

**SOUTH CENTRAL REGIONAL TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
June 26, 2024 -1:30 PM
Doña Ana County Commission Chambers
845 North Motel Boulevard Las Cruces, New Mexico 88007**

AGENDA



CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT

All items listed under the Consent Agenda item are considered to be routine and non-controversial. The Consent Agenda items will be considered and may be approved by one motion if no member of the Board or Audience wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the Consent Agenda and will be considered in listed sequence with an opportunity for any member of the public to address the Board concerning the item before action is taken.

SCRTD Meeting
Hosted by BOCC

<https://donaanacounty.webex.com/donaanacounty/j.php?MTID=m11df2a9d60480670f94351fcc512277f>
Wednesday, June 26, 2024, 1:30 PM | 3 hours | (UTC-06:00) Mountain Time (US & Canada)
Meeting number: 2630 967 7636
Password: fPHGJ3Wjc22

Join by video system.
Dial 26309677636@donaanacounty.webex.com
You can also dial 173.243.2.68 and enter your meeting number.

Join by phone
+1-415-655-0003 US Toll

Access code: 263 096 77636

Thank you!



William Joseph Welsh

**Multimedia Specialist
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SOUTH CENTRAL REGIONAL TRANSIT DISTRICT
Wednesday, June 26, 2024– 1:30 PM
Doña Ana County Commission Chambers
845 North Motel Boulevard Las Cruces, New Mexico 88007

AGENDA

Consent Agenda

Adopt/Approve

1. Call to order
2. Pledge of Allegiance
3. Roll Call
4. Approval of agenda minutes for April 24, 2024
5. Public Input
6. Executive Directors Report /Comment – David Armijo
7. Discussion and Resolution approving the FY2024-2025 Infrastructure Capital Improvement Plan (ICIP) -Tim McDaniel
8. Discussion and Resolution approving the FY2024 Annual Budget- Adam Shea
9. Discussion and Resolution approving the New Mexico Department Of Transportation (NMDOT) request for SCRTD to become a direct grant recipient – David Armijo
10. A Resolution approving the FTA FY2024 Grant Submittal with the El Paso MPO- Tim McDaniel
11. Discussion and Resolution approving the Memorandum of Understanding between the NMDOT with the El Paso MPO and the South Central Regional Transit District – David Armijo
12. Future agenda items
13. Adjournment

Next Meeting

Wednesday, July 24, 2024 @ 1:30 PM

Under Government Code section 54957.5, any materials relating to an item on this agenda distributed to the Board of Directors after the distribution of the agenda packet will be made available for public inspection at the time of distribution at the following location: South Central Regional Transit District, 830 Anthony Drive, Anthony, NM 88021.

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**South Central RTD
Board of Directors Meeting
Wednesday,
April 24, 2024 - 1:30 PM**

MINUTES

MEMBERS PRESENT:

Javier Perea, RTD Chair, City of Sunland Park
Majorie Powey, Village of Williamsburg
Russell Hernandez, RTD Vice-Chair, Town of Mesilla
Diana Murillo, City of Anthony

MEMBERS ABSENT:

Robert Martinez, Village of Hatch
Yvonne Flores, City of Las Cruces
Manuel Sanchez, Doña Ana County

SCRTD STAFF:

David Armijo, SCRTD Executive Director
Sara Vasquez, SCRTD
Crystal Gomez
Veronica De La O, SCRTD
Adam Shea, SCRTD
Tim McDaniel, SCRTD

OTHERS PRESENT:

Becky Baum, RC Creations, LLC, Transcriptionist

1. CALL TO ORDER

Javier Perea called the meeting to order at approximately 1:42.

2. PLEDGE OF ALLEGIANCE

ALL STAND FOR THE PLEDGE OF ALLEGIANCE.

3. ROLL CALL

A quorum was determined to be present.

4. APPROVAL OF THE AGENDA MINUTES - March 27, 2024

Motioned by Diana Murillo, second by Russell Hernandez. Passed unanimously.

5. PUBLIC INPUT

There was none.

