSISTENT WITH THIS RESOLUTION AND REPEALING PRIOR INCONSISTENT ACTIONS.

WHEREAS, the State Transportation Commission (the “Commission”) of the State of New Mexico (the “State”) was created under Article V, Section 14 of the New Mexico State Constitution; and

WHEREAS, the New Mexico Finance Authority (the “Finance Authority”) is a public body politic and corporate constituting a governmental instrumentality, separate and apart from the State, duly organized and created under and pursuant to the laws of the State, particularly Section 6-21-1 et seq., NMSA 1978, as amended; and

WHEREAS, pursuant to the provisions of Chapter 3, Laws 2003, adopted during the First Special Session of the Legislature in 2003, codified in Section 67-3-59.1, .2, .3 and .4, NMSA 1978, as amended (the “GRIP Financing Legislation”), the Commission is authorized to direct the issuance of state transportation revenue bonds (the “State Transportation Revenue Bonds”) by the Finance Authority from time to time, payable from Federal Revenues (as defined in the Master Indenture referred to below) and State Revenues (also as defined in the Master Indenture referred to below) (collectively, the “Pledged Revenues”), in order to provide funds to finance state transportation projects as specified in Sections 27 and 28 of the GRIP Financing Legislation (the “GRIP Transportation Projects”); and

WHEREAS, as permitted by the Public Securities Short-Term Interest Rate Act including, without limitation, Section 6-18-6 and Section 6-18-7, NMSA 1978, as amended, the Finance Authority may, when directed and authorized by the Commission, issue the bonds pursuant to the GRIP Financing Legislation as short-term bonds bearing a variable rate of interest; and

WHEREAS, the Finance Authority previously issued its State Transportation Revenue Refunding Industrial Notes (Subordinate Lien) Series 2011A-1 in the original amount of...
$80,000,000, Series 2011A-2 in the original amount of $120,000,000 and Series 2011A-3 in the original amount of $84,800,000 (collectively, the “Series 2011A Notes”); and

WHEREAS, the Finance Authority adopted a resolution on April 1, 2016 authorizing amendments and providing for revisions to the Series 2011A Notes which include (a) a First Supplemental Indenture of Trust to the Fourteenth Series Indenture for the purpose, among other things, of securing payment of the Series 2011A Notes and (b) a form of Amended and Restated Note Purchase Loan Agreement with Bank of America, N.A. for the purpose of extending and revising the terms of the Series 2011A Notes and establishing related warranties and covenants (collectively, the “2016 Amendments”); and

WHEREAS, the Commission desires to authorize the Chairman of the Commission and the Secretary of the Department to make certain representations and to enter into the 2016 Amendments on behalf of, respectively, the Commission and the Department in connection with the Series 2011A Notes and to execute certain agreements and certificates necessary, appropriate or convenient in connection with the execution and delivery of the Amendments.

NOW, THEREFORE, IT IS RESOLVED BY THE STATE TRANSPORTATION COMMISSION:

Section 1. Definitions; Interpretation.

(a) Definitions. Capitalized terms defined in the foregoing Recitals shall have the same meaning when used in this Authorizing Resolution, unless the context clearly requires otherwise. Capitalized terms not defined in the Recitals and defined in this Section 1 shall have the same meaning when used in this Authorizing Resolution including the foregoing Recitals, unless the context clearly requires otherwise:

(b) Interpretation. For all purposes of this Authorizing Resolution, except as otherwise expressly provided or unless the context otherwise requires:

(i) The singular includes the plural and the plural includes the singular.

(ii) All accounting terms not otherwise defined have the meanings assigned to them in accordance with generally accepted accounting principles applicable in the United States to governmental entities such as the Finance Authority, the Commission and the Department.

(iii) All references to sections shall refer to sections of this Authorizing Resolution.

(iv) Words importing any gender include the other gender.

Section 2. Findings and Determinations.
(a) The Commission and the Department determine that it is in the best interests of the Commission and the Department to amend the terms of the Series 2011A Notes pursuant to the terms of the 2016 Amendments.

(b) The Commission and the Department determine that it is in the best interests of the Commission and the Department for the Finance Authority to enter into the 2016 Amendments to protect the public health, conserve the property of, and protect the general welfare and prosperity of the citizens of the State.

(c) The Chairman of the Commission and the Secretary of the Department shall make certain representations and enter into the Amendments on behalf of, respectively, the Commission and the Department in connection with the Original Agreement and shall execute certain agreements and certificates necessary, appropriate or convenient in connection with the execution and delivery of the Amendments.

(d) The Commission has considered all relevant information and data in making its findings.

Section 3. Ratification of Prior Actions Taken by the Commission and the Finance Authority; Inconsistent Actions Superseded.

Prior actions of the Commission, the Department and the Finance Authority consistent with this Resolution are hereby ratified and approved. All acts, orders, resolutions, or parts thereof, of the Commission that are inconsistent or in conflict with this Resolution are hereby superseded to the extent only of such inconsistency or conflict.

Section 4. Effective Date.

The provisions of this Resolution shall become effective immediately upon its adoption and approval.

[Signature page follows]
ADOPTED IN OPEN MEETING BY THE STATE TRANSPORTATION COMMISSION ON APRIL 21, 2016.

________________________________________
Ronald L. Schmeits, Chairperson

________________________________________
Dr. Kenneth R. White, Commissioner

________________________________________
Keith Mortensen, Commissioner

________________________________________
David Sepich, Commissioner

________________________________________
Butch Mathews, Commissioner

________________________________________
Jackson Gibson, Commissioner

ATTEST:______________________
Secretary
CERTIFICATE REGARDING THE RESOLUTION
OF THE NEW MEXICO STATE TRANSPORTATION COMMISSION

I, the undersigned, Ronald L. Schmeits, Chairperson of the New Mexico State Transportation Commission (the “Commission”), DO HEREBY CERTIFY that: (i) the annexed Resolution was duly adopted by the members of the Commission at a meeting thereof duly called and held on April 21, 2016, at which meeting a quorum was present and acting throughout; (ii) the annexed Resolution has been compared by me with the original thereof recorded in the minute books of the Commission and is a correct transcript therefrom and of the whole of said original; (iii) the annexed Resolution has not been altered, amended or repealed; and (iv) the annexed Resolution is in full force and effect on the date of this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of April, 2016.

Ronald L. Schmeits, Chairperson
New Mexico State Transportation Commission
NEW MEXICO DEPARTMENT OF TRANSPORTATION
DEBT MANAGEMENT UPDATE

MARCH 2016
Table of Contents

I. Recent Municipal Market Conditions

II. Series 2011A-1, A-2, A-3 Notes Liquidity Solicitation Results and Recommendation
I. Recent Municipal Market Conditions
## Current Benchmark Tax-Exempt and Taxable Interest Rates

<table>
<thead>
<tr>
<th>Maturity</th>
<th>MMD</th>
<th>UST</th>
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</thead>
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<td>1-Year</td>
<td>0.47%</td>
<td>0.65%</td>
</tr>
<tr>
<td>2-Year</td>
<td>0.62%</td>
<td>0.90%</td>
</tr>
<tr>
<td>3-Year</td>
<td>0.78%</td>
<td>1.08%</td>
</tr>
<tr>
<td>4-Year</td>
<td>0.94%</td>
<td>-</td>
</tr>
<tr>
<td>5-Year</td>
<td>1.09%</td>
<td>1.39%</td>
</tr>
<tr>
<td>6-Year</td>
<td>1.25%</td>
<td>-</td>
</tr>
<tr>
<td>7-Year</td>
<td>1.44%</td>
<td>-</td>
</tr>
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<td>8-Year</td>
<td>1.61%</td>
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<tr>
<td>9-Year</td>
<td>1.76%</td>
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<td>10-Year</td>
<td>1.88%</td>
<td>1.89%</td>
</tr>
<tr>
<td>11-Year</td>
<td>2.00%</td>
<td>-</td>
</tr>
<tr>
<td>12-Year</td>
<td>2.09%</td>
<td>-</td>
</tr>
<tr>
<td>13-Year</td>
<td>2.17%</td>
<td>-</td>
</tr>
<tr>
<td>14-Year</td>
<td>2.25%</td>
<td>-</td>
</tr>
<tr>
<td>15-Year</td>
<td>2.33%</td>
<td>2.29%</td>
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<tr>
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<th>MMD</th>
<th>UST</th>
</tr>
</thead>
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<tr>
<td>16-Year</td>
<td>2.42%</td>
<td>-</td>
</tr>
<tr>
<td>17-Year</td>
<td>2.47%</td>
<td>-</td>
</tr>
<tr>
<td>18-Year</td>
<td>2.52%</td>
<td>-</td>
</tr>
<tr>
<td>19-Year</td>
<td>2.57%</td>
<td>-</td>
</tr>
<tr>
<td>20-Year</td>
<td>2.61%</td>
<td>2.49%</td>
</tr>
<tr>
<td>21-Year</td>
<td>2.65%</td>
<td>-</td>
</tr>
<tr>
<td>22-Year</td>
<td>2.69%</td>
<td>-</td>
</tr>
<tr>
<td>23-Year</td>
<td>2.73%</td>
<td>-</td>
</tr>
<tr>
<td>24-Year</td>
<td>2.77%</td>
<td>-</td>
</tr>
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<td>25-Year</td>
<td>2.80%</td>
<td>-</td>
</tr>
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<td>26-Year</td>
<td>2.82%</td>
<td>-</td>
</tr>
<tr>
<td>27-Year</td>
<td>2.83%</td>
<td>-</td>
</tr>
<tr>
<td>28-Year</td>
<td>2.84%</td>
<td>-</td>
</tr>
<tr>
<td>29-Year</td>
<td>2.85%</td>
<td>-</td>
</tr>
<tr>
<td>30-Year</td>
<td>2.83%</td>
<td>2.69%</td>
</tr>
</tbody>
</table>

MMD: index for tax-exempt interest rates  
UST: taxable US treasury rates  

Source: Thomson Reuters as of 3/9/2016
Tax-exempt borrowing rates continue to be near historic lows despite recent volatility

Current long-term borrowing rates are below their respective 1-, 5-, and 10-year historical averages

AAA MMD Rate History
January 1, 2007 to March 9, 2016

<table>
<thead>
<tr>
<th></th>
<th>30 Year MMD</th>
<th>Current vs Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>2.86%</td>
<td></td>
</tr>
<tr>
<td>1-Year Average</td>
<td>3.01%</td>
<td>-0.15%</td>
</tr>
<tr>
<td>5-Year Average</td>
<td>3.37%</td>
<td>-0.51%</td>
</tr>
<tr>
<td>10-year Average</td>
<td>3.90%</td>
<td>-1.04%</td>
</tr>
</tbody>
</table>

Source: Thomson Reuters
Recent AAA MMD Yield Curve Movement

### Change in AAA MMD Rates

<table>
<thead>
<tr>
<th>Maturity</th>
<th>Δ Since 12/01/2015</th>
<th>Δ Since 09/01/2015</th>
<th>Δ Since 03/10/2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-Year</td>
<td>13 bps</td>
<td>24 bps</td>
<td>32 bps</td>
</tr>
<tr>
<td>2-Year</td>
<td>-11 bps</td>
<td>1 bps</td>
<td>9 bps</td>
</tr>
<tr>
<td>3-Year</td>
<td>-14 bps</td>
<td>-10 bps</td>
<td>-14 bps</td>
</tr>
<tr>
<td>4-Year</td>
<td>-14 bps</td>
<td>-20 bps</td>
<td>-27 bps</td>
</tr>
<tr>
<td>5-Year</td>
<td>-15 bps</td>
<td>-26 bps</td>
<td>-32 bps</td>
</tr>
<tr>
<td>6-Year</td>
<td>-16 bps</td>
<td>-38 bps</td>
<td>-33 bps</td>
</tr>
<tr>
<td>7-Year</td>
<td>-13 bps</td>
<td>-37 bps</td>
<td>-37 bps</td>
</tr>
<tr>
<td>8-Year</td>
<td>-12 bps</td>
<td>-35 bps</td>
<td>-35 bps</td>
</tr>
<tr>
<td>9-Year</td>
<td>-10 bps</td>
<td>-32 bps</td>
<td>-32 bps</td>
</tr>
<tr>
<td>10-Year</td>
<td>-10 bps</td>
<td>-31 bps</td>
<td>-30 bps</td>
</tr>
<tr>
<td>11-Year</td>
<td>-10 bps</td>
<td>-31 bps</td>
<td>-27 bps</td>
</tr>
<tr>
<td>12-Year</td>
<td>-9 bps</td>
<td>-31 bps</td>
<td>-29 bps</td>
</tr>
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<td>-32 bps</td>
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<td>15-Year</td>
<td>-9 bps</td>
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</tr>
<tr>
<td>16-Year</td>
<td>-6 bps</td>
<td>-31 bps</td>
<td>-25 bps</td>
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<tr>
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<td>-6 bps</td>
<td>-31 bps</td>
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<tr>
<td>18-Year</td>
<td>-6 bps</td>
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<tr>
<td>19-Year</td>
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Municipal Market Demand

- After experiencing consecutive monthly net inflows since December 2013, the municipal bond funds experienced monthly net outflows for five consecutive months (May-September).
- However, municipal bond funds have experienced monthly net inflows since October 2015.

Estimated Weekly Net Municipal Bond Fund Flows (February 2016)

Source: Investment Company Institute
Municipal Market Supply

- Municipal issuance in January and February decreased versus one year earlier

### Monthly Municipal Market Supply over Past Five Years (in Billions)

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<td>$12.44</td>
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<td>$27.05</td>
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<td>May</td>
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<td>$21.39</td>
<td>$37.89</td>
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<td>$27.04</td>
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| Full Year | $433.27 | $287.72 | $379.61 | $334.07 | $334.43 | $384.15 | -      | -               |

Source: Bond Buyer

75
Series 2011A-1, A-2, A-3 Notes Liquidity Solicitation Results and Recommendation
The DOT’s Notes are currently held by Bank of America Merrill Lynch and they have a mandatory tender date of June 27, 2016.

Upon mandatory tender, a new price must be established on the Notes for a specific term, or a new product must be selected and negotiated.

The current price on the Notes is 65 basis points (approximately $1.85 million annually).

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<td>12/15/2026</td>
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Solicitation Results

- 12 proposals received from 7 different banks
  - Four standby bond purchase agreements
  - Four direct-pay letters of credit
  - Four direct purchase of indexed notes

- Two banks (Bank of America Merrill Lynch and JP Morgan) committed to the full $284.8 million amount needed

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<td>MUFG</td>
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<td>JP Morgan</td>
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<td>State Street</td>
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<td>JPMorgan Chase Bank</td>
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Recommendation

- Amendment with Bank of America Merrill Lynch (BAML)
  - 5-years: 2011A-2 ($120,000,000)
    - Cost: 52 basis points (approximately $624,000 annually)
    - Make-whole termination period: 3 years and an exception for fix out
  - 8-years: 2011A-1 and 2011A-3 ($164,800,000)
    - Cost: 65 basis points (approximately $1,075,000 annually)
    - Make-whole termination period: 4 years and an exception for fix out

- Rationale:
  - Low cost
  - Ease of process (BAML is existing note purchaser)
  - Split between 5-year and 8-year options reduces liquidity need in 5 years and covers 2011A-1, and 2011A-3 through their final maturity (6/15/2024)
Tab 10a4
FY17 Operating Budget
SUBJECT: FY17 Operating Budget
PRESENTER: Michael S. Friel, Budget Director

BACKGROUND:
At the February STC Cabinet Secretary Church presented the status of the FY17 Appropriation Request, i.e. the consensus meetings and the subsequent passage of HB2 by the legislature. HB2 was signed by the Governor on February 29. Later today I will be requesting Commission approval of our FY17 Operating Budget for NMDOT as appropriated:

- FY17 Operating Budget of $867,553,000
  - $529,905,000 for P562, Project Design and Construction
  - $233,794,900 for P563, Highway Operations
  - $42,171,900 for P564, Program Support
  - $61,681,200 for P565, Modal
- Budget Adjustment Authority for FY16 and FY17
- Special Appropriations for rollover authority

State law requires all state agencies to provide reconciled operating budgets and required forms to the Department of Finance and Administration by May 2.

