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 9:15 a.m. at the Jim West Regional Transit Center, Española, New Mexico.

1. Roll Call

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

<table>
<thead>
<tr>
<th>MEMBERS</th>
<th>ELECTED MEMBERS</th>
<th>ALTERNATE DELEGATES</th>
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<tr>
<td>Town of Edgewood</td>
<td>Councilor Linda Holle</td>
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<td>Los Alamos County</td>
<td>Councilor Antonio Maggiore</td>
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<td>Rio Arriba County</td>
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<td>Manager Tomás Campos</td>
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<td>Santa Fe County</td>
<td>Commissioner Ed Moreno</td>
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<td>Taos County</td>
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<td>Nambé Pueblo</td>
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<td>Mr. Marcus López</td>
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<td>Ohkay Owingeh</td>
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<td>Pojoaque Pueblo</td>
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<td>San Ildefonso Pueblo</td>
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<td>Ms. Lillian Garcia</td>
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<td>Santa Clara Pueblo</td>
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<td>Ms. Mary Lou Valério</td>
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</table>
City of Santa Fe | Councilor Carol Romero-Wirth |
---|---|
City of Española | Councilor Dennis Tim Salazar |
Town of Taos | Mayor Dan Barrone, Chair |
Tesuque Pueblo | Gov Charles Dorame |
Village of Chama | Absent |
Rio Metro | Absent |

**Staff Members Present**
Mr. Anthony J. Mortillaro, Executive Director  
Mr. Peter Dwyer, Legal Counsel  
Mr. Hector Ordoñez, Finance Director  
Ms. Ms. McGuire Development Director  
Ms. Garcia, Transit and Facilities Operations Director  
Mr. Jim Nagle, Public Information Officer

**Others Present**
Dave Harris, NMDOT  
John Gerard, Huitt-Zollars  
Austin Fisher, Rio Grande Sun  
Carl Boaz, Stenographer

2. **INTRODUCTIONS**
None.

3. **Pledge of Allegiance**
The Pledge of Allegiance was recited.

4. **Moment of Silence**

5. **APPROVAL OF AGENDA**
Mr. Mortillaro asked to strike item B under Presentations be removed.

Councilor Salazar moved to approve the Agenda as amended, Councilor Maggiore
seconded the motion and it passed by unanimous (11-0) roll call vote with City of Española, City of Santa Fe, Town of Edgewood, Los Alamos County, Nambé Pueblo, Rio Arriba County, San Ildefonso Pueblo, Santa Clara Pueblo, Santa Fe County, Town of Taos, and Tesuque Pueblo voting in favor and none against.

6. APPROVAL OF MINUTES — September 7, 2018

Ms. Valério asked to change the day of the week from Monday to Friday on page one.

Councilor Salazar moved to approve the minutes of September 7, 2018 as amended, seconded by Commissioner Moreno and it passed by unanimous (11-0) roll call vote with City of Española, City of Santa Fe, Town of Edgewood, Los Alamos County, Nambé Pueblo, Rio Arriba County, San Ildefonso Pueblo, Santa Clara Pueblo, Santa Fe County, Town of Taos, and Tesuque Pueblo voting in favor and none against.

7. PUBLIC COMMENTS

There were no public comments.

PRESENTATION ITEMS

A. Presentation of Award from the Federal Transit Administration (FTA) of the 2018 FTA Administrator’s Award for Outstanding Public Service in Rural Public Transportation

Mr. Dave Harris reported that the Rural and City Bus Conference was held last week in Breckenridge, Colorado with 500-600 nationwide colleagues and their federal partners from FTA attending. The FTA Transit Administrator presented NCRTD an award for Outstanding Public Transportation Service in recognition of their “superior contribution to providing access to education and health care, improving its efficiency and innovative practices and supporting coordinating and planning efforts in rural communities”.

He noted this is the second time NCRTD has received the distinguished award in four years which is a testament to the great work happening at NCRTD.