6. EXECUTIVE DIRECTOR'S REPORT

David Armijo gave the Executive Director's report. Ridership for April 2024 is over 11,000. This will make the yearly target of 100,000 easy to reach. Statistics show that in 2023 operating expenses have almost doubled in the last five years. Ridership continues to grow. Overall vehicle revenue hours show increased productivity. Operating expense between

unlinked passenger trip is \$18.26 which is lower than before. There are several grants bringing in monies and managing them is a challenge. There are programmed monies for the bus shelters so now procurement needs to be done. The stops are being evaluated now. The routes on the east mesa are challenging to plan because the county line is erratic. Micro-transit may be the answer to those problems. There will be two electric vans delivered in May. The charging stations will be small. They will work well anywhere. Electric service will need to be upgraded before larger stations can be installed.

7. A RESOLUTION APPROVING THE THIRD-QUARTER FINANCIALS FOR FISCAL YEAR 2023-2024 - ADAM SHEA

Adam Shea reported on the financials as of March 31, 2024. At that time the funds in the bank were about \$62,576.02. Reserves are a bit low because expected funds have not arrived yet. The Texas money should arrive in the next couple of weeks. Expenditures were \$2,257,262.79 and are about 72.9% of the budget. The budget is on course for the year. The health insurance was up last quarter due to the bill needing to be paid and now it is back down after payment. The increases in the budget are due to capital outlay under the Projects heading which is \$462,030.06. This was for purchasing buses. The revenue is expected to be \$352,355.44 to replace that capital outlay. Insurance is at about 80% and will be paid off soon. Projects are at 97.3% because capital outlay is recorded as it arrives. Operating cost is at 81.6% because the commercial loan was paid off in the second quarter. Under Revenue, \$1,895,431.26 was received which is 60.4% of budget. Funding requests are offset from the reports and the numbers will be correct at the end of the quarter; 100% of the membership dues, 60.2% of the 5310/5311, and 49.8% of the 5307 have been received. Under Capital, \$544,893.38 has been received which is about 16.5% of the budget. Capital Outlay amounts to \$431,295.47 to date.

Resolution motioned by Diana Murillo, second by Russell Hernandez. Passed unanimously.

8. A RESOLUTION APPROVING THE THIRD-QUARTER BUDGET AMENDMENT FOR FISCAL YEAR 2023-2024 - ADAM SHEA

Adam Shea reported on the budget amendment. On the first page under Expenditures, it would be a reduction of \$7,865.76 for employee benefits, a reduction of \$5,000 for travel and maintenance, an increase of \$1,500 for supplies, an increase of \$260,735.85 for projects including capital outlay, an increase of \$3,156.80 for contractual services, and a reduction of \$10,044.43 for operating costs amounting to an overall increase of \$242,482.46. Under Revenue, requesting a reduction of \$1,435.92 and an increase of \$529.58, reduction of miscellaneous and other revenue of \$5,424.40 bringing the total revised Operating Revenue to \$3,137,216.40. Under Capital, there are many increases and decreases across this category to bring it into line with the actual numbers. Overall budget decreased to \$3,295,793.42. Some of these funds may carry over into the next fiscal year.

Resolution motioned by Diana Murillo, second by Russell Hernandez. Passed unanimously.

9. A RESOLUTION APPROVING SUBMISSION OF THE 2024 NO LOW GRANT

Tim McDaniel discussed this grant submission. It provides funding for purchase or lease of zero-emission and low-emission transit buses. SCR TD is requesting \$2.6 million for two buses, \$100,000 for installation of two charging stations, \$6,000 for engineering design of stations, \$12,500 for vehicle delivery, \$139,930 for workforce development training costs making the total request \$2.9 million with \$2.4 million in federal funds requested and \$453,836 local match required. Staff is requesting the two buses to replace the two buses

on the Yellow Line. This would allow a dedicated morning and afternoon fleet to run out of Sunland Park, saving on maintenance and fuel costs. The existing buses would be repositioned to other routes. If the grant is approved it will be awarded in July 2024, go to procurement in August 2024, a bus conference to approve the buildout in February 2026, and the manufacturing to be complete in September 2026 and the bus delivered in October. SCRTD would begin an apprenticeship in the Maintenance Department from October 2026 through September 2027.