ACTION: Commission Approval of FY17 Operating Budget for NMDOT as appropriated within the General Appropriation Act of 2016 (S-1 signature required)
HB 2 General Appropriation Act of 2016
FY17 Operating Budget


Presented to the
State Transportation Commission
April 21, 2016
Overall, HB 2 totals $867.5 million, a $2.9 million or 0.3 percent increase from the approved FY16 operating budget. This includes $398.6 million from State Road fund revenues, $39.3 from restricted fund revenues, $16.0 million from unobligated state road fund balances, $4.8 million from restricted fund balances, and $408.9 million from federal sources.

This includes a $58.1 million, or 10.0 percent decrease to the Project Design and Construction Program (formerly Programs and Infrastructure); a $0.4 million increase to the Highway Operations Program; a $0.7 million decrease to Business Support; and a $61.7 million increase to our new Program named Modal which consists of Traffic Safety, Transit and Rail, and Aviation (formerly included in Programs and Infrastructure).

Major differences between FY16 and FY17, besides the creation of our new Program named Modal, includes the use of $16.0 million of unobligated State Road Fund balances compared to $21.9 million in FY16, the use $4.8 million of unobligated Restricted Fund balances compared to $4.3 million in FY16, a program change to move OEOF and the Construction Bureau from Highway Operations to Project Design and Construction, and a $7.1 million or 2.0 percent increase in growth in the State Road Fund from the FY2016 Budget.
Project Design and Construction

- Overall, HB 2 for Project Design and Construction totals $529.9 million; a $58.1 million or 10.0 percent decrease under FY16 approved operating levels. This includes $112.1 million from State Road fund revenues, $31.0 million from restricted fund revenues, $10 million from state road fund balances, $2.8 million from restricted fund balances, and $374.0 million from federal sources.

- HB 2 aligns the use of restricted/unrestricted revenue sources with the January 2016 State Road Fund Revenue Forecast.

- In addition, HB 2 utilizes the use of $10.0 million of state road fund balances for 100% state projects and the use of $2.8 million of HIF balances to accommodate anticipated debt service payments.

- Key features are as follows:
  - Personal services and employee benefits – FLAT 10% vacancy rate
  - $313.7 million for ‘Road Betterments’ construction.
  - $23.0 million for the Local Government Road fund
  - $161.7 million for debt service – principal, interest and related fees
    - $30.9 million – State Road Fund (Rail Runner)
    - $119.9 million – FHWA (80/20)
    - $10.8 million – Highway Infrastructure Bank

<table>
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<tr>
<th>Expenditures</th>
<th>FY16 Approved Operating</th>
<th>HNOCOT FY17 Request</th>
<th>HB2 Session 2016 FY17</th>
<th>Dollar Change (E-C)</th>
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<td>200 - Personal Services and Employee Benefits</td>
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Highway Operations

- Overall, HB 2 for Highway Operations totals $233.8 million; a $.04 million increase compared to FY16. This includes $224.8 million from State Road fund revenues, $6.0 million from unobligated state road fund balances, and $3.0 million from federal sources.

- In general, HB 2 for Highway Operations remains flat with approved FY16 operating levels after utilizing $6.0 million in unobligated fund balances, and transferring the EEOC and Construction Bureau to Project Design and Construction.

- Key features include:
  - Personal services and employee benefits – FLAT 8% vacancy rate
  - Highway Road Betterments:
    - Contract Maintenance - $45.9 million
    - Field Supplies - $41.8 million
  - The Road Maintenance program request supports the following activities, i.e. Chip Seal, Fog Seal, Crack Seal, Overlay, Guardrail, Blade and Pothole Patching, and Snow Removal

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<td>National Highway Traffic Safety Administration</td>
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<td>Waste Isolation Pilot Plant (WIPP)</td>
<td>$0.0</td>
<td>$0.0</td>
<td>$0.0</td>
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<tr>
<td>Federal Transit Administration (FTA)</td>
<td>$0.0</td>
<td>$0.0</td>
<td>$0.0</td>
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<td>Federal Railroad Administration (FRA)</td>
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<td>$0.0</td>
<td>$0.0</td>
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<td>Rec Trails</td>
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<td>Total Federal Revenues</td>
<td>$2,988.9</td>
<td>$3,000.0</td>
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<tr>
<td>Total Revenues</td>
<td>$233,752.9</td>
<td>$222,794.9</td>
<td>$238,794.9</td>
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</table>
Business Support

- HB 2 for Business Support totals $42.2 million, a $.7 million decrease compared to FY16 including:
  - $1.1 million decrease in personal services and employee benefits related to GSD charges (Workers Comp and Liability)
  - $.4 million increase in Department of Information Technology’s FY17 published rates for ISD services, HRMS Fees, and Telecommunications.
  - Personal services and employee benefits – FLAT 10% vacancy rate.

- Business Support is responsible for paying all ‘agency-wide’ costs for the department including the following:
  - GSD charges - $8.3 million
  - DOIT charges – Tech, HRMS, and Telecommunication charges - $3.2 million (radio charges of $2.2 million are billed directly to Highway Operations)
  - Audit Services & Financial Statements - $.3 million
  - Agency-wide costs including GSD and DoIT rates account for $11.5 million, or 27.3 percent of all Business Support costs.
The MODAL program is new and consists of former divisions within Programs and Infrastructure that involve federal grants management and the oversight of dedicated and restricted funding, i.e. Traffic Safety, Aviation, and Transit and Rail. HB 2 for MODAL totals $61.7 million, essentially flat with FY16 when they were a part of Programs and Infrastructure:

- $23.4 for Traffic Safety
  - $3.1 SRF, $2.6 restricted, $2.0 fund balance, and $15.7 Federal
- $5.6 for Aviation
  - $5.6 restricted
- $32.6 for Transit and Rail
  - $16.4 SRF and $16.2 Federal

Personal services and employee benefits – FLAT 10% vacancy rate.
State Road Fund Revenues – January 2016

NMDOT State Revenue Sources - Fiscal Years 2007 thru 2020

<table>
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<tbody>
<tr>
<td><strong>Road Fund:</strong></td>
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<td>Road Fund -- Ordinary Revenue:</td>
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<td>1 Gasoline Tax</td>
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<td>108.129</td>
<td>109.163</td>
<td>109.282</td>
<td>104.987</td>
<td>111.795</td>
<td>107.998</td>
<td>110.672</td>
<td>111.900</td>
<td>113.200</td>
<td>110.300</td>
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<td>(300)</td>
<td>-0.3%</td>
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<tr>
<td>2 Special Fuel Tax</td>
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<td>92.563</td>
<td>92.933</td>
<td>97.566</td>
<td>97.200</td>
<td>98.000</td>
<td>101.100</td>
<td>101.300</td>
<td>4,100</td>
<td>4.2%</td>
<td>105.500</td>
<td>108.000</td>
</tr>
<tr>
<td>3 Weight/Distance</td>
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<td>77.424</td>
<td>75.485</td>
<td>69.598</td>
<td>74.916</td>
<td>72.786</td>
<td>78.489</td>
<td>75.387</td>
<td>79.985</td>
<td>81.600</td>
<td>81.500</td>
<td>83.700</td>
<td>84.100</td>
<td>2,500</td>
<td>3.1%</td>
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<td>4 Trip Tax</td>
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<td>4.904</td>
<td>5.776</td>
<td>5.488</td>
<td>5.973</td>
<td>5.689</td>
<td>5.045</td>
<td>4.666</td>
<td>5.232</td>
<td>3.200</td>
<td>3.600</td>
<td>5.800</td>
<td>5.800</td>
<td>600</td>
<td>11.5%</td>
<td>6,000</td>
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<tr>
<td>5 Vehicle Registration</td>
<td>73.512</td>
<td>73.679</td>
<td>72.190</td>
<td>72.863</td>
<td>73.445</td>
<td>75.626</td>
<td>74.135</td>
<td>76.218</td>
<td>75.455</td>
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<td>79.000</td>
<td>79.400</td>
<td>79.400</td>
<td>1,500</td>
<td>1.9%</td>
<td>82,000</td>
<td>81,900</td>
</tr>
<tr>
<td>6 Vehicle Transaction</td>
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<td>1.165</td>
<td>1.070</td>
<td>1.041</td>
<td>1.065</td>
<td>1.114</td>
<td>1.163</td>
<td>1.200</td>
<td>1.173</td>
<td>1.200</td>
<td>1.200</td>
<td>1.250</td>
<td>1.250</td>
<td>50</td>
<td>4.2%</td>
<td>1,300</td>
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<tr>
<td>8 Oversize/Overweight</td>
<td>4.590</td>
<td>4.961</td>
<td>4.539</td>
<td>3.778</td>
<td>4.687</td>
<td>4.820</td>
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<td>5.026</td>
<td>5.239</td>
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<td>5.300</td>
<td>5.400</td>
<td>5.400</td>
<td>200</td>
<td>3.8%</td>
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<td>9 Public Regulatory Commission Fees (UCR)</td>
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<td>2.740</td>
<td>881</td>
<td>3.191</td>
<td>2.049</td>
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<td>3.300</td>
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<td>10 MVD Miscellaneous</td>
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<td>2.569</td>
<td>2.735</td>
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<td>-0.0%</td>
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<td>362.221</td>
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<td>370.629</td>
<td>365.645</td>
<td>373.513</td>
<td>372.902</td>
<td>368.340</td>
<td>390.100</td>
<td>394.900</td>
<td>398.350</td>
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</tr>
<tr>
<td>12 Other (Reimbursements, Asset Sales, etc.)</td>
<td>4.140</td>
<td>2.240</td>
<td>4.758</td>
<td>6.568</td>
<td>6.584</td>
<td>10.375</td>
<td>10.354</td>
<td>6.493</td>
<td>12.365</td>
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<td>(500)</td>
<td>-18.5%</td>
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<td>13 Rail Runner Track Maintenance Fees</td>
<td>4.080</td>
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<td>2.350</td>
<td>17</td>
<td>2.014</td>
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<td>1.200</td>
<td>2.000</td>
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<td>2.000</td>
<td>2.000</td>
<td>(100)</td>
<td>-4.8%</td>
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<td>14 Road Fund Interest</td>
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<td>19</td>
<td>16</td>
<td>95</td>
<td>108</td>
<td>204</td>
<td>172</td>
<td>143</td>
<td>440</td>
<td>90</td>
<td>450</td>
<td>10</td>
<td>23%</td>
<td>810</td>
<td>1,125</td>
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<tr>
<td>16 TOTAL ROAD FUND</td>
<td>398.806</td>
<td>381.701</td>
<td>371.080</td>
<td>367.193</td>
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<td>376.145</td>
<td>386.089</td>
<td>381.257</td>
<td>400.887</td>
<td>395.340</td>
<td>399.290</td>
<td>403.450</td>
<td>404.800</td>
<td>9,460</td>
<td>2.4%</td>
<td>414.910</td>
<td>420.625</td>
</tr>
</tbody>
</table>

- This January 2016 forecast is one of two annual forecasts of NMDOT revenues. It has been reviewed by the State Consensus Revenue Estimating Group that includes economists from the Legislative Finance Committee, Taxation and Revenue Department, and Department of Finance and Administration.
- This update is in line with the prior estimate published in July 2015. The FY 2017 Road Fund revenue expectations have only been revised by $1.3 million (an increase of 0.3%).
- FY 2017 Road Fund revenues are currently estimated at $404.8 million. This represents 2.4% of $9.5 million in growth from the FY 2016 budget.
- This update increases FY 2016 Road Fund revenue expectations by $4 million from the budgeted January 2015 estimate (an increase of 1%).
- The increases in revenues are primarily due to continuing lower petroleum prices: after three years of relative price stability close to $100/barrel oil prices have dropped by more than half.
- FY 2017 overall NMDOT state Funds are forecast at $444 million in FY 2017 representing growth of 2.3 % or $10 million from the current FY2016 budget.
- In FY2018 and FY2019 the Aviation Fund is impacted by sunset clauses in two statutes, i.e. in FY2019 a gross receipts tax distribution sunsets (§ 7-1-67.7.C) and in FY2018 the distribution based on taxable jet fuel sales is positively impacted by a partial sunset of a portion of the gross receipts tax deduction for jet fuel (§ 7-9-83).
## Other Fund Revenues

### NMDOT State Revenue Sources - Fiscal Years 2007 thru 2020

<table>
<thead>
<tr>
<th>Table 2</th>
<th>A</th>
<th>B</th>
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<th>(M - J)</th>
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<tr>
<td></td>
<td>FY07</td>
<td>FY08</td>
<td>FY09</td>
<td>FY10</td>
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<td>FY16 to FY17</td>
<td>FY18</td>
<td>FY19</td>
<td>FY20</td>
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<td><strong>Other Funds:</strong></td>
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<tr>
<td>Highway Infrastructure Fund</td>
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<tr>
<td>Actual</td>
<td>4,844</td>
<td>4,963</td>
<td>5,444</td>
<td>5,197</td>
<td>5,657</td>
<td>5,711</td>
<td>5,214</td>
<td>5,889</td>
<td>5,773</td>
<td>5,940</td>
<td>5,784</td>
<td>5,990</td>
<td>5,842</td>
<td>(78)</td>
<td>-1.3%</td>
<td>5,944</td>
<td>5,967</td>
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<tr>
<td><strong>Local Government Road Fund:</strong></td>
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<tr>
<td>Actual</td>
<td>22</td>
<td>984</td>
<td>243</td>
<td>143</td>
<td>24</td>
<td>73</td>
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<td>79</td>
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<tr>
<td>Actual</td>
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<td>387</td>
<td>387</td>
<td>372</td>
<td>392</td>
<td>397</td>
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<td>391</td>
<td>395</td>
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<td>15</td>
<td>-0.5%</td>
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<tr>
<td>Actual</td>
<td>1,189</td>
<td>1,447</td>
<td>1,456</td>
<td>1,645</td>
<td>1,651</td>
<td>1,516</td>
<td>1,561</td>
<td>1,556</td>
<td>1,559</td>
<td>1,572</td>
<td>1,574</td>
<td>1,576</td>
<td>1,574</td>
<td>1,572</td>
<td>1,571</td>
<td>1,570</td>
<td>1,568</td>
</tr>
<tr>
<td><strong>TOTAL NMDOT STATE REVENUES:</strong></td>
<td>4,454,050</td>
<td>4,820,343</td>
<td>4,947,229</td>
<td>4,995,069</td>
<td>4,919,079</td>
<td>4,515,585</td>
<td>4,223,523</td>
<td>4,188,728</td>
<td>4,093,028</td>
<td>4,144,113</td>
<td>4,137,411</td>
<td>4,148,711</td>
<td>4,144,061</td>
<td>9,088</td>
<td>2.1%</td>
<td>4,555,820</td>
<td>4,631,300</td>
</tr>
</tbody>
</table>

**Notes:**
- Actual figures represent the revenue generated from each category for the fiscal years 2007 to 2020.
- Percentages indicate the change from the previous year.
- Budget growth and changes are calculated based on the difference between the current year and the previous year's budget.

**Total Revenues:**
- **Revenue Sources:** Highway Infrastructure Fund, Local Government Road Fund, Aviation Fund, Transportation Fund, and TOTAL NMDOT STATE REVENUES.

**Key Points:**
- The Highway Infrastructure Fund saw a decrease in revenue from FY07 to FY10, followed by a slight increase in FY11 to FY14, with a significant drop in FY15 and FY16.
- The Local Government Road Fund revenue was consistent with minor fluctuations.
- The Aviation Fund revenue remained relatively stable, with a decrease in FY16.
- The Transportation Fund revenue was consistently high, with some fluctuations in FY14 and FY15.
- The TOTAL NMDOT STATE REVENUES show a steady increase over the years, with a slight decrease in FY16 before a recovery in FY17.
Annual Debt Service by Revenue Source
Total Debt - $1.4B (Principal) and $0.6B (Interest-to-be-Paid)
Tab 10a5
Budget Adjustment Requests (BAR’s)
P562 for Programs & Infrastructure
Commission Brief

SUBJECT: BARs for P562-Programs and Infrastructure
Presenter: Michael S. Friel, Accounting Services Director

BACKGROUND:

BAR #6 - Establish additional budget authority for the FY16 Federal-Aid program, #20100, in the contractual services cost category due to “redistributions” and “releases”. The BAR will increase contractual services by a total of $75.1M of which $64.1M is federal funds and $11.0M is state road funds (from fund balance).