Mr. Harris said those who have been here since the beginning have seen how NCRTD has grown and increased their services to large areas in a rural terrain. Those at the State are proud of what RTD does and to have them as a partner in providing service and they know they can be counted on for special projects or service.

Mr. Harris passed around the award and thanked everyone for their hard work.

Mr. Mortillaro indicated that RTD was nominated by NMDOT and Dave Harris. He said he was certain they could not win the award for the second time in four years, but they did and they appreciate the letter Mr. Harris sent to the FTA about them and their standards.
Mr. Mortillaro commented that in the 8 years he has worked in Transit in New Mexico this is quite a feat. It shows the dedication and hard work by Staff as well as the daily dedication of their drivers to their customers and the Board’s leadership.

Chair Barrone stated without Mr. Mortillaro’s leadership and NCRTD’s great staff, departments and drivers, they would not have received the award or the recognition. All of their communities recognize the Blue Bus and it makes a difference. He thanked everyone for all that they do.

B. Recognition: Above and Beyond, Safe Driver Quarterly Awards Presentation

This item was removed from the agenda under Approval of Agenda.

C. Review and Discussion of the Draft Taos Facility Programming, Planning, Needs Assessment, and Conceptual Design Plan

Mr. Mortillaro explained this is a draft for the Taos facility (PPT shown) and the Board had authorized the award of the project to Huitt Zollars. Mr. John Jarrad was present to represent Huitt Zollars and walk the Board through the planning and conceptual design of the project. The project was funded through 5304 Funds through the NMDOT FTA Award Program and NCRTD received 80% funding for the project.

This project was taken on because when NCRTD acquired the Taos system they also acquired the three quarters of an acre site. The site has a metal building and a trailer used as an administrative facility and was built in the early 90s and the land was an in-kind contribution.

This served them well when it was just the Chili Line, but since then RTD as co-located another 9 Taos County routes with equipment and employees. That has overwhelmed the site and the administrative facilities is inadequate.

The Board authorized a conceptual plan to look at the present and future needs. Initially they looked at whether they could construct new buildings or repurpose existing on the site, but that was not possible. They also approached the Town of Taos regarding adjacent additional land that could accommodate their needs but there was none and a maintenance facility in one location and an administrative location in another is not a good practice.

He introduced asked Mr. Jarrad to present the plan and the decisions that were incorporated.

Mr. Jarrad explained the project was started in March and his group met with the building committee with RTD to determine their needs. The space is based on industry standards and the size of space required for bus maintenance and other operations as well as the unique requirements for the NCRTD facility.
The floorplan for the proposed building has various components included in the 8,000 sq. ft. building. They were given three potential sites all approximately 3 acres to consider, and all of the parking would be enclosed. They would be looking at a simple structure in keeping with the architecture of Taos and a conservative number the $5 million was used for the building.

Councilor Maggiore asked whether there would be flexibility on the fuel service islands or they would be locked into one fuel source.

Mr. Jarrad explained the fueling islands would be separate from the parking if the Councilor was thinking of potentially electric or other types of energy.

Councilor Maggiore added or if NCRTD were to go CNG or LPG.

Mr. Jarrad explained that the cost and layout was currently based on diesel and gasoline fuel and if they went to CNG they would have to look at how that could be accommodated. All of the sites and layouts could physically accommodate any type of fueling, but the electric would require additional review.

Mr. Mortillaro explained the cost shown would not include land acquisition, which appears might be needed unless they could find County/Town owned land in that vicinity. The facility access to Highway 68 is good in this vicinity and the signalized intersection works well as a base for their buses.

They hope to discuss again with the Town of Taos a nearby site that could possibly be used jointly, but if they have to pay for land that would add another half million dollars or more. The project is not in our long-range CIP plan and at this point how we would finance the building is unknown. We first wanted an idea of the cost and a preliminary design and layout for a facility at this location.

Councilor Maggiore found from a future growth perspective that site three was the most appropriate and had extra room for a potential Park and Ride, etc.