Resolution motioned by Diana Murillo, second by Russell Hernandez. Passed unanimously.

10. A RESOLUTION APPROVING SUBMISSION OF THE 2024 5339 BUS AND BUS FACILITIES GRANT

Tim McDaniel reported on the 5339 Grant. The funds would be used to replace and rehabilitate buses and build or improve facilities. The grant application is for a total of \$2.8 million. Mr. McDaniel showed the proposed site for the new facility at Venus and Northrise. The new bus and facility will allow better service and lower costs. If the grant is awarded in July 2024, procurement would begin in August 2024, project design and procurement for the facility would begin in November 2024, and grading and construction of the site would begin in October 2024. The bus conference would be in February 2026, the bus would be made by September 2026 and delivered in October 2026 at the same time that construction should be finished. Workforce development and training would run from October 2026 to September 2027. The local match to receive this grant is \$455,261.80. The money for match would hopefully come from the State Legislature.

Resolution motioned by Russell Hernandez, second by Diana Murillo. Passed unanimously.

11. A RESOLUTION APPROVING THE JOINT POWERS AGREEMENT WITH THE NEW MEXICO MUNICIPAL LEAGUE - ADAM SHEA

Adam Shea discussed the JPA. This would allow SCRTD to provide the various insurances and employee benefits. This agreement has been used since 1987 but was never signed before by SCRTD. Signing the resolution and agreement will make everything legal, finally.

Resolution motioned by Russell Hernandez, second by Diana Murillo. Passed unanimously.

12. A RESOLUTION APPROVING THE SOUTH CENTRAL REGIONAL TRANSIT DISTRICT NM FINANCE AUTHORITY LOAN AGREEMENT

Adam Shea discussed the loan application made with the New Mexico Finance Authority. The loan would be used to purchase equipment. The application for a credit line with BMO is still in committee and it would be capped at \$60,000. The NMFA exists to help small municipalities make large purchases. The loan application was for \$509,907.08 to purchase one service vehicle and three buses. The loan would be paid immediately on receipt of the grants earmarked for those vehicles.

Resolution motioned by Russell Hernandez, second by Diana Murillo. Passed unanimously.

13. FUTURE AGENDA ITEMS/BOARD COMMENTS

None.

14. ADJOURNMENT

Chairperson
Chairperson

Agenda Items:

South Central Regional Transit District

Board Agenda Item No. 6

June 26, 2024

AGENDA ITEM NO. 6:

Executive Directors Report:

The report will be provided in person at the meeting and will cover transit services and capital project updates.

South Central Regional Transit District

Board Agenda Item No. 7

June 26, 2024

AGENDA ITEM NO. 7:

Discussion and action should be taken to authorize the Board to approve a resolution approving the grant submission for the FY2024-2025 INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP) PROGRAM. The ICIP infrastructure capital improvement plan is required, and updates are submitted every year.

This grant will include funding for expanding the district's bus fleet, acquiring the Sunland Park facility, and renovating the Anthony bus facility.

The buses will provide bus service within the Las Cruces and Doña Ana County service area.

RECOMMENDED MOTION:

Authorize the chair to sign a resolution approving the ICIP program for the FY2025 Infrastructure Capital Improvement Plan (ICIP).

SUPPORT INFORMATION:

- PowerPoint Presentation
- Draft Resolution
- DISCUSSION/OPTIONS:

This item is to be discussed during the June 26th Board Meeting.

South Central Regional Transit District

Board Agenda Item No. 8

June 26, 2024

AGENDA ITEM NO. 8:

Discussion and action should be taken to authorize the Board to approve a resolution approving the annual district budget.

The annual budget is funded from multiple sources, including membership fees, the Doña Ana County MOA, Sunland Park DMV fees, and grant funds for operating and capital purposes. The operating funds come from the NMDOT Section 5311 Rural grant funds and the Section 5307 Urban grant funds provided by the two MPO agencies, with funding for urban areas in Mesilla Valley, Las Cruces, and Southern New Mexico via the El Paso MPO.