BAR #8 - The Transit/FTA, #10030, needs a “Category Transfer” BAR to cover projected shortfalls in Category 200/Personal Services and Employee Benefits due to their zero vacancy rate (no vacant FTEs). This BAR will transfer $70,000 from Category 400/Other to Category 200/Personal Services and Employee benefits.

BAR #9 - The Aviation, Fund #20500, needs a “Category Transfer” BAR to cover projected shortfalls in Category 200/Personal Services and Employee Benefits due to their zero vacancy rate (no vacant FTEs). This BAR will transfer $6,000 from Category 400/Other to Category 200/Personal Services and Employee benefits.

BAR #11 - Establish additional budget authority for the FY16 Interlock Device program, #82600, to cover additional monitoring by UNM of the service center providers and manufacturers of the devices. The BAR will increase Category 400/Other by $200,000 (from fund balance).

ACTION: Request Approval of BAR #6, #8, #9 and #11
Budget Adjustment Request (BAR)
In Brief

Date of Request: 3/9/2016
Date to Commission: 3/17/2016

Program: Programs and Infrastructure

SUBMITTED BY:

Division: Director/DE: Anthony Lujan

Bureau/District: Bureau Chief: Dolores Gallegos

BAR Type: Increase

Administrator:

Amount Requested: $75,100,000
Funding Source: State Road Fund $ 11,000,000
Federal Funds $ 64,100,000
Other State Funds $ -
Total $ 75,100,000

Fund: Source Type(revenue/cash/grant): 20100 State Road Fund

Budget Appr./Category: 300 Contractual

Purpose/Justification for BAR: The purpose of this BAR is to establish additional budget authority for the FY16 Federal-Aid program in the contractual services cost category of P562 - Program and Infrastructure. The increase is a result of redistributions and the close out of projects resulting in "releases", i.e. the availability of obligation limitation.

Significant Issues:

Attachments:
FY09 and FY10 Freeze Comparison
(Support Documentation)

Approvals: To Submit to Commission and if approved, to DFA.

Secretary/Deputy Sec.: Loren Hatch DATE: 3/17/2016

Budget Office Review: This BAR will establish additional budget authority for the FY16 Federal-Aid program in the contractual services cost category of P562 - Program and Infrastructure: $11.0M from State Road Fund balances and $64.1M in Federal Funds. The increase is a result of redistributions and the close out of projects resulting in releases or the availability of obligation limitation.

Assigned BAR #: 5

Budget Director: Michael S. Friell DATE: 3/17/2016
**Budget Adjustment Request (BAR) In Brief**

**Date of Request:** 4/14/2016  
**Date to Commission:** 4/21/2016  
**Program:** PINF/P562  

<table>
<thead>
<tr>
<th>Division:</th>
<th>Director/DE:</th>
<th>Loren Hatch</th>
</tr>
</thead>
</table>

| Bureau/District: | Bureau Chief: |  
|------------------|---------------|-------------|
| All Districts    |               |             |

**BAR Type:** Category Transfer  
**Administrator:**  

| Amount Requested: | Fund: | Source Type(revenue/cash/grant): |  
|-------------------|-------|---------------------------------|---|
| $ 70,000          | 10030 |                                  | ---|

| Funding Source: | Other State Funds | Total |  
|-----------------|-------------------|-------|---|
| State Road Fund | $ -               | $ -   | ---|
| Federal Funds   | $ -               | $ -   | ---|

**Budget Appr./Category:** 200 and 400 Personal Services & Other  

**Purpose/Justification for BAR:**  
The Transit/FTA, Fund #10030, needs a “Category Transfer” BAR to cover projected shortfalls in Category 200/Personal Services and Employee Benefits due to their zero vacancy rate (no vacant FTEs). This BAR will transfer $70,000 from Category 400/Other to Category 200/Personal Services and Employee Benefits.

**Significant Issues:**  
This BAR uses authority under the Laws of 2015, Chapter 101, Section 9(C)

**Approvals:** To Submit to Commission and if approved, to DFA.

**Program Mgr/Deputy Sec/Sec:**  
**DATE:**

**Budget Office Review:**  

**Assigned BAR #:** BAR #8  

**Budget Director:** Michael S. Friel  
**DATE:** 4/14/2016
Budget Adjustment Request (BAR)  
In Brief

Date of Request: 4/14/2016
Date to Commission: 4/21/2016
Program: PINF/P562

Division:  
Director/DE: Loren Hatch
and/or

Bureau/District: All Districts
Bureau Chief:  
and/or

BAR Type: Category Transfer
Administrator:  

Amount Requested: $6,000
Funding Source: State Road Fund
Federal Funds $ -

Other State Funds $ -
Total $ -

Fund: 20500

Source Type (revenue/cash/grant):  

Budget Appr./Category: 200 and 400
Personal Services & Other

Purpose/Justification for BAR:
The Aviation Fund #20500 needs a "Category Transfer" BAR to cover projected shortfalls in Category 200/Personal Services and Employee Benefits due to their zero vacancy rate (no vacant FTEs). This BAR will transfer $6,000 from Category 400/Other to Category 200/Personal Services and Employee Benefits.

Significant Issues:

Attachments:
(Support Documentation)

Approvals: To submit to Commission and if approved, to DFA.

Program Mgr/Deputy Sec/Sec: DATE:
<BUDGET STAFF ONLY>

Budget Office Review:

Assigned BAR #: BAR #9

Budget Director: Michael S. Friel DATE: 4/14/2016

This BAR uses authority under the Laws of 2015, Chapter 101, Section 9(C)
# Budget Adjustment Request (BAR) In Brief

<table>
<thead>
<tr>
<th>Date of Request:</th>
<th>4/14/2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date to Commission:</td>
<td>4/21/2016</td>
</tr>
</tbody>
</table>

**Program:** Interlock Device Program  
**Division:** Programs and Infrastructure  
**Director/DE:** Loren Hatch  
**Bureau Chief:**  
**BAR Type:** Increase  
**Administrator:**  

<table>
<thead>
<tr>
<th>Amount Requested:</th>
<th>$200,000</th>
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</thead>
<tbody>
<tr>
<td>Fund:</td>
<td>001</td>
</tr>
<tr>
<td>Source Type (revenue/cash/grant):</td>
<td></td>
</tr>
</tbody>
</table>

| Funding Source: |
| State Road Fund | |
| Federal Funds | $ |
| Other State Funds | $200,000 |
| **Total:** | **$200,000** |

**Budget Appr./Category:** 547400  
**Purpose/Justification for BAR:** This BAR Increase will provide budget authority from the Interlock Device Fund Balance (Fund #82600) to cover additional monitoring, CAT 400/Other, by UNM, of the service center providers (60 ea) and manufacturers (10 ea) of the devices.

**Significant Issues:**  

**Attachments:** (Support Documentation)  

**Approvals:** To Submit to Commission and if approved, to DFA.

<table>
<thead>
<tr>
<th>Business Support Deputy:</th>
<th>DATE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Secretary/Deputy Sec.:</td>
<td>DATE:</td>
</tr>
<tr>
<td>Budget Office Review:</td>
<td></td>
</tr>
</tbody>
</table>

**Assigned BAR #:** #11  
**Budget Director:** DATE:
Tab 10a6
Budget Adjustment Requests (BAR’s)
P563 for Highway Operations
Commission Brief

SUBJECT: BARs for P563-Highway Operations
Presenter: Michael S. Friel, Accounting Services Director

BACKGROUND:

BAR #7 - Establish additional budget authority for the FY16 US550 Warranty Program. The Agreement with Mesa PDC for Corridor 44 (U.S. 550) Professional Services and Warranty, executed on July 27, 1998, stipulates that eligible work covered by the warranty must be administered by the State, including procurement of services and payment to the contractor performing the services. Mesa PDC will reimburse the Department for a percentage of the expenditures. The percentage is based on an inflationary clause in the agreement. This year, the total needed is $3,500,000 of which the percentage of Mesa PDC reimbursement will be 69.87%, $2,445,450, and the match for the Department will be 30.13%, $1,054,550 (from fund balance).

BAR #10 – Establish additional budget authority from State Road Fund Balance to cover a projected $3,000,000 shortfall in CAT200/Personal Services and Employee Benefits due to FY16’s (1) 10% “recruitment and retention” transaction increases for highway Maintenance Workers, Construction Engineering Technicians, Mechanics, and Service Center Technicians, (2) successful recruitment efforts that has resulted in a vacancy rate of below the budgeted 10% vacancy factor, and (3) projected overtime expenditures as a result of winter and springtime maintenance and construction oversight activities.

Prior to the submittal BAR10 we will verify and utilize any Category 200 savings within P562/Programs and Infrastructure and P564/Business Support in order to minimize the impact on State Road fund balance.

ACTION: Request Approval of BAR #7 and #10
# Budget Adjustment Request (BAR)

**In Brief**

<table>
<thead>
<tr>
<th>Date of Request:</th>
<th>4/4/2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date to Commission:</td>
<td>4/21/2016</td>
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<tr>
<td>Program:</td>
<td>Transportation &amp; Hwy Operations</td>
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<tr>
<td>Division:</td>
<td>Transportation &amp; Hwy Operations</td>
</tr>
<tr>
<td>Bureau/District:</td>
<td>State Maintenance Bureau</td>
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<tr>
<td>BAR Type:</td>
<td>Increase</td>
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<tr>
<td>Amount Requested:</td>
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</tr>
<tr>
<td>Funding Source:</td>
<td></td>
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<tr>
<td>State Road Fund</td>
<td>$3,500,000</td>
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<tr>
<td>Federal Funds</td>
<td>-</td>
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<tr>
<td>Other State Funds</td>
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</tr>
<tr>
<td>Total</td>
<td>$3,500,000</td>
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<tr>
<td>Budget Appr./Category:</td>
<td>9168000000/535300</td>
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<tr>
<td>Source Type (revenue/cash/grant):</td>
<td>Revenue Account 0245 - MESA PDC Refund</td>
</tr>
</tbody>
</table>

**Purpose/Justification for BAR:**
This increase will provide budget to the Road Betterments Division for eligible expenditures made by the Department in association with the warranty provided by Mesa PDC for the US 550 corridor.

** Significant Issues:**
The Agreement for Corridor 44 (U.S. 550) Professional Services and Warranty, executed on July 27, 1998, stipulates that eligible work covered by the warranty must be administered by the State, including procurement of services and payment to the contractor performing the services. Mesa PDC will reimburse the Department for a percentage of the expenditures. The percentage is based on an inflationary clause in the agreement. This year, the percentage of Mesa PDC reimbursement is 69.87% ($2,445,450) with the Department expending 30.13% ($1,054,550).

**Attachments:**
Spreadsheet showing proposed US 550 Warranty work and cost estimates anticipated for this construction season.

**Approvals:**
To Submit to Commission and if approved, to DFA.

**Business Support Deputy:**

**Secretary/Deputy Sec.:**

**Budget Office Review:**

**Assigned BAR #:** #7

**Budget Director:**

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101
Budget Adjustment Request (BAR)

Date of Request: 4/14/2015

Date to Commission: 4/21/2014

Program: Transportation & Highway Operations

Division: 

Director/DE: Anthony Lujan

Bureau/District: All Districts

Bureau Chief: 

BAR Type: Increase

Administrator: 

Amount Requested: $3,000,000

Funding Source:
- State Road Fund $3,000,000 20100
- Federal Funds $-
- Other State Funds $-
- Total $3,000,000

Fund: 

Source Type (revenue/cash/grant):
- Road Fund Balance.

Budget Appr./Category: 300 and 400 Contractual Services and Other Costs

Purpose/Justification for BAR:
This BAR Increase will provide budget authority from State Road Fund Balance to cover a projected shortfall in CAT200/Personal Services and Employee Benefits due to FY0’s (1) 10% “recruitment and retention” transaction increases for highway maintenance workers, construction engineering technicians, mechanics, and service center technicians, (2) successful recruitment efforts that has resulted in a vacancy rate of below the budgeted 10% vacancy factor, and (3) projected overtime expenditures as a result of winter and springtime maintenance and construction oversight activities.

Prior to the submittal BAR10 we will verify and utilize any Category 200 savings within PS62/Programs and Infrastructure and PS64/Business Support in order to minimize the impact on State Road Fund balance.

Significant Issues:
This BAR uses authority under the Laws of 2015, Chapter 101, Section 9E(44)

Attachments:
(Support Documentation)

Approvals: To Submit to Commission and if approved, to DFA.

Program Mgr/Deputy Sec/Sec: 

DATE: 

Budget Office Review: 

DATE: 

Assigned BAR #: BAR #10

Budget Director: 

DATE: 

102
Tab 10b1
Resolution of Support for the Amtrak Southwest Chief & City of Lamar Colorado TIGER VIII Grant Application
SUBJECT: Resolution of Support for the Amtrak Southwest Chief and for the City of Lamar Colorado TIGER VIII grant application

PRESENTER: Frank Sharpless, Transit and Rail Director

BACKGROUND: The City of Lamar Colorado will submit a TIGER VIII grant application in April for funding capital maintenance projects on the BNSF railroad in Colorado and Kansas and the NMDOT-owned railroad in New Mexico that is used by Amtrak’s Southwest Chief. NMDOT, BNSF, Amtrak, the Colorado DOT, Kansas DOT and local governments in the three states have pledged local matching funds. These capital projects will ensure continued operation of the Southwest Chief on its current alignment. The attached Resolution establishes NMDOT’s support of the Southwest Chief and Lamar’s application for TIGER VIII grant funding.

ACTION: Commission Approval of the attached Resolution in support of the Amtrak Southwest Chief and of the City of Lamar TIGER VIII grant application to support its continued operation on the current route.
STATE OF NEW MEXICO

STATE TRANSPORTATION COMMISSION

RESOLUTION NO. 2016-01 (APR)

RECOGNIZING THE IMPORTANCE OF THE AMTRAK SOUTHWEST CHIEF AND ENDORSING AND SUPPORTING THE CITY OF LAMAR, COLORADO’S TIGER GRANT APPLICATION FOR FUNDS TO AID IN THE CONTINUED OPERATION OF THE AMTRAK PASSENGER TRAIN SERVICE ON ITS CURRENT ROUTE

WHEREAS, the Amtrak Southwest Chief that currently operates between Chicago, Illinois and Los Angeles, California provides important intercity and interstate train service for the residents of New Mexico and economic benefits to the State of New Mexico as well as cities and counties along the route within the State; and

WHEREAS, the New Mexico, Colorado and Kansas State Departments of Transportation, National Railroad Passenger Corporation (Amtrak), BNSF Railway Company (BNSF), and local governments along the Southwest Chief line, through a grant application by the City of La Junta, Colorado, provided matching funds to secure a Transportation Investment Generating Economic Recovery (TIGER) VII discretionary grant from the U.S. Department of Transportation (USDOT) in 2015 to construct railroad capital maintenance projects on the BNSF-owned railroad in Kansas and Colorado and the New Mexico Department of Transportation (NMDOT) owned railroad in New Mexico; and

WHEREAS, in April 2016, the City of Lamar, Colorado will submit a TIGER VIII grant application to USDOT for the purpose of funding additional capital maintenance projects on the BNSF and NMDOT owned railroads on which the Southwest Chief operates in Kansas, Colorado and New Mexico, supported by matching funds committed by the same entities that provided matching funds for the TIGER VII grant; and

WHEREAS, NMDOT and the Colorado and Kansas Departments of Transportation have each pledged $1 million in matching funds to support the TIGER VIII grant application, in addition to $3 million pledged by Amtrak and BNSF, and funds pledged by local governments in New Mexico, Colorado and Kansas; and

WHEREAS, the capital projects to be funded by the TIGER VIII grant application monies will help ensure that the Southwest Chief passenger train service will continue operation on the existing route into the future.

