CALL TO ORDER:

A regular meeting of the North Central Regional Transit District Board was called to order on the above date by Mayor Dan Barrone, Chair, at 9:06 a.m. at the Jim West Regional Transit Center, Española, New Mexico.

1. Pledge of Allegiance

2. Moment of Silence

3. Roll Call

Ms. Trujillo called the roll and it indicated the presence of a quorum as follows:

<table>
<thead>
<tr>
<th>Members Present</th>
<th>Elected Members</th>
<th>Alternate Designees</th>
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<tbody>
<tr>
<td>Los Alamos County</td>
<td></td>
<td>Mr. Philo Shelton</td>
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<tr>
<td>Rio Arriba County</td>
<td>Commissioner Alex Naranjo</td>
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<td>Taos County</td>
<td>Commissioner Jim Fambro</td>
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<tr>
<td>Town of Taos</td>
<td>Mayor Dan Barrone</td>
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<td>Santa Fe County</td>
<td>Commissioner Ed Moreno</td>
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<td>Nambé Pueblo</td>
<td>Absent</td>
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<td>Ohkay Owingehe</td>
<td>Absent</td>
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<tr>
<td>Pojoaque Pueblo</td>
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<td>Councilwoman Anna Sanchez</td>
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<td>Santa Clara Pueblo</td>
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<td>Ms. Mary Lou Valério</td>
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<tr>
<td>City of Santa Fe</td>
<td>Councillor Joseph Maestas</td>
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<td>San Ildefonso Pueblo</td>
<td>Ms. Lillian Garcia</td>
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<tr>
<td>Tesuque Pueblo</td>
<td>Gov Charles Dorame</td>
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<td>City of Española</td>
<td>Councilor Tim Salazar</td>
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<td>Town of Edgewood</td>
<td>Councilor Chuck Ring</td>
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<tr>
<td>Rio Metro (ex officio)</td>
<td>Ms. Elizabeth Carter</td>
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**Staff Members Present**
- Mr. Anthony J. Mortillaro, Executive Director
- Ms. Jackie Trujillo, Executive Assistant
- Ms. Stacey McGuire, Projects and Grants Specialist
- Mr. Troy Bingham, Finance Director
- Mr. Peter Dwyer, Legal Counsel
- Ms. Dora Anaya, HR Director
- Ms. Delilah Garcia, Transit and Facilities Operations Director
- Mr. Jim Nagle, Public Information Officer

**Others Present**
- Mr. Carl Boaz, Stenographer
- Mr. Austin Fisher, Rio Grande Sun
- Mr. Keith Wilson, Santa Fe Trails
- Mr. James Martínez, Santa Fe Trails
- Mr. Ike Pino, City of Santa Fe
- Mr. Ray Matthews, Santa Fe County
- Mr. Farley Vener, Auditor
- David Armijo - SCRTD Director

4. **INTRODUCTIONS**

Those present introduced themselves to the Board.

5. **APPROVAL OF AGENDA**

Councilman Naranjo moved to approve the Agenda as presented. Councilor Maestas seconded the motion and it passed by unanimous (12-0) roll call vote with City of Española, Los Alamos County, Town of Edgewood, Pojoaque Pueblo, Rio Arriba County, San Ildefonso Pueblo, Santa Clara Pueblo, City of Santa Fe, Santa Fe County, Taos County, Town of Taos, and Tesuque Pueblo voting in favor and not against.

6. **APPROVAL OF MINUTES – December 9, 2016**

Commissioner Naranjo moved to approve the minutes of December 9, 2016 as submitted.
Councilor Maestas seconded the motion and it passed by unanimous (12-0) roll call vote with City of Española, Los Alamos County, Town of Edgewood, Pojoaque Pueblo, Rio Arriba County, San Ildefonso Pueblo, Santa Clara Pueblo, City of Santa Fe, Santa Fe County, Taos County, Town of Taos, and Tesuque Pueblo voting in favor and not against.

7. PUBLIC COMMENTS

There were no public comments.