The capital budget includes Section 5339 capital funds both from the NMDOT and via competitive grants. The District received competitive grant funding of over \$5.6 in 5339 No Low grants for electric-powered buses and for a bus and property acquisition. The US Department of Transportation awarded these two grants in August 2022, and the funds will be drawn from the grants in the coming fiscal year.

Additionally, the District was awarded funding for three more electric-powered buses in 2023. Those funds will be programmed and drawn in the spring of 2023. These funds are CMAQ funds and will be drawn from our NMDOT agreement. The buses will provide bus service within the Las Cruces and Dona Ana County service area.

RECOMMENDED MOTION:

Authorize the chair to sign a resolution approving the FY25 Annual Budget.

SUPPORT INFORMATION:

- PowerPoint Presentation
- Draft Resolution
- DISCUSSION/OPTIONS:

This item is to be discussed during the June 26th Board Meeting.

South Central Regional Transit District

Board Agenda Item No. 9

June 26, 2024

AGENDA ITEM NO. 9:

Discussion and action should be taken to authorize the Board to approve a resolution approving the request for the South Central Regional Transit District to be designated as a direct grant recipient beginning in July 2024, rather than continuing as a subgrant recipient.

The SCRTD, with its significant growth and operational maturity, has been effectively meeting the transit needs of our region. By becoming a direct grant recipient, SCRTD stands to gain from streamlined processes, increased control over funding allocations, and the ability to respond promptly and effectively to the transportation needs of our communities.

The transition of SCRTD to direct grant recipient status is a strategic move that aligns with our goals of enhancing regional transit services, fostering local autonomy, and ensuring the availability of resources for maintaining and expanding our transit operations. This change will empower SCRTD to manage its programs with increased efficiency and accountability.

The SCRTD Board of Directors will discuss and may approve a resolution at the June 26, 2024, meeting that supports the District's move to being a direct recipient for all of our capital grants, including Section 5339, 5307, and 5310. We believe this adjustment will improve outcomes for the communities we serve and support the broader objectives of the New Mexico Department of Transportation.

RECOMMENDED MOTION:

Authorize the chair to sign a resolution approving the District's request to the New Mexico Department of Transportation to transition from subgrant recipient to direct grant recipient.

SUPPORT INFORMATION:

- PowerPoint Presentation
- Draft Resolution
- DISCUSSION/OPTIONS:

This item is to be discussed during the June 26th Board Meeting.

South Central Regional Transit District

Board Agenda Item No. 10

June 26, 2024

AGENDA ITEM NO. 10:

Discussion and action should be taken to authorize the Board to approve a resolution approving the Fiscal Year 2024 Grant submittal through the El Paso MPO.

RECOMMENDED MOTION:

Authorize the chair to sign a resolution approving the District's request to the New Mexico Department of Transportation to transition from subgrant recipient to direct grant recipient.

SUPPORT INFORMATION:

- PowerPoint Presentation
- Draft Resolution
- DISCUSSION/OPTIONS:

This item is to be discussed during the June 26th Board Meeting.

South Central Regional Transit District

Board Agenda Item No. 11

June 26, 2024

AGENDA ITEM NO. 11:

Discussion and action should be taken to authorize the Board to approve a resolution approving the Memorandum of Understanding between NMDOT, the El Paso Metropolitan Planning Organization (MPO), and the South Central Regional Transit District.

This MOU aims to provide for cooperative transportation and transit activities in the metropolitan planning area and ensure that the mutual responsibilities in carrying out the metropolitan planning process and performance-based planning are coordinated in accordance with current Federal Legislation and as required by 23 CFR 450.314.

All parties will:

A. Cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process in a performance-based planning format and final form

Decide upon and adopt performance targets for this planning process in accordance with federal and State requirements and guidance.

C. Make provisions for cooperatively developing and sharing information related to the development of financial plans that support MTPs and the TIP.