Mr. Mortillaro said all the sites are slightly over 3 acres and of them, site three is the largest.

Mr. Gerard thought they would need to look for about 3 acres.

There were no other questions.

PUBLIC HEARINGS

None.

ACTION ITEMS
D. Conceptual Discussion and Consideration of Memorandum of Agreement (MOA) with North Central New Mexico Veterans Transportation Network and VetRides.org Regarding Vehicle Parking at NCRTD Taos Facilities Yard

Ms. McGuire stated that NCRTD had been approached with a request from the board president of VetRides.org to park one vehicle in the Taos Yard. She discussed that with Operations and Ms. Garcia and they were confident they could handle one additional vehicle.

She explained the organization is a local nonprofit that provides transportation to veterans to medical VA services in Albuquerque. NCRTD is doing as much as they can as a public transit provider but there are still gaps. This is in line with their program plans and is being a good neighbor.

Ms. McGuire indicated this has to go through DOT and FTA approvals and she has submitted a letter.

She wanted to discuss the conceptual concept today should they be approved.

She explained NCRTD would enter into a parking agreement similar to what they have in other locations and there would be no fiscal impact. She introduced Mr. David Doolittle to discuss his organization.

Mr. David Doolittle, the President of North Central Veterans Network explained this has been 5 years in coming. They have one vehicle and have put almost 2000 miles on it in three weeks hauling veterans to and from Albuquerque. This is probably the first of 5-7 vehicles and they are looking for additional space and the vehicle must be secured for insurance purposes.

Councilor Maggiore asked if this had been considered for the new facility in Taos and if that facility could be expanded to accommodate more than one vehicle in the future.

Mr. Mortillaro replied the program had built-in additional space for parking and there would be adequate space for other vehicles until NCRTD grew into the space.

Mr. Doolittle added their organization services the Colorado border from Eagles Nest to 84 down to Espanola and there are a number of veterans with wheelchair issues. They may be looking to NCRTD for surplus vehicles.

Mr. Campos moved to approve the Memorandum of Agreement (MOA) with North Central New Mexico Veterans Transportation Network and VetRides.org as presented, seconded by Ms. Valerio and the motion passed by unanimous (11-0) roll call vote with City of Española, City of Santa Fe, Town of Edgewood, Los Alamos County, Nambe Pueblo, Rio Arriba County, San Ildefonso Pueblo, Santa Clara Pueblo, Santa Fe County, Town of Taos, and Tesuque Pueblo voting in favor and none against.

E. Discussion and Consideration of Resolution 2018-27; Waiving Fares for 255 Mountain
Trail and 305 Taos Express to Participants of the 2019 National Senior Games, June 11 through 26, 2019

PIO officer Jim Nagle presented information on the games that will be held next year in Albuquerque. NCRTD was invited to join Rio Metro and Albuquerque Ride in offering free rides to participants in the games throughout the event. They would be included in the promotional materials and NCRTD’s services would be promoted. NCRTD does not anticipate any significant costs for participating.

This would impact the 255 Mountain Trail and 305 Taos Express as the resolution would waive fares on those two routes throughout the games for participants and their guests (11,000 including guests). The event presenter is the National Senior Games Association, a member of the US Olympic Committee.

Councilor Maggiore asked if there would be a pass given to riders.

Mr. Nagel explained the Transit Committee for the games will issue laminated passes for the participant and one guest.

Chair Barrone asked what if the participant brought along additional guests.

Mr. Nagel explained that additional people would not have the proper identification to ride free, but the Transportation Committee is still discussing some of the specifics for the restrictions.

He offered to raise that issue with the Committee.

Councilor Maggiore moved to approve NCRTD participation in the Senior games as presented, seconded by Commissioner Moreno and the motion passed by unanimous (11-0) roll call vote with Santa Clara Pueblo, City of Santa Fe, Santa Fe County, Town of Taos, City of Española, Town of Edgewood, Los Alamos County, Nambé Pueblo, San Ildefonso Pueblo, Tesuque Pueblo, and Rio Arriba County voting in favor and none against.