PRESENTATION ITEMS:

A. Above and Beyond Quarterly Award

The Above and Beyond Quarterly Award was presented to Ms. Belen Santiago, Transit Route Supervisor. Mr. Mortillaro described her behavior as employee as possessing a positive outlook, and humility in service. Ms. Garcia nominated her as she had gone to the aid of an individual that was in the roadway.

Chair Barrone read the award and presented it to her. She thanked the Board and Staff for the award.

ACTION ITEMS

B. Discussion and Consideration of Election of Officers – Vacant Vice Chairman Position

Chair Barrone said they might have two candidates and would entertain a motion for a ballot.

Commissioner Fambro moved to use a ballot if needed for officer elections. Councilor Maestas seconded the motion and it passed by unanimous (12-0) roll call vote with City of Española, Los Alamos County, Town of Edgewood, Pojoaque Pueblo, Rio Arriba County, San Ildefonso Pueblo, Santa Clara Pueblo, City of Santa Fe, Santa Fe County, Taos County, Town of Taos, and Tesuque Pueblo voting in favor and not against.

Vice Chair:

Councilor Ring nominated Councilor Maestas as Vice-Chair

Councilor Salazar nominated Commissioner Naranjo for Vice-Chair.

There were no other nominations.

Mr. Dwyer explained the process of balloting and the Executive Assistant served as teller, using the weighted vote system.

The results indicated 34 total votes cast and Councilor Maestas received a majority of the votes.

Councilor Ring moved to appoint Councilor Maestas as Vice Chair for 2017. Commissioner Naranjo seconded the motion and it passed by unanimous (12-0) roll call vote with City of Española, Los Alamos County, Town of Edgewood, Pojoaque Pueblo, Rio Arriba County, San Ildefonso Pueblo, Santa Clara Pueblo, City of Santa Fe, Santa Fe County, Taos County, Town
of Taos, and Tesuque Pueblo voting in favor and not against.

C. Discussion and Consideration of FY 2016 Comprehensive Annual Financial Report with Auditor’s Opinions

Mr. Vener presented the opinions of the Auditor, using a power point presentation. He announced that it was reviewed and released by the State Auditor. It includes best practices in a CAFR and the audit process followed the federal requirements of SAS 114. In addition to his own work, his audit team included Katelyn Constantin and Kathryn Glarborg.

Mr. Vener explained the scope of the audit. This was not a forensic audit to detect fraud. He described the division of responsibilities between the auditor and management.

The result is a clean, unmodified opinion. There were some adjustments: one AJE (adjusting journal entry), two reclassifications and 12 PBC (provided by client) items. Because the RTD has had clean audits for several years, it the District is considered a low-risk auditee. There were no findings in the last two years.

Mr. Vener went through the financial information contained in the audit.

Mr. Bingham clarified that the District is required to change auditors after six years and he is working on the RFP for a new audit contract.

Councilor Maestas said this is cause for celebration and he thanked Mr. Mortillaro and Mr. Bingham and the Staff for their great work. The trends have all been positive. He was very happy with it.

Councilor Ring echoed those comments. Mr. Mortillaro and Chair Barrone have had a big impact on it so kudos to them too.

Mr. Shelton was grateful for the clean books.

Commissioner Naranjo moved to approve the FY 2016 Comprehensive Annual Financial Report with Auditor’s Opinions. Councilor Maestas seconded the motion and it passed by unanimous (12-0) roll call vote with City of Española, Los Alamos County, Town of Edgewood, Pojoaque Pueblo, Rio Arriba County, San Ildefonso Pueblo, Santa Clara Pueblo, City of Santa Fe, Santa Fe County, Taos County, Town of Taos, and Tesuque Pueblo voting in favor and not against.

Commissioner Naranjo excused himself from the meeting at 9:55.