D. Ensure all parties cooperatively develop a listing of obligated projects that comprehensively address the transportation system within the MPO boundaries. Identified projects shall include both roadway and transit initiatives, including but not limited to investments in pedestrian walkways and bicycle transportation facilities for which federal funds were obligated in the preceding fiscal year.

E. Ensure that the MPO's Unified Planning Work Program ("UPWP") details and documents these responsibilities, deliverables, and associated costs.

RECOMMENDED MOTION:

Authorize the chair to sign a resolution approving the District's request to the New Mexico Department of Transportation. This transition from subgrant recipient to direct grant recipient is a positive step that will enhance our operational efficiency and financial stability.

SUPPORT INFORMATION:

- PowerPoint Presentation
- Draft Resolution
- DISCUSSION/OPTIONS:

This item is to be discussed during the June 26th Board Meeting.

South Central Regional Transit District
County of Doña Ana
Resolution No. FY25-22

A RESOLUTION

ADOPTING THE FY 2026-2030 INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP)

WHEREAS, the South Central Regional Transit District of Doña Ana County recognizes that the financing of public capital projects has become a major concern in New Mexico and nationally; and

WHEREAS, in times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and

WHEREAS, systematic capital improvements planning is an effective tool for communities to define their development needs, establish priorities and pursue concrete actions and strategies to achieve necessary project development; and

WHEREAS, this process contributes to local and regional efforts in project identification and selection in short and long range capital planning efforts.

NOW, THEREFORE, BE IT RESOLVED BY THE South Central Regional Transit District that:

1. The county/municipality/tribal government/special district has adopted the attached FY 2026-2030 Infrastructure Capital Improvement Plan, and
2. It is intended that the Plan be a working document and is the first of many steps toward improving rational, long- range capital planning and budgeting for New Mexico's infrastructure.
3. This Resolution supersedes Resolution No. FY-03.

PASSED, APPROVED and ADOPTED by the governing body at its meeting of June 26, 2024

Javier Perea, SCRTD Board Chair

ATTEST:

David Armijo, Executive Director

**South Central Regional Transit District
Resolution Number: FY25-23**

A RESOLUTION APPROVING THE FY2025 ANNUAL BUDGET

WHEREAS The South Central Regional Transit District Board of Directors met in a meeting on, June 26, 2024, in the Doña Ana County Offices, 845 N, Motel Blvd.: Las Cruces NM and,

WHEREAS, Staff provided details on the annual FY2025 budget to better reflect the budget categories in the annual budget; and

NOW, THEREFORE, BE IT RESOLVED by the South Central Regional Transit District that: Passed, Approved and Adopted by the governing body at this meeting of June 26, 2024.

ADOPTED AND APPROVED ON THE 26TH DAY OF JUNE 2024.

Javier Perea, SCRTD Board Chair

ATTEST:

David Armijo, Executive Director

**South Central Regional Transit District
Resolution Number: FY24-24**

**DISCUSSION AND RESOLUTION APPROVING THE NEW MEXICO DEPARTMENT OF
TRANSPORTATION REQUEST FOR SCRTD TO BECOME A DIRECT GRANT RECIPIENT**

WHEREAS The South Central Regional Transit District Board of Directors met in a meeting on, June 26, 2024, in the Doña Ana County Offices, 845 N, Motel Blvd.: Las Cruces NM and,

WHEREAS approving the request for the South Central Regional Transit District to be designated as a direct grant recipient beginning in July 2024, rather than continuing as a subgrant recipient.

NOW, THEREFORE, BE IT RESOLVED by the South Central Regional Transit District that: Passed, Approved and Adopted by the governing body at this meeting of June 26, 2024.

ADOPTED AND APPROVED ON THE 26TH DAY OF JUNE 2024.