F. Discussion and Consideration of a Memorandum of Agreement (MOA) between the new Mexico Department of Transportation (NMDOT) and the North Central Regional Transit District (NCRTD) for Acceptance of Federal Funding FFY 2017 Section 5339(b) Bus and Bus Facilities Infrastructure Investment Program for a Maintenance Facility, Wash Bay and Fueling Station

Mr. Mortillaro explained the agreement provides the terms and conditions for the federal funding of their maintenance facility estimated around $6.1 million. NCRTD has been requesting funding for the past five years and were notified this year they are a recipient of the 5339 Program.

The request was submitted as a consolidated application with the State of New Mexico, so the actual award was made to the State by the FTA. A MOA with the NMDOT is required to receive the funding which would come through the NMDOT.
The agreement has been submitted to NMDOT for their review with suggested modifications. The Board’s approval would be for the concept and to allow Mr. Dwyer to make modifications providing there is no substantial modification of the document. Approval would enable them to move forward with the design and financing of the project. They will start initially with a loan with the NMFA and hopefully receive capital outlay funds from the legislature as well.

Councilor Romero-Wirth asked the nature of the changes being sought.

Mr. Dwyer explained he had reviewed the document changes from his perspective as NCRTD’s legal counsel. He made changes to the citation format, questioned uncapped contingent liabilities which could be a conflict with the federal law and the State Constitution. There were also issues with references and incorrect hyperlinks and typos and paragraphs that were incorrectly numbered. There are some things he is not sure can be changed.

Councilor Romero-Wirth asked the nature of the disagreements.

Mr. Dwyer explained the Bateman Act states in New Mexico they can only spend as much money as they have, whereas the federal government can spend based on debt financing. The Attorney General has stated agreeing to pay someone else’s attorney’s fees for litigation in 2021 is uncapped. There is no way to know the amount that will be, and it cannot be budgeted; therefore they cannot agree.

Mr. Dwyer explained he strikes language like that from all of the NCRTD’s agreements when possible even though sometimes they have to make the concession, such as with the Microsoft software license.

Councilor Romero-Wirth stated that Mr. Dwyer was persuading the DOT - who is the State.

Mr. Dwyer agreed. He thought the State does not have a lot of outside counsel reviewing their work because most transit entities they work with do not have independent legal counsel. It is not part of their process to get feedback from people like himself.

Councilor Romero-Wirth asked if it made sense to involve the Attorney General.

Mr. Dwyer thought they should not. The AG’s office has changed its opinions, of which there are many on the same issue, and many were written for legislators. He tries to make the agreement as correct as possible and the RTD has a severability clause which he relies on.

Mr. Mortillaro noted the money is from the federal government and they have terms and conditions that most of the time cannot be waived and NMDOT is basically in the same position. The money is flowing through them. There may be larger terms they may not be able to modify and the issue is not unique to NCRTD. There are 40+ transit agencies in New Mexico that receive federal funding and the same conditions are placed on all of them.

Councilor Romero-Wirth thought it would be helpful to see what had been changed when they
see the final MOA.

Mr. Mortillaro offered to do a follow up report in a meeting to reflect the modifications.

Mr. Dwyer noted that he currently shows a red-lined edition he sent to the State and would not be surprised if the State does not accept any of his changes. He would share what they decide. He noted that he and Mr. Mortillaro have discussed changes to the work agreement.

Mr. Harris clarified that agreements can sometimes be modified and sometimes have special circumstances that have no bearing on the causes and they often just accept them and there are sometimes new agreements that don’t even apply.

He often includes the master agreement by reference without laying out all of the clauses, which is accepting everything, especially in a government to government agreement. He noted even though the document was sent to RTD in draft form, their legal counsel has looked at the document prior to sending the draft to the Board and Staff for review.

Mr. Mortillaro added that having legal counsel in-house has been efficient because of the number of things the federal government incorporates into their agreements. They just want to know what they are agreeing to at the end of the day.