NOW, THEREFORE, BE IT RESOLVED THAT THE NEW MEXICO STATE TRANSPORTATION COMMISSION recognizes the importance of the continued operation of Amtrak Southwest Chief on its current route;

BE IT FURTHER RESOLVED THAT THE UNDERSIGNED MEMBERS OF THE NEW MEXICO STATE TRANSPORTATION COMMISSION endorse and support the City of
Lamar, Colorado’s TIGER VIII grant application for funding to support the continued operation of the Southwest Chief on its current route.

ADOPTED BY THE STATE TRANSPORTATION COMMISSION IN OPEN MEETING ON APRIL 21, 2016.

______________________________________
Ronald Schmeits, Chairman
District 4

_______________________________________
Butch Mathews, Vice-Chairman
District 5

_______________________________________
Dr. Kenneth White, Secretary
District 1

_______________________________________
David Sepich, Commissioner
District 2

_______________________________________
Keith Mortensen, Commissioner
District 3

________________________________________
Jackson Gibson, Commissioner
District 6
Tab 10c1
Proposed Amendments to Commission Policy 1, New Mexico State Transportation Commission Organization & Meetings
SUBJECT: Proposed amendments to Commission Policy No. 1, New Mexico State Transportation Commission Organization and Meetings (“CP 1”).

PRESENTER: Loren Hatch, Deputy Cabinet Secretary/General Counsel

BACKGROUND:

CP 1 is the policy which sets forth the guidelines regarding the organization and meetings of the New Mexico State Transportation Commission (STC).

In light of the State’s existing revenue shortages, the STC and NMDOT are now, more than ever, focused on achieving maximum efficiency with limited financial resources. Accordingly, both the STC and NMDOT desire to be as conservative as possible in expending NMDOT funds and staff time by reducing the schedule of meetings and hold regular STC meetings every other month, or on an as needed basis, instead of monthly.

For the reasons stated above, NMDOT recommends that the applicable provisions of CP 1 be amended to clarify the STC’s revised meeting schedule.

ACTION: The Commission is requested to take action to approve the proposed amendments to CP 1.

April 21, 2016
Reference: Article V, Section 14, New Mexico State Constitution
NMSA 1978, Sections 67-3-10 and 10-15-1 to 10-15-4

This Commission Policy supersedes Commission Policy No. 1 dated June 17, 2011.

The following guidelines represent the organization and meetings, both open and closed, of the New Mexico State Transportation Commission:

A. ORGANIZATION

1. The officers of the Commission consist of a Chair, Vice-Chair and Secretary. The Chair presides at all meetings of the Commission and exercises the powers of the Commission as the Commission from time to time determines. The Vice-Chair exercises all of the duties and powers of the Chair in the Chair’s absence.

2. The Chair, Vice-Chair and Secretary are elected by the Commission and serve at the pleasure of the Commission.

B. VACANCIES

1. The Commission consists of six Commissioners, one from each of the six (6) state transportation commission districts within the State. The members of the Commission are appointed by the Governor of the State, with the advice and consent of the State Senate. The members are appointed every two (2) years for staggered six (6) year terms. In the event of a vacancy on the Commission, before the expiration of a term, the Governor shall be notified of the vacancy by the Chair as soon as possible. When the Governor has appointed a replacement and the oath of office has been executed, the newly appointed Commissioner shall be entitled to exercise all of the powers granted by law to Commissioners until the next regular session of the State Legislature, at which time the
Governor shall make an appointment for the balance of the unexpired term, which appointment must be confirmed by the State Senate before the appointee can serve as a Commissioner.

2. The term of a confirmed appointee filling a vacancy expires on December 31st of the year that the original appointee’s term would have expired.

C. MEETING ATTENDANCE

1. At any meeting of the Commission, four (4) members shall constitute a quorum, and a majority of those present shall be necessary to take action.

2. The Secretary of Transportation (hereinafter “Secretary”) and necessary staff members shall attend Commission meetings as designated by the Secretary.

D. MEETING SCHEDULE

1. Regular meetings of the Commission shall be scheduled for the third Thursday of each month. At the beginning of each calendar year, the Commission will set a meeting schedule for the year and revise if and when needed. Regular meetings will generally be held on the third Thursday of a month when designated to occur and extend to the following Friday if the agenda necessitates additional time. The Commission may alter the monthly meeting schedule at its discretion.

2. Special or emergency meetings may be called by the Chair or by any three members of the Commission.

E. NOTICE OF PUBLIC MEETINGS

1. With certain specific statutory exceptions, the New Mexico Open Meetings Act provides that all meetings of any public body, such as the State Transportation Commission, are public, or open, meetings, such that all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings.

2. By statute, the Commission shall determine at least annually what notice will be reasonable for purposes of both open and closed meetings. Therefore, the following notice requirements shall govern Commission meetings for both open and closed meetings. All notices shall be given by the Secretary and shall state that reasonable accommodations will be made for disabled individuals wishing to attend open meetings in accordance with the Americans with Disabilities Act.

a. Open Meetings
1) Regular Meetings – Notice of date, time, place and proposed agenda availability for regular meetings shall be given ten days in advance of the meeting date by placing a notice in at least one newspaper of statewide general circulation and, if publishing deadlines permit following the Chair’s approval of the agenda, in at least one newspaper of general circulation within the meeting’s geographical location. Concurrently, notice shall be mailed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation, which have made a written request for such notice.

2) Special Meetings – Notice of date, time, place and agenda availability for special meetings shall be given at least three (3) days in advance of the meeting date by placing a notice in at least one (1) newspaper of statewide general circulation and in at least one (1) newspaper of general circulation within the meeting’s geographical location. Concurrently, telephonic notice shall be made to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation, which have made a written request for such notice.

3) Committee Meetings – Meetings at which a quorum is in attendance and at which the discussion or adoption of any proposed resolution, proposed rule, proposed regulation or proposed formal action occurs shall be held only after notice is given pursuant to this subsection.

b. Emergency Meetings – Notice of date, time, place and agenda availability for emergency meetings shall be given as far in advance as practicable before the meeting date and time. Within ten (10) days after taking action on an emergency matter, the Commission shall provide a report to the Attorney General’s office regarding the action taken and the circumstances creating the emergency.

c. Closed Meetings

1) Notice of date, time, place, subject matter and the specific provisions of law authorizing the closed meeting shall be given as provided in subparagraph E(2)(a) above for closed meetings called when the Commission is not in an open meeting.

2) Should a closed meeting be called during an open meeting, the authority and subject matter for such closure shall be stated in the motion, the vote shall be taken in the open meeting and the vote of each individual member present shall be recorded in the minutes. When the majority of the members present approve closing a meeting, the Commission may immediately
retire into closed session or schedule another time during the meeting to go into closed session.

F. MEETING AGENDA CRITERIA

1. Commissioners and Department staff shall submit potential agenda items to the Secretary by the first Friday at least eight (8) days in advance of the day on which a STC meeting is scheduled. All potential agenda items shall be reviewed and approved or rejected by the Commission Chair prior to publication of the final agenda.

2. Except in the case of an emergency, the Commission shall make a meeting agenda available to the public at least seventy-two (72) hours prior to the meeting. The meeting agenda shall also be posted on the Department’s website at least seventy-two (72) hours prior to the meeting.

3. The following items shall be the basis for preparation of the agenda for regular monthly meetings:
   a. call to order;
   b. roll call and establishment of a quorum;
   c. Pledge of Allegiance;
   d. Introduction and welcoming remarks;
   e. approval of agenda;
   f. approval of previous meeting minutes;
   g. Approval of consent agenda (may include monthly activity reports, review of administrative directives, professional services agreements, cooperative and school bus route agreements, change orders, audit reports, and administrative directives);
   h. delegations (Federal, State and local governmental representatives, special committees, Legislators, special interest groups and private citizens):
      1) delegation requests to address the Commission shall be honored at the next regular meeting for which proper agenda notice of the subject matter is given,
      2) delegations shall be notified of agenda placement by the Secretary’s Office,
3) Delegations may be added to the agenda during a Commission meeting with the consent of the Commission provided no action is taken on the delegation's presentation;

i. Approval of financial report and actions, including budget adjustment requests (BARs); resolutions, rulemaking and other actions requiring Commission approval;

j. Staff briefings on transportation issues that do not require Commission action;

k. Commission communication questions;

l. New business;

m. Scheduling of special Commission activities, a committee meeting, a regular or special Commission meeting and scheduling of agenda items for the next meeting; and

n. Adjournment.

4. The Commission shall take action only on items appearing on the agenda. Additional items of business may be brought before the Commission and discussed but not acted upon until properly noticed, unless the matter is an emergency as defined by NMSA 1978, Section 10-15-1(F), of the New Mexico Open Meetings Act.

5. In the event a Commission meeting must be canceled or postponed, all agenda items requiring action, delegation presentations, or other items requiring Commission consideration shall be moved to the next regular or special meeting as determined by the Commission.

G. RULES OF ORDER
The rules of order contained in the most recent edition of Robert’s Rules of Order shall govern the conduct of Commission meetings unless those rules are inconsistent with State law, Department rule, or Commission policy.

H. MOTIONS AND RESOLUTIONS

1. All actions of the Commission shall be taken upon a motion made by a Commission member, seconded by another member and adopted by a majority of those members present.

2. Normally, action shall be taken by oral motions that are recorded in the Commission's minutes. When, however, the action taken is to be documented outside the minutes, or provided in writing to a party or parties outside the Commission and Department, or is intended to reflect views held by the Commission, it shall be by a motion to adopt a written resolution which reflects the action.
3. Written resolutions shall be reviewed by the Department’s General Counsel before presentation to the Commission.

4. Beginning with the regularly scheduled Commission Meeting in January 2000, written resolutions adopted by the Commission shall be numbered sequentially on a calendar year basis using the year the resolution is adopted, then a hyphen or dash, then the number of the resolution in sequence of adoption, starting with the number 1 for the first resolution adopted in a calendar year, and then, in parenthesis, the abbreviation for the month the resolution is adopted, e.g., Resolution No. 2000-1(JAN) or Resolution No. 2000-12(AUG) or Resolution No. 2003-5(NOVT).

I. OFFICIAL MEETING MINUTES

1. All open meetings of the Commission shall be audio recorded. The audio recordings shall be retained in compliance with the State Records Act, or longer, at the discretion of the Department.

2. A draft copy of the minutes for open meetings shall be prepared within ten working days of the meeting and shall indicate they have not been approved by the Commission. The minutes shall be official once approved by the Commission.

3. The minutes may be inspected by the public and will contain:
   a. the date of the meeting;
   b. the time and place of the meeting;
   c. the members of the Commission present and absent;
   d. a short, concise statement or summary of the topics, proposals, items or actions taken or considered;
   e. a verbatim recitation of verbal motions made at the meeting, whether receiving a second or dying without a second;
   f. the results of votes taken on any motion;
   g. the results of any roll call vote with each member’s vote noted; and
   h. indication of motions dying for lack of a second.

J. TELECONFERENCE MEETINGS

1. A Commissioner may participate in a meeting of the Commission by means of a conference telephone or television or other similar
communications (teleconferencing) equipment when it is otherwise difficult or impossible for the Commissioner to attend the meeting in person.

2. Each Commissioner participating in a meeting by teleconferencing must be identifiable when speaking, all Commissioners participating in the meeting must be able to hear each other at the same time, and all members of the public attending the meeting must be able to hear any Commissioner who speaks during the meeting.

K. RULEMAKING

The Secretary shall take the actions necessary to promulgate paragraphs (E), (I) and (J) of this Policy as a Department rule or rules.
New Mexico State Transportation Commission Organization and Meetings

Reference: Article V, Section 14, New Mexico State Constitution
NMSA 1978, Sections 67-3-10 and 10-15-1 to 10-15-4

This Commission Policy supersedes Commission Policy No. 1 dated June 17, 2011.

The following guidelines represent the organization and meetings, both open and closed, of the New Mexico State Transportation Commission:

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2. The Chair, Vice-Chair and Secretary are elected by the Commission and serve at the pleasure of the Commission.

B. VACANCIES

1. The Commission consists of six Commissioners, one from each of the six (6) state transportation commission districts within the State. The members of the Commission are appointed by the Governor of the State, with the advice and consent of the State Senate. The members are appointed every two (2) years for staggered six (6) year terms. In the event of a vacancy on the Commission, before the expiration of a term, the Governor shall be notified of the vacancy by the Chair as soon as possible. When the Governor has appointed a replacement and the oath of office has been executed, the newly appointed Commissioner shall be entitled to exercise all of the powers granted by law to Commissioners until the next regular session of the State Legislature, at which time the
Governor shall make an appointment for the balance of the unexpired term, which appointment must be confirmed by the State Senate before the appointee can serve as a Commissioner.

2. The term of a confirmed appointee filling a vacancy expires on December 31st of the year that the original appointee’s term would have expired.

C. MEETING ATTENDANCE

1. At any meeting of the Commission, four (4) members shall constitute a quorum, and a majority of those present shall be necessary to take action.

2. The Secretary of Transportation (hereinafter “Secretary”) and necessary staff members shall attend Commission meetings as designated by the Secretary.

D. MEETING SCHEDULE

1. At the beginning of each calendar year, the Commission will set a meeting schedule for the year and revise if and when needed. Regular meetings will generally be held on the third Thursday of a month when designated to occur and extend to the following Friday if the agenda necessitates additional time. The Commission may alter the meeting schedule at its discretion.

2. Special or emergency meetings may be called by the Chair or by any three members of the Commission.

E. NOTICE OF PUBLIC MEETINGS

1. With certain specific statutory exceptions, the New Mexico Open Meetings Act provides that all meetings of any public body, such as the State Transportation Commission, are public, or open, meetings, such that all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings.

2. By statute, the Commission shall determine at least annually what notice will be reasonable for purposes of both open and closed meetings. Therefore, the following notice requirements shall govern Commission meetings for both open and closed meetings. All notices shall be given by the Secretary and shall state that reasonable accommodations will be made for disabled individuals wishing to attend open meetings in accordance with the Americans with Disabilities Act.

   a. Open Meetings

      1) Regular Meetings – Notice of date, time, place and proposed agenda availability for regular meetings shall be given
ten days in advance of the meeting date by placing a notice in at least one newspaper of statewide general circulation and, if publishing deadlines permit following the Chair’s approval of the agenda, in at least one newspaper of general circulation within the meeting’s geographical location. Concurrently, notice shall be mailed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation, which have made a written request for such notice.

2) Special Meetings – Notice of date, time, place and agenda availability for special meetings shall be given at least three (3) days in advance of the meeting date by placing a notice in at least one (1) newspaper of statewide general circulation and in at least one (1) newspaper of general circulation within the meeting’s geographical location. Concurrently, telephonic notice shall be made to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation, which have made a written request for such notice.

3) Committee Meetings – Meetings at which a quorum is in attendance and at which the discussion or adoption of any proposed resolution, proposed rule, proposed regulation or proposed formal action occurs shall be held only after notice is given pursuant to this subsection.

b. Emergency Meetings – Notice of date, time, place and agenda availability for emergency meetings shall be given as far in advance as practicable before the meeting date and time. Within ten (10) days after taking action on an emergency matter, the Commission shall provide a report to the Attorney General’s office regarding the action taken and the circumstances creating the emergency.

c. Closed Meetings

1) Notice of date, time, place, subject matter and the specific provisions of law authorizing the closed meeting shall be given as provided in subparagraph E(2)(a) above for closed meetings called when the Commission is not in an open meeting.

2) Should a closed meeting be called during an open meeting, the authority and subject matter for such closure shall be stated in the motion, the vote shall be taken in the open meeting and the vote of each individual member present shall be recorded in the minutes. When the majority of the members present approve closing a meeting, the Commission may immediately retire into closed session or schedule another time during the meeting to go into closed session.
F. MEETING AGENDA CRITERIA

1. Commissioners and Department staff shall submit potential agenda items to the Secretary at least eight (8) days in advance of the day on which a STC meeting is scheduled. All potential agenda items shall be reviewed and approved or rejected by the Commission Chair prior to publication of the final agenda.