Javier Perea, SCRTD Board Chair

ATTEST:

David Armijo, Executive Director

**South Central Regional Transit District
Resolution Number: FY24-25**

**DISCUSSION AND RESOLUTION APPROVING THE FY2024 5307 GRANT SUBMITTAL
WITH EL PASO MPO**

WHEREAS The South Central Regional Transit District Board of Directors met in a meeting on, June 26, 2024, in the Doña Ana County Offices, 845 N, Motel Blvd.: Las Cruces NM and,

WHEREAS The South Central Regional Transit District approves the submission of the following projects, their respective budgets, and local match amounts to the El Paso MPO for the FY 2024 FTA 5307 program:

Project Name	Federal	Local Match	Project Total	Local Match Percent
Preventive Maintenance	\$94,369.00	\$23,592.25	\$117,961.25	20%
JARC	\$65,015.00	\$65,015.00	\$130,030.00	50%
Operating Assistance	\$95,616.00	\$95,616.00	\$191,232.00	50%
Resurface Pavement	\$210,849.00	\$52,712.25	\$263,561.25	20%
Maintenance Facility	\$85,500.00	\$21,375.00	\$106,875.00	20%
Security Fencing	\$78,800.00	\$19,700.00	\$98,500.00	20%
TOTAL	\$630,149.00	\$278,010.50	\$908,159.50	

NOW, THEREFORE, BE IT RESOLVED by the South Central Regional Transit District that: Passed, Approved and Adopted by the governing body at this meeting of June 26, 2024.

ADOPTED AND APPROVED ON THE 26TH DAY OF JUNE 2024.

Javier Perea, SCRTD Board Chair

ATTEST:

David Armijo, Executive Director

**South Central Regional Transit District
Resolution Number: FY24-26**

**DISCUSSION AND RESOLUTION APPROVING THE MEMORANDUM OF
UNDERSTANDING (MOU)**

BETWEEN

**THE NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT) WITH THE EL
PASO METROPOLITAN PLANNING ORGANIZATION (EPMPO) AND SOUTH
CENTRAL REGIONAL TRANSIT DISTRICT (SCRTD)**

This Agreement is made and entered into by and between NMDOT, EPMPO, and SCRTD. Collectively all parties are referred to as the “Responsible Parties.”

WHEREAS, pursuant to federal statutes, and as a requirement for obtaining federal transportation funds, the Federal Highway Administration (“FHWA”) and the Federal Transit Administration (“FTA”) have established regulations requiring each metropolitan area, the States and public transportation providers to utilize a continuing, cooperative, and comprehensive performance based multimodal transportation planning process to engage the citizenry and support metropolitan community development; and

WHEREAS, in response to the requirements of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (“SAFETEA-LU”), FHWA promulgated regulations 23 CFR 450.314; and

WHEREAS, the NMDOT is the primary agency of the State of New Mexico responsible for coordinating the distribution and use of federal funds utilized in the metropolitan transportation planning process; and

WHEREAS, the EPMPO in cooperation with the NMDOT and public transit providers, is responsible for the metropolitan transportation planning and programming process within the boundaries of the EPMPO. This responsibility includes preparing and adopting, in a manner consistent with this MOU, all required metropolitan transportation plans (“MTPs”), transportation improvement programs (“TIPs”), and documents of the metropolitan transportation planning and programming process; and

WHEREAS, SCRTD is a provider of public transportation within the EPMPO planning area; and

WHEREAS, federal requirements stipulate that NMDOT, EPMPO and SCRTD shall cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process; and

WHEREAS, these responsibilities should be clearly defined and distributed among the parties in a written document in order to ensure coordinated action in planning and financing transportation and transit activities within the metropolitan planning area; and

WHEREAS, the federal regulations require the written agreement to include specific provisions for cooperatively developing and sharing information related to the development of financial plans that support the metropolitan transportation plan, the TIP, and the development of the annual listing of federally obligated projects by EPMPO; and

WHEREAS, the federal regulations require that the parties jointly agree upon and develop specific written procedures for cooperatively creating and sharing information related to transportation performance data, the selection of performance targets, the reporting of performance to be used in tracking progress toward the attainment of critical outcomes for the region and EPMPO, and the collection of data for the State Asset Management Plan for the National Highway System (NHS); and

WHEREAS, the NMDOT, City of Sunland Park, New Mexico, City of Anthony, New Mexico, and Doña Ana County are constituent members of EPMPO as well as members of SCRTD and, therefore, have direct involvement in both metropolitan and regional planning and projects.