Councilor Maggiore asked when the last update was for the $6 million final cost estimate.

Mr. Mortillaro replied it was July 2017 as part of a phased approach. The first estimate was in 2014 to everything at once and they thought this would be more doable in phases absent federal money and found the costs was still within the parameter in 2017.

Councilor Maggiore suggested costs would be worth looking at again with the tariffs now in play. He knew of projects as simple as a chain-link fence along the airport that had increased with the tariffs.

Mr. Mortillaro replied he had heard similar things with projects throughout the State and he would look at costs again.

Chair Barrone moved to approve authorizing Legal Counsel to adjust the document as needed, seconded by Councilor Salazar.

Councilor Romero-Wirth made a friendly amendment to add that the Board be given a report on any changes made. The friendly amendment was accepted by the maker of the motion and the second.

The motion passed unanimously (10-0) by roll call vote with Rio Arriba County, Santa Clara Pueblo, City of Santa Fe, Santa Fe County, Town of Taos, City of Española, Town of Edgewood, Los Alamos County, San Ildefonso Pueblo and Tesuque Pueblo voting in favor and none against. Nambe was not present for the vote.
G. Discussion and Consideration of Resolution 2018-29, A Resolution Declaring the Eligibility and Intent of the North Central Regional Transit District (NCRTD) to Submit an Application to the New Mexico Department of Transportation (NMDOT) for Federal Fiscal years 2020/2021 Transportation Alternatives Program Funds and Expressing the NCRTD’s Maintenance Commitment

Mr. Mortillaro reported that the request is for authorization to submit for additional funding. They have been very successful acquiring funds to bring the facilities into compliance with ADA and they want to move forward with phases VII and VIII. He asked Ms. McGuire to provide details.

Ms. McGuire indicated they have been submitting for Transportation Alternative Program funding for a few years to make ADA improvements at bus stops and at public facing facilities, i.e. where the public comes such as the front lobby areas.

This phase being sought for the 2020/2021 fiscal years is for $900k with a 14.56% match - ($131k+ share). They estimate with that they could construct about 15 bus stops and public related facilities. Costs are typically estimated about $50k for each bus stop including the shelter purchase, cement pad, trashcan and bench.

An additional component being considered is the possibility of solar power which came to mind when they inherited the Taos Chili Line which has solar in place.

The $900k project would cover final design, construction and construction management.

Councilor Salazar disclosed that he is one of a few individuals that received the applications through his day job but he has nothing to do with any decisions being made. Even though he felt it was not a conflict of interest he asked for Mr. Dwyer for verification that he is able to vote on the matter.

Mr. Dwyer asked the nature of Councilor Salazar’s job.

Councilor Salazar replied he is a Transportation Planner for RTPOs and his office receives the governmental applications. They review fee application for completion but they have nothing to do with any changes and the decision-making process is another office.

Mr. Dwyer replied he has been thinking about these issues recently while working on the Code of Conduct. Under the State statute a conflict would be only financial conflicts when a Board member would be making money as a direct consequence of decisions they were making on the Board. He thought this would not be a conflict but offered to double check after the meeting.

Councilor Romero-Wirth added she is a sitting member of the Santa Fe MPO Board and asked if that would have any bearing.

Mr. Dwyer explained both the Governmental Conduct Act and the RTD Statutes restrict behavior.
when a member is making money off of the decision, otherwise it is not a conflict of interest.

He offered to look into the matter and at the next meeting discuss them with the Board members. They will have a study session before they make decisions and address issues at that time. They want to encourage people to do public service and not make money but do work.

Councilor Maggiore moved to approve as presented seconded by Commissioner Moreno and the motion passed unanimously (10-0) by roll call vote with Santa Clara Pueblo, City of Santa Fe, Santa Fe County, Town of Taos, City of Española, Town of Edgewood, Los Alamos County, San Ildefonso Pueblo, Tesuque Pueblo, and Rio Arriba County voting in favor and none against. Nambe was not present for the vote.