2. Except in the case of an emergency, the Commission shall make a meeting agenda available to the public at least seventy-two (72) hours prior to the meeting. The meeting agenda shall also be posted on the Department’s website at least seventy-two (72) hours prior to the meeting.

3. The following items shall be the basis for preparation of the agenda for regular meetings:
   a. call to order;
   b. roll call and establishment of a quorum;
   c. Pledge of Allegiance;
   d. Introduction and welcoming remarks;
   e. approval of agenda;
   f. approval of previous meeting minutes;
   g. Approval of consent agenda (may include activity reports, review of administrative directives, professional services agreements, cooperative and school bus route agreements, change orders, audit reports, and administrative directives);
   h. delegations (Federal, State and local governmental representatives, special committees, Legislators, special interest groups and private citizens):
      1) delegation requests to address the Commission shall be honored at the next regular meeting for which proper agenda notice of the subject matter is given,
      2) delegations shall be notified of agenda placement by the Secretary’s Office,
      3) delegations may be added to the agenda during a Commission meeting with the consent of the Commission provided no action is taken on the delegation’s presentation;
i. Approval of financial report and actions, including budget adjustment requests (BARs); resolutions, rulemaking and other actions requiring Commission approval;

j. staff briefings on transportation issues that do not require Commission action;

k. Commission communication questions;

l. new business;

m. scheduling of special Commission activities, a committee meeting, a regular or special Commission meeting and scheduling of agenda items for the next meeting; and

n. adjournment.

4. The Commission shall take action only on items appearing on the agenda. Additional items of business may be brought before the Commission and discussed but not acted upon until properly noticed, unless the matter is an emergency as defined by NMSA 1978, Section 10-15-1(F), of the New Mexico Open Meetings Act.

5. In the event a Commission meeting must be canceled or postponed, all agenda items requiring action, delegation presentations, or other items requiring Commission consideration shall be moved to the next regular or special meeting as determined by the Commission.

G. RULES OF ORDER
The rules of order contained in the most recent edition of Robert’s Rules of Order shall govern the conduct of Commission meetings unless those rules are inconsistent with State law, Department rule, or Commission policy.

H. MOTIONS AND RESOLUTIONS
1. All actions of the Commission shall be taken upon a motion made by a Commission member, seconded by another member and adopted by a majority of those members present.

2. Normally, action shall be taken by oral motions that are recorded in the Commission’s minutes. When, however, the action taken is to be documented outside the minutes, or provided in writing to a party or parties outside the Commission and Department, or is intended to reflect views held by the Commission, it shall be by a motion to adopt a written resolution which reflects the action.

3. Written resolutions shall be reviewed by the Department’s General Counsel before presentation to the Commission.

CP-1
New Mexico State Transportation Commission
Commission Organization and Meetings
4. Beginning with the regularly scheduled Commission Meeting in January 2000, written resolutions adopted by the Commission shall be numbered sequentially on a calendar year basis using the year the resolution is adopted, then a hyphen or dash, then the number of the resolution in sequence of adoption, starting with the number 1 for the first resolution adopted in a calendar year, and then, in parenthesis, the abbreviation for the month the resolution is adopted, e.g., Resolution No. 2000-1(JAN) or Resolution No. 2000-12(AUG) or Resolution No. 2003-5(NOV).

I. OFFICIAL MEETING MINUTES

1. All open meetings of the Commission shall be audio recorded. The audio recordings shall be retained in compliance with the State Records Act, or longer, at the discretion of the Department.

2. A draft copy of the minutes for open meetings shall be prepared within ten working days of the meeting and shall indicate they have not been approved by the Commission. The minutes shall be official once approved by the Commission.

3. The minutes may be inspected by the public and will contain:
   a. the date of the meeting;
   b. the time and place of the meeting;
   c. the members of the Commission present and absent;
   d. a short, concise statement or summary of the topics, proposals, items or actions taken or considered;
   e. a verbatim recitation of verbal motions made at the meeting, whether receiving a second or dying without a second;
   f. the results of votes taken on any motion;
   g. the results of any roll call vote with each member’s vote noted; and
   h. indication of motions dying for lack of a second.

J. TELECONFERENCE MEETINGS

1. A Commissioner may participate in a meeting of the Commission by means of a conference telephone or television or other similar communications (teleconferencing) equipment when it is otherwise difficult or impossible for the Commissioner to attend the meeting in person.
2. Each Commissioner participating in a meeting by teleconferencing must be identifiable when speaking, all Commissioners participating in the meeting must be able to hear each other at the same time, and all members of the public attending the meeting must be able to hear any Commissioner who speaks during the meeting.

K. RULEMAKING

The Secretary shall take the actions necessary to promulgate paragraphs (E), (I) and (J) of this Policy as a Department rule or rules.
Tab 10c2
Proposed Amendments to the 2016 STC Meeting Schedule
Commission Brief

SUBJECT: Proposed Amendments to the 2016 STC Meeting Schedule

PRESENTER: Loren Hatch, Deputy Secretary, NMDOT

BACKGROUND: It is being proposed to move the remaining monthly STC Meetings to bi-monthly.

ACTION: Action
### PROPOSED REVISED 2016 STC SCHEDULE
NEW MEXICO STATE TRANSPORTATION COMMISSION
LOCATION, DATES DEADLINES

<table>
<thead>
<tr>
<th>Date</th>
<th>Location</th>
<th>Agenda deadline</th>
<th>Legal Notice deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 18, 2016</td>
<td>Belen</td>
<td>February 8, 2016</td>
<td>February 10, 2016</td>
</tr>
<tr>
<td>March 17, 2016</td>
<td>Las Vegas</td>
<td>February 29, 2016</td>
<td>March 2, 2016</td>
</tr>
<tr>
<td>April 21, 2016</td>
<td>Las Cruces</td>
<td>April 4, 2016</td>
<td>April 6, 2016</td>
</tr>
<tr>
<td>May 19, 2016</td>
<td>Ruidoso</td>
<td>May 14, 2016</td>
<td>May 7, 2016</td>
</tr>
<tr>
<td>June 16, 2016</td>
<td>Raton</td>
<td>June 6, 2016</td>
<td>June 8, 2016</td>
</tr>
<tr>
<td>August 18, 2016</td>
<td>Acoma</td>
<td>August 1, 2016</td>
<td>August 3, 2016</td>
</tr>
<tr>
<td>October 6, 2016</td>
<td>Roswell</td>
<td>September 28, 2016</td>
<td>September 26, 2016</td>
</tr>
<tr>
<td>November 17, 2016</td>
<td>Sunland Park</td>
<td>September 28, 2016</td>
<td>September 26, 2016</td>
</tr>
</tbody>
</table>

Note: All meetings begin at 8:30 am unless specified

*October 6, 2016 meeting will begin at 1:30 pm to accommodate Equipment Road'eo*
Tab 10c3
Commission Brief


PRESENTER: Loren Hatch, Deputy Cabinet Secretary/General Counsel

BACKGROUND:

SB 270, as passed by the New Mexico Legislature and signed by the Governor, adds provisions to NMSA 1978, § 66-3-1011, part of the Off-Highway Motor Vehicle Act, to allow use of Off-Highway Vehicles (OHVs) on streets, roads and highways under certain conditions. A new paragraph C allows OHVs to operate only if authorized by ordinance or resolution of a local authority or the STC on a paved street or highway owned or controlled by the authorizing entity. A new paragraph D provides that, by ordinance or resolution, a local authority or the STC may establish separate speed limits and operating restrictions for OHVs where they are allowed pursuant to paragraph C.

ACTIONS: No action is required. This is a draft to initiate discussion only.

April 21, 2016
I. Introduction: Section 66-3-1011 NMSA 1978, as amended by SB 270:

A. 66-3-1011 NMSA 1978 in its previous form
B. 66-3-1011 NMSA 1978 as amended

II. Implication:

A. Authorization by Ordinance or Resolution to allow a recreational off-highway vehicle or an all-terrain vehicle to operate on a paved street or highway under the jurisdiction of the STC and NMDOT; to include:
B. Statutory Provisions: headlights, taillights, brakes, mirrors, mufflers, driver’s license/permit & off-highway motor vehicle safety permit, insurance, and eye protection & safety helmet; and may include:
C. Discretionary Provision: speed limits and operating restrictions

III. Resolution and Rule-making Consideration:

A. Multimodal access in areas where OHV operation is safe appropriate for the community and industry.
B. Consideration to other statutory provisions, e.g., 10 m.p.h. restriction, driving adjacent to highway, and land-owner liability exemption
C. Permit / Sponsor Process and Unilateral Decision-making

IV. Parameters:

A. Sponsorships - Requests for route designations (not a limited access highway or freeway)

- Made by a municipality, county or other local government entity.
- Segment located within the boundaries of the municipality, county or other local government.
- Entity has passed an appropriate ordinance or resolution allowing the operation of OHVs.
- Detailed map showing the desired location and description of the proposed route designation.
- Evaluation of 10 m.p.h. restriction, adjacent highway availability, and safety considerations, including but not limited to signage & speed limits.
- Entity enters agreement with the Department that defines the roles and responsibilities.
- Entity assumes legal liability for designation. (See land-owner liability exemption.)
- Entity agrees to construct and maintain within minimum engineering-approved safety and function design criteria as applicable.
- Designation is clearly in the public interest and not for the sole benefit of private interests.
• Entity demonstrates community and law enforcement support for the designation.
• Designation complies with all state and federal laws and regulations (FHWA consent if required).

B. Unilateral Designation - Commission may unilaterally designate routes on its own initiative.

• Rural areas outside of municipalities as appropriate.
• Department to construct and maintain to minimum engineering-approved safety and function design criteria as applicable.
• Evaluation of 10 m.p.h. restriction, adjacent highway availability, and safety considerations, including but not limited to signage & speed limits.
• Clear and explicit reference to land-owner liability exemption.
AN ACT

RELATING TO MOTOR VEHICLES; ALLOWING RECREATIONAL OFF-HIGHWAY AND ALL-TERRAIN VEHICLES TO DRIVE ON PAVED ROADS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 66-3-1011 NMSA 1978 (being Laws 1975, Chapter 240, Section 11, as amended) is amended to read:

"66-3-1011. OPERATION ON STREETS OR HIGHWAYS--PROHIBITED AREAS.--

A. A person shall not operate an off-highway motor vehicle on any:

(1) limited access highway or freeway at any time; or

(2) paved street or highway except as provided in Subsection B, C or D of this section.

B. Off-highway motor vehicles may cross streets or highways, except limited access highways or freeways, if the crossings are made after coming to a complete stop prior to entering the roadway. Off-highway motor vehicles shall yield the right of way to oncoming traffic and shall begin a crossing only when it can be executed safely and then cross in the most direct manner as close to a perpendicular angle as possible.

C. If authorized by ordinance or resolution of a
local authority or the state transportation commission, a
recreational off-highway vehicle or an all-terrain vehicle
may be operated on a paved street or highway owned and
controlled by the authorizing entity if:

   (1) the vehicle has one or more headlights
and one or more taillights that comply with the Off-Highway
Motor Vehicle Act;

   (2) the vehicle has brakes, mirrors and
mufflers;

   (3) the operator has a valid driver's
license, instruction permit or provisional license and an
off-highway motor vehicle safety permit;

   (4) the operator is insured in compliance
with the provisions of the Mandatory Financial Responsibility
Act; and

   (5) the operator of the vehicle is wearing
eye protection and a safety helmet that comply with the

D. By ordinance or resolution, a local authority
or state transportation commission may establish separate
speed limits and operating restrictions for off-highway
vehicles where they are authorized to operate on paved
streets or highways pursuant to Subsection C of this section.

E. A person shall not operate an off-highway motor
vehicle on state game commission-owned, -controlled or
-administered land except as specifically allowed pursuant to Chapter 17, Article 6 NMSA 1978.

F. A person shall not operate an off-highway motor vehicle on land owned, controlled or administered by the state parks division of the energy, minerals and natural resources department, pursuant to Chapter 16, Article 2 NMSA 1978, except in areas designated by and permitted by rules adopted by the secretary of energy, minerals and natural resources.

G. Unless authorized, a person shall not:

(1) remove, deface or destroy any official sign installed by a state, federal, local or private land management agency; or

(2) install any off-highway motor vehicle-related sign.
Tab 11a
Secretary Report
SUBJECT: Secretary Report

PRESENTER: Tom Church, Cabinet Secretary, NMDOT

BACKGROUND:

ACTION: No Action

Setting the standard for a safe, reliable and efficient transportation system

Communication  Accountability  Customer Service

Integrity  NM DOT  Safety

Team Work

135
NUMBER OF STATEWIDE PAVEMENT MILES PRESERVED

GOAL 1 – PRESERVE and MAINTAIN THE INFRASTRUCTURE and GOAL 2 – IMPROVE and ENHANCE SAFETY

PAVEMENT MILES PRESERVED HB 2 PERFORMANCE TARGET SFY16: ≥ 2,750 miles
FEB 2016 RESULT - 10 lane miles Currently – 60% to target
SNOW REMOVAL – Internal agency measure – 1,201,624 pass miles through March 2016

Purpose:
New Mexico’s roadway infrastructure must be maintained to provide safety to the traveling public, while promoting economic development throughout the state. Well maintained roads are an integral part of a safe and efficient highway system.
The Highway Maintenance Management System (HMMS) is used for the collection of data with regard to actual labor, equipment and materials. Preserved pavement miles may be achieved through internal maintenance operations and contract maintenance projects. Several NMDOT maintenance activities are related to improving pavement surfacing; blade patching, sand sealing, spot sealing, liquid treatment of bituminous pavement, chip sealing and bituminous paving. Contract maintenance activities related to improving pavement include heater scarification/repave, micro-surfacing, nova chip, hot insitu, cold milling recycle and mill and inlay and overlay.
HOP’s ROLLOVER and BETTERMENT

GOAL 1 – PRESERVE and MAINTAIN the INFRASTRUCTURE

RESULT: Information Only – Budget status of Road Betterment Activities as of March 31, 2016

ACTION PLAN:
Betterment Activities - imperative that activities are planned/scheduled to expend 100% of the Road Betterment Budget by June 30, 2016

FY16 Road Betterment Budget
GoAL 2 – IMPROVE and ENHANCE SAFETY

HB 2 PERFORMANCE TARGET SFY16: Total Traffic Fatalities ≤ 345  Alcohol Related Traffic Fatalities ≤ 130
Mar 2016 Total Traffic Fatalities – 22*   Alcohol Related Traffic Fatalities – 6*
21%* Increase in total fatalities 2015 to 2016  16%* Decrease in alcohol related fatalities 2015 to 2016

PURPOSE:
All data collected and analyzed is used to develop key strategies and interventions to reduce overall fatalities and raise public awareness. By State statute, all law enforcement agencies are required to report motor vehicle related crashes and fatalities to the NMDOT via an early notification system.

ACTION PLAN:
High-visibility law enforcement operations like Superblitz, 100 Days and Nights of Summer, Operation Buckle Down and Click It or Ticket are coupled with high-visibility media and public awareness activities throughout the State. NMDOT supports both statewide and community-based DWI enforcement programs involving about 75 city, county and tribal law enforcement agencies and the 12 State Police Districts. NMDOT provides funding for DWI courts, BAC and other drugs testing, Drug Recognition Expert (DRE) training and underage drinking enforcement and prevention programs.

Non-Alcohol & Alcohol Involved Fatalities

2015 & 2016 numbers are preliminary and subject to change


Alcohol Involved  Non-Alcohol Involved
FEDERAL OBLIGATION SUMMARY

GOAL 4 – ENHANCE ECONOMIC DEVELOPMENT and CUSTOMER RESPONSE

TARGET: 100% Obligation by September 30, 2016

PURPOSE: This measure aids the NMDOT in determining progress in meeting annual obligation limitation of FHWA funds.

RESULTS: This information allows the NMDOT to determine how well the obligation plan is managed. The $342,334,381 obligation authority pursuant to the Fixing America’s Surface Transportation (FAST) Act, signed into law on December 4, 2015, extends through the end of the Federal Fiscal Year, September 30, 2016. NM has obligated $61,608,727 including releases of prior year obligations to be reused for other projects, currently 18% to Sept 30 target.