NOW THEREFORE, BE IT RESOLVED THAT the parties herein mutually agree as follows:

1. PARTIES

The parties to this agreement are:

- A. NMDOT, the designated recipient of federal funds used for transportation and transit within the New Mexico boundaries of the EPMPO planning area; and
- B. EPMPO, a duly formed and federally mandated planning organization created by the State of Texas and the federal government. EPMPO has been designated by the State of New Mexico to fulfill the transportation planning requirements of 23 CFR 450.314 in the El Paso Metropolitan Planning Area; and
- C. SCRTD, a duly formed and authorized Regional Transit District created pursuant to the authority of NMSA 1978, Section 73-25-1 *et seq.* and organized under an intergovernmental agreement that includes some EPMPO members as signatories and SCRTD members.

2. PURPOSE

It is the purpose of this MOU to make provision for cooperative transportation and transit activities in the metropolitan planning area and to ensure that the mutual responsibilities in carrying out the metropolitan planning process and performance-based planning are coordinated in accordance with current Federal Legislation and as required by 23 CFR 450.314.

3. RESPONSIBILITIES OF ALL PARTIES

All parties will:

- A. Cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process in a performance-based planning format and final form.
- B. Decide upon and adopt performance targets for this planning process in accordance with federal and State requirements and guidance.
- C. Make provisions for cooperatively developing and sharing information related to the development of financial plans that support MTPs and the TIP.
- D. Ensure all parties cooperatively develop a listing of obligated projects that comprehensively address the transportation system within the MPO boundaries. Identified projects shall include both roadway and transit initiatives, including but not limited to investments in pedestrian walkways and bicycle transportation facilities for which federal funds were obligated in the preceding fiscal year.
- E. Ensure that the MPO's Unified Planning Work Program (“UPWP”) details and documents these responsibilities, deliverables, and associated costs.

4. RESPONSIBILITIES OF EPMPO

EPMPO will:

- A. Work in consultation with NMDOT, and SCRTD in developing the financial plan portion of the MTPs.
- B. Work in consultation with NMDOT, and SCRTD in developing the financial plan for the TIPs.
- C. Conduct technical coordinating committee, and policy committee meetings as required and necessary.
- D. Work in consultation with: NMDOT and SCRTD to update the MTP and TIP, in accordance with State and Federal laws.
- E. Consider Transit Asset Management (“TAM”) and Public Transportation Agency Safety Plans (“PTASP”) targets in the development of the MTP and TIP.
- F. In cooperation with NMDOT, and SCRTD, no later than 90 calendar days following the end of the program year, shall develop an annual listing of obligated projects for which funds under 23 USC or 49 USC Chapter 53 were obligated in the preceding program year, in accordance with 23 CFR 450.332.
- G. Develop and use a documented participation plan that defines a process for providing the public with reasonable opportunities to be involved in the metropolitan plan process.
- H. Invite NMDOT and SCRTD to rely on the public involvement process for the TIP to meet Section 5307 public involvement requirements for the development of Section 5307

programs of projects.

- I. Invite SCRTD to participate in all public participation processes for projects, plans, or other activities that impact the Metropolitan Planning Area.
- J. Conduct comprehensive, cooperative, and continuous transportation planning for the metropolitan planning area.
- K. Establish necessary transportation performance targets and share information related to the performance data, and work to document the reporting of performance to be used in tracking progress toward attainment of critical outcomes within the MPO planning area.
- L. Cooperate with NMDOT, and SCRTD on the provision of technical transit-related assistance.
- M. The EPMPO shall develop and implement a biennial Unified Planning Work Program (“UPWP”) to identify specific tasks, with detailed scopes of work and funding estimates, related to transportation planning and programs. The UPWP is subject to the approval of the NMDOT, Texas Department of Transportation, and the FTA.