D. Discussion and Consideration of Resolution No. 2017-01 Adopting Annual State and Federal Legislative Agenda

Mr. Mortillaro explained that annually, the Board considers a legislation agenda for direction on positions that may be taken on specific bills that are introduced. This year is a 60-day session starting on January 17. The agenda looks very similar to past years’ resolutions. It also incorporations
federal positions. He attended a legislative session in D. C. in March and visited with the New Mexico delegation while there and dealt with the Department of Transportation.

Mr. Mortillaro also asked the Tribal Subcommittee to review the agenda and they also recommended approval to the Board.

What wasn’t in the agenda was some legislation proposed by the NMTA and approved yesterday at their Board meeting. The way this is drafted would allow the District to also support them. They are seeking funding for Long Term Capital appropriation for transit through the State and also legislation to require vehicles to yield to buses.

Gov Dorame said he was not present at the December 7 meeting. He said other issues have arisen as recently as yesterday that prevent him from supporting any legislative agenda right now. Yesterday, they found out at the Finance Committee (State) is trying to take away Tribal Infrastructure Funds because of the deficit and that puts him in a difficult position. The tribe has to take a stand so we will do our due diligence to prevent the TIF from going away. That is very important to all of the tribes.

Councilor Maestas asked if the District must submit an ICIP plan like other cities and counties do.

Mr. Mortillaro agreed and the Board acts on it before submission. The agenda reflects the ICIP and the long-range capital improvement plan, as well. It is not submitted as capital outlay requests - usually just for buses. We have a broad array of senators and representatives. Scott Scanlon is the District’s lobbyist. After meeting with our delegation to share our requests, we have submitted the capital outlay form.

Councilor Maestas noted that DFA no longer accepts a large ICIP Plan and limits the requests to the top five priorities.

Mr. Mortillaro agreed and that was what was brought to the Board in the resolution in October. This is a tougher year than last year. The State is going after everything to get a balanced budget. In years past, legislators had about $700,000 each to use toward capital outlay projects for constituents, but this year is only $100,000 each.

Councilor Maestas suggested member entities approve resolutions of support for the District request.

Councilor Ring wanted to know why tribal funding is not included and where that funding comes from, as Gov. Dorame mentioned.

Mr. Mortillaro said it is not part of this resolution. The tribes are in competition with each other for TIF funding. The Board could always include a provision that the RTD would work with local members in opposing legislation that might be harmful to them. NMTA’s resolution included a clause that they would monitor or oppose legislation that would be harmful to their members’ GRT (that take away funding for transit services).

Chair Barrone moved that the District approve Resolution 2017-01, inclusive of the language “in supporting, monitoring or opposing any legislation that was deemed to directly affect the NCRTD members” and with the attachment of the ICIP top five priorities. Councilor
Maestas seconded the motion.

Gov Dorame said there was a longer, wider explanation. The tribes are contributors to the General Fund and the money the tribes get back impacts tribes without gaming. It really impacts both tribes with gaming and those without it.

Councilor Maestas understood that the Tribal Infrastructure Fund is not a special set aside. If a fund exists to avoid the reversion of any unexpended tribal capital outlay - if not obligated within three years, would go back to the TIF for reallocation instead of back to the General Fund.

Gov. Dorame said it is greatly reduce from amounts in years past.

Mr. Shelton said he and Mr. Mortillaro are both on the New Mexico Transit Association board and the equipment installed in back of the bus is not a budgetary issue. Installing it helps reduce accidents and can reduce insurance premiums later on.

The motion passed by unanimous (11-0) roll call vote with City of Española, Los Alamos County, Town of Edgewood, Pojoaque Pueblo, San Ildefonso Pueblo, Santa Clara Pueblo, City of Santa Fe, Santa Fe County, Taos County, Town of Taos, and Tesuque Pueblo voting in favor and not against. Rio Arriba County was not present for the vote.

E. Discussion and Consideration of Resolution No. 2017-02 Annual Inventory Certification

Mr. Bingham explained this certification is required by law for the inventory each year. The inventory is typically done after the audit is completed during December. The District’s inventory is small - mostly buses - and the listing is attached to the resolution with their depreciated values and categorized by type as reported in the CAFR.