ACTION PLAN: NMDOT continues to monitor in order to obligate our federal funds earlier in the fiscal year.
PROJECTS LET TO BID AS SCHEDULED

GOAL 4 – ENHANCE ECONOMIC DEVELOPMENT and CUSTOMER RESPONSE

HB 2 PERFORMANCE TARGET SFY16: > 75%
FFY16-March 16 Result: 0%

PURPOSE:
This measurement monitors the NMDOT’s performance in letting projects as scheduled. The measure is intended to ensure that NMDOT is letting projects as planned and maintaining a consistent STIP/letting program. Basis for the measurement is the letting schedule at the beginning of the federal fiscal year which identifies the projects programmed in the STIP for the year. Percent reported is based on the number of projects let on schedule for the respective month, compared to the number of projects scheduled to be let in that month at the beginning of the FFY.

RESULTS:
NMDOT had two (2) projects on the baseline schedule for March 2016, zero (0) projects were let on schedule (0% let on schedule). Two (2) projects were delayed, one (1) was delayed due to ROW issues and one (1) due to current production date not allowing for AC funding, re-design may also be required due to adjacent property owner concerns regarding safety of crossing livestock through proposed CBC structures. One (1) project delayed in December and one (1) project delayed in January, were let in March.
PERCENT OVER BID AMOUNT

GOAL 4 – ENHANCE ECONOMIC DEVELOPMENT and CUSTOMER RESPONSE

HB2 PERFORMANCE TARGET SFY16: <2.5%
RESULT: FY15 - 2% FY16-March – (0%)

PURPOSE: This measure aids NMDOT in reviewing several areas related to project costs. It helps in tracking costs and trends which serves as a planning tool for upcoming projects and budgeting. It’s also an internal review of how well projects are being developed by the NMDOT and consultants. The second is related to those contractors who are awarded the projects to determine if there are any inconsistencies related to those who perform the work.

RESULTS: This data provides objective information to NMDOT to determine how well projects are being managed and kept within budget. Maintaining costs at bid amount or lower, allows NMDOT to re-obligate residual fund balances that go toward other construction projects. Furthermore, this measure evaluates performance of the contracting community on a project by project basis, assisting in reducing claims and change orders.

ACTION PLAN: NMDOT continues to monitor the final construction price compared to the bid price in order to minimize total overrun of projects. This measure helps to control unexpected costs above planned expenditures.

<table>
<thead>
<tr>
<th>Percent Over Bid</th>
<th>State Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>3%</td>
<td>FY12</td>
</tr>
<tr>
<td>4%</td>
<td>FY13</td>
</tr>
<tr>
<td>1.25%</td>
<td>FY14</td>
</tr>
<tr>
<td>0%</td>
<td>FY15</td>
</tr>
<tr>
<td>1.5%</td>
<td>FY16/Jul-Dec</td>
</tr>
<tr>
<td>0%</td>
<td>FY16/Jan</td>
</tr>
<tr>
<td>1%</td>
<td>FY16/ Feb</td>
</tr>
<tr>
<td>0%</td>
<td>FY16/Mar</td>
</tr>
</tbody>
</table>

Average Percent Final Price Over Bid Price - Statewide

Percent Over/Under Bid
Jan-Mar 2016
24 Projects

5 Projects
$1,739,695

18 Projects
$2,008,946

1 Project
$197,750

<3%
3-5.5%
>5.5%

<table>
<thead>
<tr>
<th>Adjusted Actual Costs / Low Bid</th>
<th>Mar 2016</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>D1</td>
<td>$7,957,517 / $8,193,501 (-3%)</td>
<td></td>
</tr>
<tr>
<td>D2</td>
<td>$841,726 / $774,551 (9%)</td>
<td></td>
</tr>
<tr>
<td>D3</td>
<td>$35,955,741 / $34,759,341 (3%)</td>
<td></td>
</tr>
<tr>
<td>D4</td>
<td>$7,870,952 / $8,543,738 (-8%)</td>
<td></td>
</tr>
<tr>
<td>D5</td>
<td>$9,295,618 / $9,573,583 (-3%)</td>
<td></td>
</tr>
<tr>
<td>D6</td>
<td>$18,526,813 / $18,675,156 (-1%)</td>
<td></td>
</tr>
</tbody>
</table>

Total: $80,448,368 / $80,519,870
Difference: -$71,501 (0%)
GOAL 4 – ENHANCE ECONOMIC DEVELOPMENT and CUSTOMER RESPONSE

This is an internal agency measure.....goal is <90 days

PURPOSE: This measure aids NMDOT in monitoring projects in order to close out in a timely manner, which allows for more effective management of financial resources.

RESULTS: This data provides objective information to NMDOT to determine how well projects are being managed, which allows re-obligation of residual fund balances to go toward other construction projects.

ACTION PLAN: NMDOT continues to monitor project closeout to comply with FHWA requirements. Since management has been monitoring more closely, the results have improved since FY12 and continued improvement is expected.

RESULT: 120 Days Average for Mar 2016

<table>
<thead>
<tr>
<th>State Fiscal Year</th>
<th>Average Days to Final - Statewide</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY12</td>
<td>270</td>
</tr>
<tr>
<td>FY13</td>
<td>217</td>
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<tr>
<td>FY14</td>
<td>168</td>
</tr>
<tr>
<td>FY15</td>
<td>120</td>
</tr>
<tr>
<td>FY16 Jul-Dec</td>
<td>107</td>
</tr>
<tr>
<td>FY16 Jan</td>
<td>130</td>
</tr>
<tr>
<td>FY16 Feb</td>
<td>120</td>
</tr>
<tr>
<td>FY16 Mar</td>
<td>120</td>
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<table>
<thead>
<tr>
<th>Days to Final 24 Projects (Jan-Mar 2016)</th>
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</thead>
<tbody>
<tr>
<td>Average Days to Final - 120</td>
</tr>
<tr>
<td>2 Claims</td>
</tr>
<tr>
<td>17 Projects</td>
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<tr>
<td>$53,789,769</td>
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<td>5 Projects</td>
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<td>$43,536,062</td>
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<td>2 Projects</td>
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<td>$15,960,328</td>
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</table>

<table>
<thead>
<tr>
<th>Total Actual Costs / Average Days to Final Mar 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>D1 $ 7,957,517 / 99 Days (3 Proj)</td>
</tr>
<tr>
<td>D2 $ 841,726 / 28 Days (2 Proj)</td>
</tr>
<tr>
<td>D3 $ 35,955,741 / 46 Days (7 Proj)</td>
</tr>
<tr>
<td>D4 $ 7,870,952 / 83 Days (3 Proj)</td>
</tr>
<tr>
<td>D5 $ 9,295,618 / 626 Days (3 Proj)</td>
</tr>
<tr>
<td>D6 $ 18,526,813 / 13 Days (6 Proj)</td>
</tr>
</tbody>
</table>

Total: $80,448,368 / 120 Days
PAYMENTS MADE WITHIN 30 DAYS

GOAL 4 – ENHANCE ECONOMIC DEVELOPMENT and CUSTOMER RESPONSE

HB 2 PERFORMANCE TARGET SFY16: ≥ 90%
RESULT FY16 - Mar - 92%

PURPOSE:
This measure tracks NMDOT’s timeliness in processing vendor payments. Timeliness is important so NMDOT may avoid extra fees, such as those for late payment or penalties, while in some cases being able to take advantage of early payment credits. Additionally, many department vendors depend on timely cash flow to operate their companies. It is equally important for NMDOT to meet the accounting requirement of paying invoices within 30 days so consistent and up-to-date financial data is available for reporting and strategizing operational activities.

RESULTS: The Financial Control staff has continued to take the initiative to visit with financial staff in the Districts and throughout NMDOT in order to educate on the payment voucher process and bring awareness to the importance of timely payments to vendors. Financial Control’s monthly communication of performance results is also a key factor in keeping managers and their financial staff aware and focused on timely payments to vendors. This level of focus has and continues to evoke change in results, which is reflected in the results for FY15 in meeting the target of 90% and will be continued into FY16. This last month’s increase to 92% is encouraging in the effort to meet the target.

ACTION PLAN:
The goal for FY16 is to meet or exceed the target of 90% on a consistent basis. Decreases since FY12 are attributed to change in how the data was calculated, implementation of a pre-audit process to better ensure accuracy, and turnover of staff in certain areas.

---

**Payments Made Within 30 Days**

- **FY12**: 97%
- **FY13**: 86%
- **FY14**: 89%
- **FY15**: 90%
- **FY16-Q1**: 90%
- **FY16-Q2**: 89%
- **FY16-Jan**: 89%
- **FY16-Feb**: 90%
- **FY16-Mar**: 92%
PERCENT OF VACANCY IN ALL PROGRAMS

GOAL 4 – ENHANCE ECONOMIC DEVELOPMENT and CUSTOMER RESPONSE

HB 2 PERFORMANCE TARGET SFY16: ≤ 11%

PURPOSE:
This measure tracks the number of vacant positions versus the number of budgeted positions. This data is run weekly comparing the active budgeted positions to current employees, both found in the Human Capital Management System (SHARE). Ending month vacancies are run on the last Friday of the month.

RESULTS:
Our vacancy rate has continued to remain steady at around 11%, which is down from a high of 19% in FY2012. Because NMDOT shares some job classifications with the oil industry, job reductions in that area have allowed hiring candidates that might have otherwise not applied to NMDOT. The vacancy rate increased slightly during March due to the budget hiring freeze, but the goal is to meet the target of 11% or less, consistently.

ACTION PLAN:
NMDOT continues bi-Weekly conference calls with all Districts and GO personnel to obtain current status on all vacant positions, identifying any bottlenecks that are cleared up immediately. NMDOT also has the ability to generate applicant listings, screen, and refer candidates which allows eligible candidate lists to be generated and forwarded to the hiring manager, sometimes within 24 hours of the posting closing.
Tab 11b
FHWA Report
Commission Brief

SUBJECT: FHWA Report

PRESENTER: J. Don Martinez, Division Administrator, FHWA

BACKGROUND:

ACTION: No Action
Statewide Change Orders*
(191 Change Orders on 70 Projects)
*(Does not Include GRT or TERO)

01 - Design Oversight, 8%
02 - Modif. By Construction Personnel, 37%
06 - Contract Time Adjustment, 4%
11 - Liquidated Damages, 1%
16 - Non Participating, 6%
All other, 45%

148
District Change Orders by Category

01 - Design Oversight

02 - Modified By Construction Personnel

16 - Non Participating

06 - Contract Time Adjustment

11 - Liquidated Damages

All other

149
Days to Final*
$44,989,768 Total Adjusted Actuals
*Physical completion date of project to final payment date in SHARE

Days to Final Statewide

Inactive Obligations by Category
Total Inactive is < 2%

Inactive Obligations by District
STIP Obligation Summary

**FFY 2015 STIP**

<table>
<thead>
<tr>
<th># of Projects</th>
<th>Programmed Amount / Obligated Amt. (federal Funds)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baseline (Programmed in STIP as of 10-31-14)</td>
<td>227</td>
</tr>
<tr>
<td>Total Obligated (with FHWA as of 9-30-15)</td>
<td>170</td>
</tr>
<tr>
<td>% of total projects programmed/ obligated this year</td>
<td>75%</td>
</tr>
<tr>
<td># of projects added to STIP since (10-31-14)</td>
<td>70</td>
</tr>
<tr>
<td>Total Obligated (with FHWA as of 9-30-15)</td>
<td>69</td>
</tr>
</tbody>
</table>

Of the 17 Projects scheduled in the quarter, 11 were let – 65% overall

**Number of Projects FFY 2015**

- Baseline: 227
- Obligated: 170
- Not on Baseline: 69

**Obligated Amounts FFY 2015**

- Baseline: $309
- Obligated: $87
- Not on Baseline: $222

**STIP Letting Schedule**

- Oct-15: 5 (80%)
- Nov-15: 6 (67%)
- Dec-15: 3 (33%)
# T/LPA Summary by MPO/RTPO

<table>
<thead>
<tr>
<th>Region</th>
<th>FFY 15 Baseline Amount</th>
<th>FFY15 Obligation Amount of Baseline</th>
<th>% of Obligation vs Baseline</th>
</tr>
</thead>
<tbody>
<tr>
<td>North West RTPO</td>
<td>$105,610</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Northern Pueblos RTPO</td>
<td>$731,674</td>
<td>$353,517</td>
<td>48%</td>
</tr>
<tr>
<td>North East RTPO</td>
<td>$801,993</td>
<td>$790,456</td>
<td>99%</td>
</tr>
<tr>
<td>South East RTPO</td>
<td>$2,861,090</td>
<td>$2,427,055</td>
<td>85%</td>
</tr>
<tr>
<td>Mid-Region RTPO</td>
<td>$131,435</td>
<td></td>
<td></td>
</tr>
<tr>
<td>South Central RTPO</td>
<td>$419,694</td>
<td>$419,694</td>
<td>100%</td>
</tr>
<tr>
<td>South West RTPO</td>
<td>$488,917</td>
<td>$307,053</td>
<td>63%</td>
</tr>
<tr>
<td>Mid-Region MPO</td>
<td>$28,978,671</td>
<td>$15,668,591</td>
<td>54%</td>
</tr>
<tr>
<td>Santa Fe MPO</td>
<td>$8,460,164</td>
<td>$8,446,964</td>
<td>100%</td>
</tr>
<tr>
<td>Farmington MPO</td>
<td>$3,828,892</td>
<td>$685,568</td>
<td>18%</td>
</tr>
<tr>
<td>Las Cruces MPO</td>
<td>$1,145,763</td>
<td>$666,569</td>
<td>58%</td>
</tr>
<tr>
<td>El Paso MPO</td>
<td>$1,722,389</td>
<td>$1,075,093</td>
<td>62%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$49,794,295</td>
<td>$30,958,563</td>
<td>62%</td>
</tr>
</tbody>
</table>

---

# Highway Safety Improvement Program (HSIP)

<table>
<thead>
<tr>
<th>Category</th>
<th>Total Programmed</th>
<th>Total Obligated</th>
<th>Percent of Baseline Obligated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operations</td>
<td>$15,000,000.00</td>
<td>$11,720,689.09</td>
<td>78%</td>
</tr>
<tr>
<td>Department Lead</td>
<td>$6,785,400.00</td>
<td>$4,751,042.66</td>
<td>70%</td>
</tr>
<tr>
<td>Local Lead</td>
<td>$9,119,715.00</td>
<td>$2,874,533.86</td>
<td>32%</td>
</tr>
<tr>
<td>Transit</td>
<td>$2,672,765.00</td>
<td>$1,595,067.75</td>
<td>60%</td>
</tr>
<tr>
<td>Baseline</td>
<td>$33,577,880.00</td>
<td>$20,941,333.36</td>
<td>62%</td>
</tr>
</tbody>
</table>
Tab 12a
Approval of Resolution for Extension and Revision of terms for Direct Purchase of Index Notes & Agreements
STATE OF NEW MEXICO
STATE TRANSPORTATION COMMISSION
RESOLUTION NO. 2016-__ (APR)

A RESOLUTION OF THE NEW MEXICO FINANCE AUTHORITY APPROVING DOCUMENTS RELATED TO THE EXTENSION AND REVISION OF THE STATE TRANSPORTATION REVENUE REFUNDING INDEX NOTES (SUBORDINATE LIEN), SERIES 2011A, INCLUDING A FIRST SUPPLEMENTAL INDENTURE OF TRUST TO THE FOURTEENTH SERIES INDENTURE OF TRUST, AND AMENDED AND RESTATED NOTE PURCHASE LOAN AGREEMENT, AMENDED AND RESTATED FORMS OF SERIES 2011A NOTES AND VARIOUS OTHER AGREEMENTS RELATING TO THE SERIES 2011A NOTES; AUTHORIZING THE TAKING OF ALL OTHERS ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; RATIFYING PRIOR ACTIONS CONSISTENT WITH THIS RESOLUTION AND REPEALING PRIOR INCONSISTENT ACTIONS.