H. Discussion and Consideration of Fiscal Year 2019 Fleet (Bus) Purchase Authorization

Mr. Mortillaro reported this is an annual request for purchase of the fleet identified in their capital budget for the fiscal year and the acquisition is in excess of $100k and requires Board approval.

Mr. Ordoñez would walk them through the request.

Mr. Ordoñez reported that the Finance Department in collaboration with the Fleet Department request authorization to purchase 7 buses; six of which are 14 passenger vehicles and one is a 26-passenger vehicle.

They are also requesting program components for each bus. If approved the contractor, Creative Bus Sales would deliver turn-key buses with a total purchase price not to exceed $858k for fleet and $150k for bus components.

Page 126 lists the vehicles due for replacement and the specifications for the new buses. Receipt of the vehicles will take about 7 months. The bus replacement funding was included in the capital budget request made on June 1, 2018 (page 128 provides a detailed list of funding sources).

The funding sources are as follows:

$552,463 from 5311 Capital Funds through NMDOT,
$195k State Capital Outlay Program,
$99,237 from Cash Reserves,
$97,200 from 5311C Tribal Transit Grant,
$40,000 expected from the proceeds of the auction of vehicles
$24,100 from 5307 Capital Funds through NMDOT

Mr. Ordoñez stood for questions.

Councilor Romero-Wirth asked for the status of the vehicles being auctioned.

Mr. Ordoñez replied the NMDOT has asked that the process be done differently.
Ms. Garcia explained that the NMDOT process requires all of the information requested by NMDOT to be entered into the NMDOT system. Once approved by DOT the vehicles will either be auctioned or DOT will transfer them to another area.

Mr. Ordoñez added the expectation because there are vehicles that have not been auctioned for about two fiscal years, that their $40,000 forecast is conservative.

Councilor Romero-Wirth asked the likelihood that the vehicles would be auctioned versus being turned over to NMDOT.

Mr. Ordoñez replied it is up to the NMDOT and they determine that by looking at the mileage and condition of the vehicles and the needs of other transit agencies. NCRTD has over 16 vehicles and even if some of the vehicles are transferred to other agencies, they would still have vehicles to auction.

Councilor Romero-Wirth confirmed the Board would be informed if vehicles go to auction.

Mr. Campos asked if the State could just take the vehicles because these are FTA funds.

Ms. Delilah Garcia said the State wants to ensure that the useful life of the vehicles have been met. The State Management Plan has useful life in years and miles and they now want to be able to transfer those vehicles to other entities that possibly are not able to afford a vehicle. And part of that is determining if an agency can pay the districts their local match based on the useful life.

Mr. Mortillaro clarified that the NMDOT is the agency and the State Management Plan is a document that describes how they would administer the FTA funds on behalf of the FTA to agencies funded by the 5311 and 5310 money. So the State NMDOT makes the decisions through the FTA, not the State of New Mexico.

Mr. Dwyer added the NCRTD was given an opportunity by the State to comment on the State Management Plan this year. RTD has identified excess property that will be processed as an issue. NMDOT has historically had liens on the vehicles and the lien just had to be released to get rid of the vehicle.

Now this is set up so the NMDOT picks the vehicles they want to reassign to other entities from the beginning. He thought because the process is new it would be revisited in a year and RTD would continue to comment.

Mr. Mortillaro noted the process has also worked in RTD’s favor when vehicles not been fully utilized were taken from other agencies and RTD was asked if they want them.

Chair Barrone asked if the same process is used for the list of other property to dispose of like the bus shelters, the computers, etc.

Mr. Ordoñez replied there is a computer and 14 bus shelters, but approval is not needed from
DOT to auction those items.

Councilor Maggiore moved to approve the request as presented, seconded by Commissioner Moreno and the motion passed unanimously (11-0) by roll call vote with Rio Arriba County, Santa Clara Pueblo, City of Santa Fe, Santa Fe County, Town of Taos, City of Española, Town of Edgewood, Los Alamos County, San Ildefonso Pueblo, Tesuque Pueblo and Nambe Pueblo voting in favor and none against.