Councilor Maestas moved to approve Resolution No. 2017-02 Annual Inventory Certification. Mr. Shelton seconded the motion and it passed by unanimous (11-0) roll call vote with City of Española, Los Alamos County, Town of Edgewood, Pojoaque Pueblo, San Ildefonso Pueblo, Santa Clara Pueblo, City of Santa Fe, Santa Fe County, Taos County, Town of Taos, and Tesuque Pueblo voting in favor and not against. Rio Arriba County was not present for the vote.

F. Discussion and Consideration of Resolution No. 2017-03 Amending the Charter Policy

Mr. Mortillaro said the District was requested by NMDOT during the bi-annual technical assistance and compliance review of the need to modify the District’s charter policy.

Ms. Garcia clarified that DOT asked us to report to DOT anytime we are providing charter service in advance and also to provide additional information from third parties interesting in procuring charter service as well as increasing from 150 hours to 160 hours for charters. After the service is provided, the District would report on it to DOT and it includes a fee schedule for non-member entities. She briefly reviewed the FIR. She recommended adoption of the resolution.

Gov Dorame moved to approve Resolution No. 2017-03. Councilor Ring seconded the
motion and it passed by unanimous (11-0) roll call vote with City of Española, Los Alamos County, Town of Edgewood, Pojoaque Pueblo, San Ildefonso Pueblo, Santa Clara Pueblo, City of Santa Fe, Santa Fe County, Taos County, Town of Taos, and Tesuque Pueblo voting in favor and not against. Rio Arriba County was not present for the vote.

G. Discussion and Consideration of Resolution No. 2017-04 Adopting Amended Financial Policies to Include Automatic Vendor Payments and Check Signatures

Mr. Mortillaro said this policy was adopted in November but it didn’t include all of the recommendations by the subcommittee. This is the corrected version.

Mr. Bingham explained the differences. The Finance Subcommittee added some safeguards including that amounts over $20,000 would go to the Board for approval. Page 45 shows the correct version. The reporting will start in February.

Councilor Ring moved to approve Resolution No. 2017-04 Adopting Amended Financial Policies to Include Automatic Vendor Payments and Check Signatures. Commissioner Moreno seconded the motion and it passed by unanimous (11-0) roll call vote with City of Española, Los Alamos County, Town of Edgewood, Pojoaque Pueblo, San Ildefonso Pueblo, Santa Clara Pueblo, City of Santa Fe, Santa Fe County, Taos County, Town of Taos, and Tesuque Pueblo voting in favor and not against. Rio Arriba County was not present for the vote.

H. Discussion and Consideration of Resolution No. 2017-06 Adopting a Policy Establishing a Prescription Drug Policy

Councilor Salazar excused himself from the meeting at 10:45 a.m.

Mr. Mortillaro said the NMDOT site visit this year also recommended this policy. Ms. Garcia and Mr. Dwyer worked on it.

Ms. Garcia said the federal program we participate in the federal policy that calls out the drug and alcohol program and the five drugs under which the District test the safety-sensitive employees for prescriptions and over the counter drugs. The drugs include marijuana, narcotics, opiates and cocaine as well as those in the alcohol and drug policy. The five areas of testing are pre-employment, under reasonable suspicion, post-accident and return to duty. This policy differs because it is an internal policy for prescriptions and over the counter drugs. Employees are allowed the opportunity to self-report the medications to permit the District Staff to determine possible driving impairment. Page 63 is the policy and list of drugs that might impair driving. Page 64 also discusses medical conditions that may appear. It is up to the employee to self-report those. Medical marijuana is not included for medication.