WHEREAS, the State Transportation Commission (the “Commission”) of the State of New Mexico (the “State”) was created under Article V, Section 14 of the New Mexico State Constitution; and

WHEREAS, the New Mexico Finance Authority (the “Finance Authority”) is a public body politic and corporate constituting a governmental instrumentality, separate and apart from the State, duly organized and created under and pursuant to the laws of the State, particularly Section 6-21-1 et seq., NMSA 1978, as amended; and

WHEREAS, pursuant to the provisions of Chapter 3, Laws 2003, adopted during the First Special Session of the Legislature in 2003, codified in Section 67-3-59.1, .2, .3 and .4, NMSA 1978, as amended (the “GRIP Financing Legislation”), the Commission is authorized to direct the issuance of state transportation revenue bonds (the “State Transportation Revenue Bonds”) by the Finance Authority from time to time, payable from Federal Revenues (as defined in the Master Indenture referred to below) and State Revenues (also as defined in the Master Indenture referred to below) (collectively, the “Pledged Revenues”), in order to provide funds to finance state transportation projects as specified in Sections 27 and 28 of the GRIP Financing Legislation (the “GRIP Transportation Projects”); and

WHEREAS, as permitted by the Public Securities Short-Term Interest Rate Act including, without limitation, Section 6-18-6 and Section 6-18-7, NMSA 1978, as amended, the Finance Authority may, when directed and authorized by the Commission, issue the bonds pursuant to the GRIP Financing Legislation as short-term bonds bearing a variable rate of interest; and

WHEREAS, the Finance Authority previously issued its State Transportation Revenue Refunding Industrial Notes (Subordinate Lien) Series 2011A-1 in the original amount of
$80,000,000, Series 2011A-2 in the original amount of $120,000,000 and Series 2011A-3 in the original amount of $84,800,000 (collectively, the “Series 2011A Notes”); and

WHEREAS, the Finance Authority adopted a resolution on April 1, 2016 authorizing amendments and providing for revisions to the Series 2011A Notes which include (a) a First Supplemental Indenture of Trust to the Fourteenth Series Indenture for the purpose, among other things, of securing payment of the Series 2011A Notes and (b) a form of Amended and Restated Note Purchase Loan Agreement with Bank of America, N.A. for the purpose of extending and revising the terms of the Series 2011A Notes and establishing related warranties and covenants (collectively, the “2016 Amendments”); and

WHEREAS, the Commission desires to authorize the Chairman of the Commission and the Secretary of the Department to make certain representations and to enter into the 2016 Amendments on behalf of, respectively, the Commission and the Department in connection with the Series 2011A Notes and to execute certain agreements and certificates necessary, appropriate or convenient in connection with the execution and delivery of the Amendments.

NOW, THEREFORE, IT IS RESOLVED BY THE STATE TRANSPORTATION COMMISSION:

Section 1. Definitions; Interpretation.

(a) Definitions. Capitalized terms defined in the foregoing Recitals shall have the same meaning when used in this Authorizing Resolution, unless the context clearly requires otherwise. Capitalized terms not defined in the Recitals and defined in this Section 1 shall have the same meaning when used in this Authorizing Resolution including the foregoing Recitals, unless the context clearly requires otherwise:

(b) Interpretation. For all purposes of this Authorizing Resolution, except as otherwise expressly provided or unless the context otherwise requires:

(i) The singular includes the plural and the plural includes the singular.

(ii) All accounting terms not otherwise defined have the meanings assigned to them in accordance with generally accepted accounting principles applicable in the United States to governmental entities such as the Finance Authority, the Commission and the Department.

(iii) All references to sections shall refer to sections of this Authorizing Resolution.

(iv) Words importing any gender include the other gender.

Section 2. Findings and Determinations.
(a) The Commission and the Department determine that it is in the best interests of the Commission and the Department to amend the terms of the Series 2011A Notes pursuant to the terms of the 2016 Amendments.

(b) The Commission and the Department determine that it is in the best interests of the Commission and the Department for the Finance Authority to enter into the 2016 Amendments to protect the public health, conserve the property of, and protect the general welfare and prosperity of the citizens of the State.

(c) The Chairman of the Commission and the Secretary of the Department shall make certain representations and enter into the Amendments on behalf of, respectively, the Commission and the Department in connection with the Original Agreement and shall execute certain agreements and certificates necessary, appropriate or convenient in connection with the execution and delivery of the Amendments.

(d) The Commission has considered all relevant information and data in making its findings.

Section 3. Ratification of Prior Actions Taken by the Commission and the Finance Authority; Inconsistent Actions Superseded.

Prior actions of the Commission, the Department and the Finance Authority consistent with this Resolution are hereby ratified and approved. All acts, orders, resolutions, or parts thereof, of the Commission that are inconsistent or in conflict with this Resolution are hereby superseded to the extent only of such inconsistency or conflict.

Section 4. Effective Date.

The provisions of this Resolution shall become effective immediately upon its adoption and approval.

[Signature page follows]
ADOPTED IN OPEN MEETING BY THE STATE TRANSPORTATION COMMISSION ON APRIL 21, 2016.

Ronald L. Schmeits, Chairperson

Dr. Kenneth R. White, Commissioner

Keith Mortensen, Commissioner

David Sepich, Commissioner

Butch Mathews, Commissioner

Jackson Gibson, Commissioner

ATTEST:____________________

Secretary
CERTIFICATE REGARDING THE RESOLUTION
OF THE NEW MEXICO STATE TRANSPORTATION COMMISSION

I, the undersigned, Ronald L. Schmeits, Chairperson of the New Mexico State Transportation Commission (the “Commission”), DO HEREBY CERTIFY that: (i) the annexed Resolution was duly adopted by the members of the Commission at a meeting thereof duly called and held on April 21, 2016, at which meeting a quorum was present and acting throughout; (ii) the annexed Resolution has been compared by me with the original thereof recorded in the minute books of the Commission and is a correct transcript therefrom and of the whole of said original; (iii) the annexed Resolution has not been altered, amended or repealed; and (iv) the annexed Resolution is in full force and effect on the date of this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of April, 2016.

Ronald L. Schmeits, Chairperson
New Mexico State Transportation Commission
Tab 12b
Approval of Resolution of Support for the Amtrak Southwest Chief & City of Lamar Colorado TIGER VIII Grant Application
SUBJECT: Resolution of Support for the Amtrak Southwest Chief and for the City of Lamar Colorado TIGER VIII grant application

PRESENTER: Frank Sharpless, Transit and Rail Director

BACKGROUND: The City of Lamar Colorado will submit a TIGER VIII grant application in April for funding capital maintenance projects on the BNSF railroad in Colorado and Kansas and the NMDOT-owned railroad in New Mexico that is used by Amtrak’s Southwest Chief. NMDOT, BNSF, Amtrak, the Colorado DOT, Kansas DOT and local governments in the three states have pledged local matching funds. These capital projects will ensure continued operation of the Southwest Chief on its current alignment. The attached Resolution establishes NMDOT’s support of the Southwest Chief and Lamar’s application for TIGER VIII grant funding.

ACTION: Commission Approval of the attached Resolution in support of the Amtrak Southwest Chief and of the City of Lamar TIGER VIII grant application to support its continued operation on the current route.
STATE OF NEW MEXICO

STATE TRANSPORTATION COMMISSION

RESOLUTION NO. 2016-01 (APR)

RECOGNIZING THE IMPORTANCE OF THE AMTRAK SOUTHWEST CHIEF AND ENDORSING AND SUPPORTING THE CITY OF LAMAR, COLORADO’S TIGER GRANT APPLICATION FOR FUNDS TO AID IN THE CONTINUED OPERATION OF THE AMTRAK PASSENGER TRAIN SERVICE ON ITS CURRENT ROUTE

WHEREAS, the Amtrak Southwest Chief that currently operates between Chicago, Illinois and Los Angeles, California provides important intercity and interstate train service for the residents of New Mexico and economic benefits to the State of New Mexico as well as cities and counties along the route within the State; and

WHEREAS, the New Mexico, Colorado and Kansas State Departments of Transportation, National Railroad Passenger Corporation (Amtrak), BNSF Railway Company (BNSF), and local governments along the Southwest Chief line, through a grant application by the City of La Junta, Colorado, provided matching funds to secure a Transportation Investment Generating Economic Recovery (TIGER) VII discretionary grant from the U.S. Department of Transportation (USDOT) in 2015 to construct railroad capital maintenance projects on the BNSF-owned railroad in Kansas and Colorado and the New Mexico Department of Transportation (NMDOT) owned railroad in New Mexico; and

WHEREAS, in April 2016, the City of Lamar, Colorado will submit a TIGER VIII grant application to USDOT for the purpose of funding additional capital maintenance projects on the BNSF and NMDOT owned railroads on which the Southwest Chief operates in Kansas, Colorado and New Mexico, supported by matching funds committed by the same entities that provided matching funds for the TIGER VII grant; and

WHEREAS, NMDOT and the Colorado and Kansas Departments of Transportation have each pledged $1 million in matching funds to support the TIGER VIII grant application, in addition to $3 million pledged by Amtrak and BNSF, and funds pledged by local governments in New Mexico, Colorado and Kansas; and

WHEREAS, the capital projects to be funded by the TIGER VIII grant application monies will help ensure that the Southwest Chief passenger train service will continue operation on the existing route into the future.

NOW, THEREFORE, BE IT RESOLVED THAT THE NEW MEXICO STATE TRANSPORTATION COMMISSION recognizes the importance of the continued operation of Amtrak Southwest Chief on its current route;

BE IT FURTHER RESOLVED THAT THE UNDERSIGNED MEMBERS OF THE NEW MEXICO STATE TRANSPORTATION COMMISSION endorse and support the City of Lamar, Colorado's TIGER Grant Application.
Lamar, Colorado’s TIGER VIII grant application for funding to support the continued operation of the Southwest Chief on its current route.

ADOPTED BY THE STATE TRANSPORTATION COMMISSION IN OPEN MEETING ON APRIL 21, 2016.

______________________________________
Ronald Schmeits, Chairman
District 4

______________________________________
Butch Mathews, Vice-Chairman
District 5

______________________________________
Dr. Kenneth White, Secretary
District 1

______________________________________
David Sepich, Commissioner
District 2

______________________________________
Keith Mortensen, Commissioner
District 3

______________________________________
Jackson Gibson, Commissioner
District 6
Tab 12c
Approval of FY17 Operating Budget
Commission Brief

SUBJECT: FY17 Operating Budget
PRESENTER: Michael S. Friel, Budget Director

BACKGROUND:
At the February STC Cabinet Secretary Church presented the status of the FY17 Appropriation Request, i.e. the consensus meetings and the subsequent passage of HB2 by the legislature. HB2 was signed by the Governor on February 29. Later today I will be requesting Commission approval of our FY17 Operating Budget for NMDOT as appropriated:

- FY17 Operating Budget of $867,553,000
  - $529,905,000 for P562, Project Design and Construction
  - $233,794,900 for P563, Highway Operations
  - $ 42,171,900 for P564, Program Support
  - $ 61,681,200 for P565, Modal
- Budget Adjustment Authority for FY16 and FY17
- Special Appropriations for rollover authority

State law requires all state agencies to provide reconciled operating budgets and required forms to the Department of Finance and Administration by May 2.

ACTION: Commission Approval of FY17 Operating Budget for NMDOT as appropriated within the General Appropriation Act of 2016 (S-1 signature required)
Tab 12d
Approval of FY17 BAR #6 for Programs & Infrastructure
FHWA
# Budget Adjustment Request (BAR)

## In Brief

<table>
<thead>
<tr>
<th>Date of Request:</th>
<th>3/9/2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date to Commission:</td>
<td>3/17/2016</td>
</tr>
</tbody>
</table>

### Program: Programs and Infrastructure

### Division: 

### Bureau/District: 

### BAR Type: Increase

### Amount Requested: $75,100,000

### Funding Source:
- State Road Fund: $11,000,000
- Federal Funds: $64,100,000
- Other State Funds: $ -

### Total: $75,100,000

### Fund: 20100

### Source Type (revenue/cash/grant): State Road Fund

### Budget Appr./Category: 300

## Purpose/Justification for BAR:
The purpose of this BAR is to establish additional budget authority for the FY16 Federal-Aid program in the contractual services cost category of P562 - Program and Infrastructure. The increase is a result of redistributions and the close out of projects resulting in "releases", i.e. the availability of obligation limitation.

## Significant Issues:

## Attachments:
- FY09 and FY10 Freeze Comparison

## Approvals:
To Submit to Commission and if approved, to DFA.

### Business Support/Deputy: Ron Baca

### Secretary/Deputy Sec.: Loren Hatch

### Budget Office Review:
This BAR will establish additional budget authority for the FY16 Federal-Aid program in the contractual services cost category of P562 - Program and Infrastructure: $11.0M from State Road Fund balances and $64.1M in Federal Funds. The increase is a result of redistributions and the close out of projects resulting in releases or the availability of obligation limitation.

### Assigned BAR #: 6

### Budget Director: Michael S. Friel

Tab 12e
Approval of FY17 BAR #8 for Programs & Infrastructure
Transit & Rail
### Budget Adjustment Request (BAR) In Brief

**Date of Request:** 4/14/2016

**Program:** PINF/P562

**Division:**

**Director/DE:** Loren Hatch

**Bureau/District:** All Districts

**Bureau Chief:**

**BAR Type:** Category Transfer

**Administrator:**

<table>
<thead>
<tr>
<th>Amount Requested</th>
<th>$70,000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Funding Source</strong></td>
<td><strong>Fund</strong></td>
</tr>
<tr>
<td>State Road Fund</td>
<td>10030</td>
</tr>
<tr>
<td>Federal Funds</td>
<td>$ -</td>
</tr>
</tbody>
</table>

**Other State Funds** $ -

**Total** $ -

**Budget Appr./Category:** 200 and 400, Personal Services & Other

**Purpose/Justification for BAR:**

The Transit/FTA, Fund #10030, needs a “Category Transfer” BAR to cover projected shortfalls in Category 200/Personal Services and Employee Benefits due to their zero vacancy rate (no vacant FTEs). This BAR will transfer $70,000 from Category 400/Other to Category 200/Personal Services and Employee Benefits.

**Significant Issues:**

**Attachments:** (Support Documentation)

**Approvals:** To Submit to Commission and if approved, to DFA.

**Program Mgr/Deputy Sec/Sec:**

**Budget Office Review:**

**Assigned BAR #:** BAR #8

**Budget Director:** Michael S. Friel

**DATE:** 4/14/2016

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Tab 12f
Approval of FY17 BAR #9 for Programs & Infrastructure Aviation
Budget Adjustment Request (BAR)
In Brief

Date of Request:  4/14/2016
Date to Commission:  4/21/2016
Program:  PINF/P562
SUBMITTED BY:

Division:
Director/DE:  Loren Hatch
and/or
Bureau/District:  All Districts
Bureau Chief:  
and/or
BAR Type:  Category Transfer
Administrator:  

Amount Requested:  $6,000
Fund:
   Source Type(revenue/cash/grant):

Funding Source:
   State Road Fund  20500
   Federal Funds  -

Other State Funds  -
Total  -

Budget Appr./Category:  200 and 400  Personal Services & Other

Purpose/Justification for BAR:
The Aviation Fund #20500, needs a “Category Transfer” BAR to cover projected shortfalls in Category 200/Personal Services and Employee Benefits due to their zero vacancy rate (no vacant FTEs). This BAR will transfer $6,000 from Category 400/Other to Category 200/Personal Services and Employee benefits.

Significant Issues:

Attachments:
(Support Documentation)

Approvals:  To Submit to Commission and if approved, to DFA.