DISCUSSION ITEMS

I. Review of August 2018 Financial Summary

Mr. Ordoñez presented a summary review of the financial statement.

The expenses and revenue reported represent about 17% of the budget. The total revenue received is $1,823,890 with $938,602 in expenses incurred. That amount does not include the $222,309 contributions to other regional transit agencies.

Significant variances were noted:

Federal Grants is about $54,000 less than the prior year due to decrease in reimbursable salaries contractual services, maintenance repairs and capital expenditures.

Workers comp benefits were pro-rated instead of being expensed in July.

GRT contributions to other agencies – last year two contributions were made in October and the variance will dissipate after October.

Insurance for FY2019 is prorated and will get smaller through the year.

Fuel cost has increased per gallon about 19.4% from August 2017 through August 2018.

Vehicle maintenance decreased due to fewer major repairs.

GRT revenue received was $759,414 or $7,282 more than budgeted, but $84,438 less than last year.

Los Alamos County had a significant decrease of $42,552 less than budgeted.
Rio Arriba was $1,199 less than budgeted.
Santa Fe County increase of $52,656 more than budgeted.
Taos County decreased $1,623 less than budgeted.

Grant revenues: $158,743 or $21,844 less than budgeted.

Expenses by Category: net effect of administrative and operating expenses is a decrease of
$94,042 in alignment with net effect of salaries, over time, employee benefits and insurance expenses.

The allocated expenses for Administrative and Operating Expenses had increased and Capital Expenses which there were none for this year and has $6,101 budgeted.

There were no questions for Mr. Ordoñez.

**J. Finance Subcommittee Report**

There was no meeting of Finance Subcommittee.

**K. Tribal Subcommittee Report**

Gov. Dorame announced the next meeting was scheduled for October 18 at the Ohkay Owingeh Administrative building and the minutes of the meeting will be reported in the November board meeting.

**L. Executive Report and Comments from the Executive Director**

Mr. Mortillaro said Ms. Garcia would present the performance measures.

Ms. Delilah Garcia reported that the Paratransit Performance Measures would take more effort than expected to break out the expenditures for each of the services. She and Mr. Ordoñez’s staff and the Office of the Administrative Assistant would be working on that and the new measures would be forthcoming.

Ridership For All Demand Response Routes for August - totaled 989 trips for the fiscal year; ADA paratransit completed 421 trips for August.

Total Operational Costs - $401,967; operational costs Per Vehicle Mile - $1.23; Paratransit Per Passenger Trip- $28.33.

There were 131 cancellations; 174 late cancellations and 71 no shows. They were early 44.42%, on-time 58.1% and late less than .5%.

Average Trip Length per client was 21 minutes with 7.1 miles

There were no commendations, no complaints and no customer incidents in August.

Councilor Romero-Wirth asked how often that happens.

Ms. Garcia replied often they have no complaints on this service but the fixed route was different.
Ridership for all operated routes increased almost 3,000 trips.

Administrative / operating costs totaled $542,970; $2.95 per passenger on the fixed route.

36 vehicles are in daily operation. 100% preventative maintenance was completed on time.

There were no major or minor accidents.

There was one commendation, 4 complaints for August and no incidents.

Mr. Mortillaro stated that APTA will start benchmarking transit agencies and asked NCRTD to be one of 4 within the small operators group to participate in the pilot program. There will be a total of 9 groups located throughout the nation in various size agencies.

He is looking forward to participating because he tries to benchmark RTD performance to compare and this process would allow them to compare apples to apples. The pilot may take over a year to implement and hopefully will be a permanent program in the future.

Chair Barrone asked Ms. Garcia if as it gets colder they have received complaints about transients riding the buses around and around.

Ms. Garcia replied not yet but it does happen with colder weather. There are more passengers who might ride from Taos to Santa Fe just to stay warm but it is out of RTD’s control.