Mr. Dwyer added that these are just general conditions for drugs that could impair employees. The question is whether the Board wants to make the policy mandatory for all drugs they are taking. That could be fairly exhaustive and somewhat intrusive. This policy relies on self-reporting by employees. It is optional policy that deals with all employees and all kinds of conditions and drugs and intended to ensure optimizing performance by employees. He agreed to keep the Board posted regarding medical marijuana. Its usage is growing by leaps and bounds in New Mexico. It potentially could be covered under the insurance policy. If not approved, the employee would be fired if it is in their system. But if they self-report and is prescribed, the District will work with them and allow medical leave.
Councillor Ring moved to approve Resolution No. 2017-06 Adopting a Policy Establishing a Prescription Drug Policy. Chair Barrone seconded the motion and it passed by unanimous (10-0) roll call vote with Los Alamos County, Town of Edgewood, Pojoaque Pueblo, San Ildefonso Pueblo, Santa Clara Pueblo, City of Santa Fe, Santa Fe County, Taos County, Town of Taos, and Tesuque Pueblo voting in favor and not against. Rio Arriba County and City of Española were not present for the vote.

I. Discussion and Consideration of Resolution No. 2017-05 Adopting a Pet and Service Animal Policy

Ms. Garcia said during the NMDOT site visit on September 26th, they requested the District to have a standalone pet and service animal policy for animals on District vehicles. The current policy only addresses service animals on ADA Paratransit vehicles. The proposed policy states that all animals are prohibited on District vehicles except service animals and K-9 animals or in appropriate pet carriers. As such, it allows for visits to veterinarians by riders as long as the pet is not disruptive to other passengers.

Gov. Dorame said this is sensitive because some people are allergic to some animals and he had a question about what the insurance policy says about it.

Mr. Dwyer said he had not looked at the policy but thought this is a conservative policy. The policy is written in such a way that animals cannot make odors, noises or have any other impairing effects on passengers or drivers. He thought this has covered the allergy situation. He added that this morning, we found a puppy on a bus.

Ms. Garcia said the driver can ask the passenger with the animal to leave the bus if they cannot control the animal or the odor or noise affects operations.

Gov. Dorame moved to approve Resolution No. 2017-05 Adopting a Pet and Service Animal Policy. Councillor Ring seconded the motion and it passed by unanimous (10-0) roll call vote with Los Alamos County, Town of Edgewood, Pojoaque Pueblo, San Ildefonso Pueblo, Santa Clara Pueblo, City of Santa Fe, Santa Fe County, Taos County, Town of Taos, and Tesuque Pueblo voting in favor and not against. Rio Arriba County and City of Española were not present for the vote.

J. Discussion and Direction Regarding Request to Amend By-Laws

Councillor Maestas requested this discussion. He noted that the Board has great leadership now and the discussion has nothing to do with that. He has been on other boards and commissions that are large with many members that have policies where the executive officers’ terms are limited to one-year terms with no re-election allowed which allows for many of the members to serve in executive positions and ascend to the chairmanship. Sometimes it doesn’t work out well. He was asking that such a policy be explored for this Board. He knew that the tribal governments had requested to serve in executive office and the bylaws reflect that. He said, all he was asking for was that he Board be open-minded and consider amending the by-laws to impose term limits. He thought it would be a positive democratic gesture to have these term limits and maximize the
opportunity for the many members to serve in an executive office.

Commissioner Fambro said, “I take exception to the statement of us being open minded for if we don’t agree with you, does that mean we are not open-minded? I’ve been a member of both organized referenced - the Municipal League and the Association of Counties. I believe one year is not enough. We are fortunate in Taos. We have a very progressive Governor that is a personal friend of mine and if he only has a year, that is not enough time to get all that he wants done. So, I am not in favor of one year limits, especially with the GRT tax coming up. Continuity is needed at all levels.”

Councilor Ring asked if the Board has a two-year term limit now.

Mr. Dwyer clarified that the election is every other year in April right now and there is no term limitation. The vote for Vice-Chair at this meeting was to fill the vacancy when Commissioner Chávez was no longer a Santa Fe County Commissioner.

Councilor Ring recalled in the past discussion for two-year term from the previous resolution.