5. RESPONSIBILITIES OF SCRTD

SCRTD will:

- A. Work in consultation with EPMPO in developing short-range and long-range plans for transit for inclusion in the MTP.
- B. Assist in the validation of data used as input into the MTP.
- C. Work in consultation with EPMPO in developing the financial plan for the MTP.
- D. Work in consultation with EPMPO in developing the financial plan for the TIP.
- E. In consultation with NMDOT, provide EPMPO with federally funded projects to be included in the annual listing of obligated projects, including funds passed through NMDOT.
- F. Appoint the SCRTD Executive Director, or his/her designee, to serve on the EPMPO Transportation Project Advisory Committee.
- G. Notify EPMPO of changes to projects that would affect the MTP or TIP.
- H. Invite EPMPO to participate in all public participation processes for projects, plans, or other activities that impact the Metropolitan Planning Area.
- I. Establish transit asset management performance targets and share them with EPMPO and other interested parties.
- J. Rely on the public involvement process for the TIP to meet Section 5307 public involvement requirements for the development of programs of projects.

K. Cooperate with EPMPO on the provision of technical assistance.

6. RESPONSIBILITIES OF THE NMDOT

NMDOT will:

- A. Appoint a representative to serve on the EPMPO Transportation Policy Board.
- B. Have a continuing duty of performance-based multimodal planning for the statewide transportation system, promulgating rules and regulations for the statewide transportation planning process, identifying potential transportation issues of statewide interest, reconciling conflicts between regional transportation plans and transportation improvement programs, and consolidating regional plans into a comprehensive statewide plan and statewide transportation improvement program ("STIP"). In carrying out its duties, NMDOT will coordinate and partner with the EPMPO on activities within the Doña Ana County planning region.
- C. Consult with and advise the parties on all aspects of state and federal compliance regarding the specific requirements of 23 CFR 450.314 and any related State of New Mexico requirements.
- D. Coordinate with the parties on the integration of any EPMPO or regional transit plans into and consistent with any State of New Mexico plans.
- E. Rely on SCRTD to provide EPMPO with a list of FTA-funded projects for inclusion in the annual listing of obligated projects for pass through funds.
- F. Rely on the EPMPO public involvement process for the TIP to meet Section 5307 public involvement requirements for the development of programs or projects.

7. TERM

This MOU shall become effective to each Party when approved and executed by that Party. It shall remain in full force and effect until such time it is terminated in writing by one of the parties.

8. VALIDITY AND ENFORCEABILITY

If any current or future legal limitations affect the validity or enforceability of a provision of this MOU, then the legal limitations are made a part of this memorandum and shall operate to amend this memorandum to the minimum extent necessary to bring this memorandum into conformity with the requirements of the limitations, and so modified, this memorandum shall continue in full force and effect. GOVERNING LAW AND VENUE

This memorandum shall be governed by the laws of the State of New Mexico. The venue for an action arising under this agreement shall lie exclusively in Doña Ana County, New Mexico.

9. SEVERABILITY

If a provision contained in this memorandum is held invalid for any reason, the invalidity does not affect other provisions of the memorandum and can be given effect without the invalid provision, and to this end the provisions of this memorandum are severable.

10. FEDERAL REGULATIONS

The parties agree that metropolitan transportation planning and programming processes leading to the development and adoption of MTPs, and TIPs may change in order to respond to changes in the law, restructuring within their respective organizations, or to reflect prior experience.

11. AMENDMENT

This MOU shall not be altered, changed, or amended except by instrument in writing and executed by the parties hereto.

ADOPTED AND APPROVED ON THE 26TH DAY OF JUNE 2024.

(SIGNATURE PAGES TO FOLLOW)

EXECUTED by the parties hereto, each respective entity acting by and through its duly authorized official as required by law.

METROPOLITAN PLANNING ORGANIZATION

Eduardo Calvo
Executive Director

Date: _____

SOUTH CENTRAL REGIONAL TRANSIT DISTRICT

Javier Perea, Chairman
SCRTD Board of Directors

Date: _____

STATE OF NEW MEXICO, THROUGH THE DEPARTMENT OF TRANSPORTATION

Aaron Chavarria, District Engineer
NMDOT District 1

Date: _____

APPROVED AS TO FORM

Sergio Estrada, Legal Counsel
El Paso Metropolitan Planning Organization

Date: _____