Program Mgr/Deputy Sec/Sec:  
BUDGET STAFF ONLY

Budget Office Review:  

Assigned BAR #:  BAR #9

Budget Director:  Michael S. Friel  DATE:  4/14/2016
Tab 12g
Approval of FY17 BAR #11 for Programs & Infrastructure Interlock
# Budget Adjustment Request (BAR)
## In Brief

<table>
<thead>
<tr>
<th>Date of Request:</th>
<th>4/14/2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date to Commission:</td>
<td>4/21/2016</td>
</tr>
</tbody>
</table>

**Program:** Interlock Device Program  
**Division:** Programs and Infrastructure  
**Director/DE:** Loren Hatch  
**Bureau Chief:**  
**BAR Type:** Increase  
**Administrator:**  
**Amount Requested:** $200,000  
**Funding Source:**  
- State Road Fund  
- Federal Funds $ -  
- Other State Funds $200,000  
**Total:** $200,000  
**Fund:** 001  
**Source Type (revenue/cash/grant):**  

**Budget Appr./Category:** 547400  

**Purpose/Justification for BAR:** This BAR Increase will provide budget authority from the Interlock Device Fund Balance (Fund #82600) to cover additional monitoring, CAT 400/Other, by UNM, of the service center providers (60 ea) and manufacturers (10 ea) of the devices.  

**Significant Issues:**  

**Attachments:** (Support Documentation)  

**Approvals:** To Submit to Commission and if approved, to DFA.  
**Business Support Deputy:**  
**DATE:**  
**Secretary/Deputy Sec.:**  
**DATE:**  
**Budget Office Review:**  

**Assigned BAR #:**  
**Budget Director:**  
**DATE:**
Tab 12h
Approval of FY17 BAR #7 for Highway Operations US550
Budget Adjustment Request (BAR)
In Brief

Date of Request: 4/4/2016
Date to Commission: 4/21/2016
Program: Transportation & Hwy Operations
Division: Transportation & Hwy Operations
Bureau/District: State Maintenance Bureau
BAR Type: Increase

Amount Requested: $3,500,000
Funding Source:
- State Road Fund: $3,500,000
- Federal Funds: -
- Other State Funds: -
Total: $3,500,000

Funding Source: State Road Fund
Funding Source Type: Revenue

Source Type: Revenue
Account: 0245
MESA PDC Refund

Boil概括

Purpose/Justification for BAR:
This increase will provide budget to the Road Betterments Division for eligible expenditures made by the Department in association with the warranty provided by Mesa PDC for the US 550 corridor.

Significant Issues:
The Agreement for Corridor 44 (U.S. 550) Professional Services and Warranty, executed on July 27, 1998, stipulates that eligible work covered by the warranty must be administered by the State, including procurement of services and payment to the contractor performing the services. Mesa PDC will reimburse the Department for a percentage of the expenditures. The percentage is based on an inflationary clause in the agreement. This year, the percentage of Mesa PDC reimbursement is 69.87% ($2,445,450) with the Department expending 30.13% ($1,054,550).

Attachments:
Spreadsheet showing proposed US 550 Warranty work and cost estimates anticipated for this construction season.

Approvals: To Submit to Commission and if approved, to DFA.

Business Support Deputy: DATE: 
Secretary/Deputy Sec.: DATE: 
Budget Office Review: 

Assigned BAR #: #7

Budget Director: DATE: 

SUBMITTED BY:
Director/DE: Ernest Archuleta
and/or
Bureau Chief: Rick Padilla
and/or
Administrator: Michael Vigil/Anissa Martinez
Tab 12i
Approval of FY17 BAR #10 for Highway Operations CAT 200
Budget Adjustment Request (BAR)  
In Brief

Date of Request: 4/14/2015  
Date to Commission: 4/21/2014

Program: Transportation & Highway Operations  
Division:  

SUBMITTED BY:  
Director/DE: Anthony Lujan  
and/or

Bureau/District: All Districts  
Bureau Chief:  
and/or

BAR Type: Increase  
BAR Administrator:  

Amount Requested:  
Funding Source:  
State Road Fund $3,000,000  
Federal Funds $-  
Other State Funds $-  
Total $3,000,000  
Fund: 20100  
Source Type: Road Fund Balance.

Budget Appr./Category: 300 and 400  
Contractual Services and Other Costs

Purpose/Justification for BAR: 
This BAR increase will provide budget authority from State Road Fund Balance to cover a projected shortfall in CAT200/Personal Services and Employee Benefits due to FY0's (1) 10% "recruitment and retention" transaction increases for highway maintenance workers, construction engineering technicians, mechanics, and service center technicians, (2) successful recruitment efforts that has resulted in a vacancy rate of below the budgeted 10% vacancy factor, and (3) projected overtime expenditures as a result of winter and springtime maintenance and construction oversight activities.

Prior to the submittal BAR10 we will verify and utilize any Category 200 savings within PS62/Programs and Infrastructure and PS64/Business Support in order to minimize the impact on State Road Fund balance.

Significant Issues:  
This BAR uses authority under the Laws of 2015, Chapter 101, Section 9E(44)

Attachments:  
(Support Documentation)

Approvals: To Submit to Commission and if approved, to DFA.

Program Mgr/Deputy Sec/Sec:  
DATE:  
BUDGET STAFF ONLY

Budget Office Review:  
DATE:  

Assigned BAR #: BAR #10  
Budget Director:  
DATE:  

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Tab 12j
Approval of Proposed Amendments to Commission Policy 1
SUBJECT: Proposed amendments to Commission Policy No. 1, New Mexico State Transportation Commission Organization and Meetings (“CP 1”).

PRESENTER: Loren Hatch, Deputy Cabinet Secretary/General Counsel

BACKGROUND:

CP 1 is the policy which sets forth the guidelines regarding the organization and meetings of the New Mexico State Transportation Commission (STC).

In light of the State’s existing revenue shortages, the STC and NMDOT are now, more than ever, focused on achieving maximum efficiency with limited financial resources. Accordingly, both the STC and NMDOT desire to be as conservative as possible in expending NMDOT funds and staff time by reducing the schedule of meetings and hold regular STC meetings every other month, or on an as needed basis, instead of monthly.

For the reasons stated above, NMDOT recommends that the applicable provisions of CP 1 be amended to clarify the STC’s revised meeting schedule.

ACTION: The Commission is requested to take action to approve the proposed amendments to CP 1.

April 21, 2016
Reference: Article V, Section 14, New Mexico State Constitution
NMSA 1978, Sections 67-3-10 and 10-15-1 to 10-15-4

This Commission Policy supersedes Commission Policy No. 1 dated June 17, 2011.

The following guidelines represent the organization and meetings, both open and closed, of the New Mexico State Transportation Commission:

A. ORGANIZATION

1. The officers of the Commission consist of a Chair, Vice-Chair and Secretary. The Chair presides at all meetings of the Commission and exercises the powers of the Commission as the Commission from time to time determines. The Vice-Chair exercises all of the duties and powers of the Chair in the Chair’s absence.

2. The Chair, Vice-Chair and Secretary are elected by the Commission and serve at the pleasure of the Commission.

B. VACANCIES

1. The Commission consists of six Commissioners, one from each of the six (6) state transportation commission districts within the State. The members of the Commission are appointed by the Governor of the State, with the advice and consent of the State Senate. The members are appointed every two (2) years for staggered six (6) year terms. In the event of a vacancy on the Commission, before the expiration of a term, the Governor shall be notified of the vacancy by the Chair as soon as possible. When the Governor has appointed a replacement and the oath of office has been executed, the newly appointed Commissioner shall be entitled to exercise all of the powers granted by law to Commissioners until the next regular session of the State Legislature, at which time the
Governor shall make an appointment for the balance of the unexpired term, which appointment must be confirmed by the State Senate before the appointee can serve as a Commissioner.

2. The term of a confirmed appointee filling a vacancy expires on December 31st of the year that the original appointee’s term would have expired.

C. MEETING ATTENDANCE

1. At any meeting of the Commission, four (4) members shall constitute a quorum, and a majority of those present shall be necessary to take action.

2. The Secretary of Transportation (hereinafter “Secretary”) and necessary staff members shall attend Commission meetings as designated by the Secretary.

D. MEETING SCHEDULE

1. At the beginning of each calendar year, the Commission will set a meeting schedule for the year and revise if and when needed. Regular meetings will generally be held on the third Thursday of a month when designated to occur and extend to the following Friday if the agenda necessitates additional time. The Commission may alter the meeting schedule at its discretion.

2. Special or emergency meetings may be called by the Chair or by any three members of the Commission.

E. NOTICE OF PUBLIC MEETINGS

1. With certain specific statutory exceptions, the New Mexico Open Meetings Act provides that all meetings of any public body, such as the State Transportation Commission, are public, or open, meetings, such that all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings.

2. By statute, the Commission shall determine at least annually what notice will be reasonable for purposes of both open and closed meetings. Therefore, the following notice requirements shall govern Commission meetings for both open and closed meetings. All notices shall be given by the Secretary and shall state that reasonable accommodations will be made for disabled individuals wishing to attend open meetings in accordance with the Americans with Disabilities Act.

   a. Open Meetings

      1) Regular Meetings – Notice of date, time, place and proposed agenda availability for regular meetings shall be given
ten days in advance of the meeting date by placing a notice in at least one newspaper of statewide general circulation and, if publishing deadlines permit following the Chair’s approval of the agenda, in at least one newspaper of general circulation within the meeting’s geographical location. Concurrently, notice shall be mailed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation, which have made a written request for such notice.

2) Special Meetings – Notice of date, time, place and agenda availability for special meetings shall be given at least three (3) days in advance of the meeting date by placing a notice in at least one (1) newspaper of statewide general circulation and in at least one (1) newspaper of general circulation within the meeting’s geographical location. Concurrently, telephonic notice shall be made to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation, which have made a written request for such notice.

3) Committee Meetings – Meetings at which a quorum is in attendance and at which the discussion or adoption of any proposed resolution, proposed rule, proposed regulation or proposed formal action occurs shall be held only after notice is given pursuant to this subsection.

b. Emergency Meetings – Notice of date, time, place and agenda availability for emergency meetings shall be given as far in advance as practicable before the meeting date and time. Within ten (10) days after taking action on an emergency matter, the Commission shall provide a report to the Attorney General’s office regarding the action taken and the circumstances creating the emergency.

c. Closed Meetings

1) Notice of date, time, place, subject matter and the specific provisions of law authorizing the closed meeting shall be given as provided in subparagraph E(2)(a) above for closed meetings called when the Commission is not in an open meeting.

2) Should a closed meeting be called during an open meeting, the authority and subject matter for such closure shall be stated in the motion, the vote shall be taken in the open meeting and the vote of each individual member present shall be recorded in the minutes. When the majority of the members present approve closing a meeting, the Commission may immediately retire into closed session or schedule another time during the meeting to go into closed session.
F. MEETING AGENDA CRITERIA

1. Commissioners and Department staff shall submit potential agenda items to the Secretary at least eight (8) days in advance of the day on which a STC meeting is scheduled. All potential agenda items shall be reviewed and approved or rejected by the Commission Chair prior to publication of the final agenda.

2. Except in the case of an emergency, the Commission shall make a meeting agenda available to the public at least seventy-two (72) hours prior to the meeting. The meeting agenda shall also be posted on the Department’s website at least seventy-two (72) hours prior to the meeting.

3. The following items shall be the basis for preparation of the agenda for regular meetings:
   a. call to order;
   b. roll call and establishment of a quorum;
   c. Pledge of Allegiance;
   d. Introduction and welcoming remarks;
   e. approval of agenda;
   f. approval of previous meeting minutes;
   g. Approval of consent agenda (may include activity reports, review of administrative directives, professional services agreements, cooperative and school bus route agreements, change orders, audit reports, and administrative directives);
   h. delegations (Federal, State and local governmental representatives, special committees, Legislators, special interest groups and private citizens):
      1) delegation requests to address the Commission shall be honored at the next regular meeting for which proper agenda notice of the subject matter is given,
      2) delegations shall be notified of agenda placement by the Secretary's Office,
      3) delegations may be added to the agenda during a Commission meeting with the consent of the Commission provided no action is taken on the delegation’s presentation;
i. Approval of financial report and actions, including budget adjustment requests (BARs); resolutions, rulemaking and other actions requiring Commission approval;

j. staff briefings on transportation issues that do not require Commission action;

k. Commission communication questions;

l. new business;

m. scheduling of special Commission activities, a committee meeting, a regular or special Commission meeting and scheduling of agenda items for the next meeting; and

n. adjournment.

4. The Commission shall take action only on items appearing on the agenda. Additional items of business may be brought before the Commission and discussed but not acted upon until properly noticed, unless the matter is an emergency as defined by NMSA 1978, Section 10-15-1(F), of the New Mexico Open Meetings Act.

5. In the event a Commission meeting must be canceled or postponed, all agenda items requiring action, delegation presentations, or other items requiring Commission consideration shall be moved to the next regular or special meeting as determined by the Commission.

G. RULES OF ORDER
The rules of order contained in the most recent edition of Robert’s Rules of Order shall govern the conduct of Commission meetings unless those rules are inconsistent with State law, Department rule, or Commission policy.

H. MOTIONS AND RESOLUTIONS

1. All actions of the Commission shall be taken upon a motion made by a Commission member, seconded by another member and adopted by a majority of those members present.

2. Normally, action shall be taken by oral motions that are recorded in the Commission’s minutes. When, however, the action taken is to be documented outside the minutes, or provided in writing to a party or parties outside the Commission and Department, or is intended to reflect views held by the Commission, it shall be by a motion to adopt a written resolution which reflects the action.

3. Written resolutions shall be reviewed by the Department’s General Counsel before presentation to the Commission.
4. Beginning with the regularly scheduled Commission Meeting in January 2000, written resolutions adopted by the Commission shall be numbered sequentially on a calendar year basis using the year the resolution is adopted, then a hyphen or dash, then the number of the resolution in sequence of adoption, starting with the number 1 for the first resolution adopted in a calendar year, and then, in parenthesis, the abbreviation for the month the resolution is adopted, e.g., Resolution No. 2000-1(JAN) or Resolution No. 2000-12(AUG) or Resolution No. 2003-5( NOV).

I. OFFICIAL MEETING MINUTES

1. All open meetings of the Commission shall be audio recorded. The audio recordings shall be retained in compliance with the State Records Act, or longer, at the discretion of the Department.

2. A draft copy of the minutes for open meetings shall be prepared within ten working days of the meeting and shall indicate they have not been approved by the Commission. The minutes shall be official once approved by the Commission.

3. The minutes may be inspected by the public and will contain:
   a. the date of the meeting;
   b. the time and place of the meeting;
   c. the members of the Commission present and absent;
   d. a short, concise statement or summary of the topics, proposals, items or actions taken or considered;
   e. a verbatim recitation of verbal motions made at the meeting, whether receiving a second or dying without a second;
   f. the results of votes taken on any motion;
   g. the results of any roll call vote with each member’s vote noted; and
   h. indication of motions dying for lack of a second.

J. TELECONFERENCE MEETINGS

1. A Commissioner may participate in a meeting of the Commission by means of a conference telephone or television or other similar communications (teleconferencing) equipment when it is otherwise difficult or impossible for the Commissioner to attend the meeting in person.
2. Each Commissioner participating in a meeting by teleconferencing must be identifiable when speaking, all Commissioners participating in the meeting must be able to hear each other at the same time, and all members of the public attending the meeting must be able to hear any Commissioner who speaks during the meeting.

K. RULEMAKING

The Secretary shall take the actions necessary to promulgate paragraphs (E), (I) and (J) of this Policy as a Department rule or rules.
Tab 12k
Approval of Revised Meeting Schedule for 2016
Commission Brief

SUBJECT: Proposed Amendments to the 2016 STC Meeting Schedule

PRESENTER: Loren Hatch, Deputy Secretary, NMDOT

BACKGROUND: It is being proposed to move the remaining monthly STC Meetings to bi-monthly.

ACTION: Action
**PROPOSED REVISED 2016 STC SCHEDULE**

**NEW MEXICO STATE TRANSPORTATION COMMISSION**

**LOCATION, DATES DEADLINES**

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<thead>
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<th>Date</th>
<th>Location</th>
<th>Agenda deadline</th>
<th>Legal Notice deadline</th>
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<td>(D3) February 8, 2016</td>
<td>February 10, 2016</td>
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<td>September 26, 2016</td>
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</tbody>
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Note: All meetings begin at 8:30 am unless specified

*October 6, 2016 meeting will begin at 1:30 pm to accommodate Equipment Road’eo*