Chair Barrone agreed. He recalled during the past 9 years he has been a Board member that they had a one-year term in place before and it didn’t work. This Board got totally dysfunctional. It was horrendous because it got out of hand and they almost had fist fights in the room. Ms. Valérie was on the board then and remembered that. People didn’t really want to come to the meetings. But now it is calm and the Board is moving forward calmly. He believed the NCRTD is ahead of our local governments. The Staff and the Board are working well together.

Commissioner Fambro read from the second paragraph the proposed change from a two-year term to a one-year term and limited to one term.

Councilor Maestas asked if the dysfunction was attributed to the members.

Chair Barrone said there was lots of tension among members and the Chair wanted it to go his way. It got to the point where the Board was just dysfunctional.

Councilor Maestas noted we have weighted votes but the Chair cannot monopolize the business with this policy. But he wasn’t on the Board under that policy. He said, “This is a discussion item. I’m a big boy. If the sentiments of the Board are not in favor, that’s fine.

Gov. Dorame said this Board is important to his Pueblo. Tesuque doesn’t have the resources to get people out to serve. He happens to be the old guy on the block. Their terms are one-year and he served as Governor for the one-year term. But here, to hit the ground running here, it wouldn’t be a problem because the RTD has the resources. He would like to see one of the women be an officer. “We need to speak to the interests of our tribal leaders and with a one-year term, that is a problem. Having the Tribal Subcommittee is a way to keep their interest. It is a matter of continuity to keep us going. Our alternate was Sandra and she was a veteran and a blessing to me. We now have someone else. We need more brown faces on this Board.”

Councilor Maestas suggested the policy could be a single two-year term. The subcommittee could discuss it but he would accept what the Board wants.

Councilor Ring thought the quality of the person chosen is more important than anything else.
Chair Barrone agreed that the Board can sit down and consider the options.

DISCUSSION ITEMS


Mr. Bingham reviewed highlights of the Financial Report from the materials in the packet. Revenue still exceeds expenses for the year. There is a lag with GRT and federal funds but we expect to spend all of them. He shared the GRT results in each member county and the grant revenue from page 83.

Mr. Bingham reported that six of the new buses are in Albuquerque. He commented that hiring has been difficult. He created a facilities department category in the budget aside from fleet and will monitor that. The midyear budget review will be presented next month.

The Board had no questions about the Financial Report.

L. Finance Subcommittee Report

Mr. Mortillaro said there was no meeting in December but the Subcommittee is meeting on January 27th.

M. Tribal Subcommittee Report

Gov Dorame said there was no date set for March yet but it will be after the legislative session. He suggested April 22 as a possible day but that is also Easter week.

He asked that the District send congratulations letters to those tribes with new governors. He didn’t think half of them know who the District is. So, he intended to get a letter out on behalf of the RTD to congratulate them and try to get other tribal entities involved. He also would like to invite the governors to the next Tribal Subcommittee. He emphasized that all Board members are invited to the Tribal Subcommittee meetings.

Gov. Dorame asked about invitations to host a board meeting at the tribes.

Mr. Mortillaro said they have not received a to continue doing that.

Mr. Dwyer added that the annual schedule was included in the Open Meetings Act resolution with all the meetings listed as meeting here but it is flexible to allow that.

N. Executive Report and Comments from the Executive Director

Mr. Mortillaro had nothing to report other than the report in the packet.

Ms. Garcia gave the performance report for November that began on page 92 in the packet. She provided highlights from the performance data. She noted no minor accidents but one major when an RTD bus was hit by hit and run driver in the Questa area. One complaint was received and addressed
by the supervisor. There were five customer incidents.

There were no questions regarding the performance report.

MATTERS FROM THE BOARD

Ms. Garcia announced their annual feast day on January 22-23.

MISCELLANEOUS

Councilor Ring had an offering for members after the meeting.

ADJOURN

Councilor Ring moved to adjourn the meeting and Chair Barrone seconded the motion which passed by unanimous voice vote. The meeting was adjourned at 11:15 a.m.

Approved by:

Daniel R. Barrone, Chair

Attest:

Dennis Tim Salazar, Secretary

Submitted by:

Carl Boaz for Carl G. Boaz, Inc