Mr. Mortillaro added that transit is federally funded and cannot tell people they cannot ride. And the homeless shelters give transients bus passes to ride even on the fare systems.

Mr. Dwyer mentioned that recently they developed a citation format for vagrants that cause problems at bus stops. The people are not the problem but if their conduct is bad the rider policy can be used to control any misconduct. Also they now have a security contract.

Ms. Garcia said they are working with the security firm. The contractor they were working with is up in the air and after multiple phone calls she has moved forward with another firm.

**Matters From The Board**

Chair Barrone noted that the adopted Board meeting procedure rules have not been reviewed since 2011. He asked Staff to put that on the next Finance Subcommittee agenda for review and recommendation on changes. He indicated a number of things no longer apply and there are changes needed.

Councilor Maggiore provided a brief update with the Los Alamos County M&O contract at the Lab.
The contract was awarded to Triad but there was confusion about their tax status. Triad asked the State if they are subject to GRT and were told they are and is now being pressured by the DOE and NNSA to change their status to a 501(C)3.

Councilor Maggiore said there is a legal question as to whether DOE or NNSA could influence an organization to change their filing status when not a determining factor in the RFP in the federal procurement policy.

He was concerned that if Triad at any point started to pay gross receipts tax and later filed for 501(C)3 status, the GRT taxes they paid may have to be returned to Triad from the date of their filing. That could be six or eight months of GRT tax.

Councilor Maggiore encouraged the organization to contact Triad and people at the Lab to ensure they could get access to the taxes paid to determine the taxes owed back should that happen. They hope that scenario does not happen and are in discussions with the Attorney General’s office and others. And they will again try another version of the bill that the Governor vetoed to ensure the Gross Receipts continue to be paid to the State.

Councilor Maggiore said they would be the only national lab in the country that does not pay GRT and he wanted the Board to be aware of the issue.

Councilor Romero-Wirth noted they were about to go into early voting in regard to the tax sunset. She asked for status on how the public education was going.

Mr. Nagel replied the education is moving along with a series of ads, print and radio ads and a video billboard and newspapers to encourage people to vote. They have held public educational meetings with the Lions Clubs and Rotary Clubs, League of Women’s Voters, and Councils and Commissions. They will meet in the next couple of weeks with the Taos Hospital Board.

The drivers are educating riders with card handouts that say, “Be sure to vote” and there will be an electronic send out, social media, etc. to voters. They are encouraged by their outreach and have received a lot of support.

Councilor Maggiore asked what if this passed in three counties and failed in one.

Mr. Mortillaro explained it is the majority of counties and would not have to pass in every county.

Mr. Nagel added they are also reaching out to neighborhood association newsletters and have printed material for the Pueblo newsletters and there have been a series of op-ed pieces. Copies of those have been sent to the Board members. The Taos News ran an op-ed piece from Rosemary Romero yesterday.

Councilor Romero-Wirth asked if there had been any editorial board endorsements from newspapers.
Mr. Nagel indicated he recently reached out to them and they indicated they were comfortable and did not require an editorial board meeting. He and Mr. Mortillaro plan to meet with the editorial page editor of the Albuquerque Journal board a week from today.

Councilor Romero-Wirth asked if the Councilor thought he would get editorial board endorsements and if each of them had been asked.

Councilor Maggiore thought the initiative to get support from them would be good and the endorsements would come mostly in the week of the election.

Mr. Nagel noted to date he has contacted the Santa Fe New Mexican, the Albuquerque Journal, Los Alamos Daily Post and he has plans to contact the Rio Grande Sun and Taos News.

Councilor Maggiore suggested the Santa Fe Reporter, who has also been supportive.

Mr. Nagel added both the publisher and editor have historically been huge supporters and Ms. Canning is a regular rider. The New Mexican has also supported public transit and ran a number of supportive editorial pieces.

Councilor Romero-Wirth urged Mr. Nagel to specifically ask for their endorsement on this. They need to make sure they are in the queue as editors start making endorsements because they will start endorsing soon with early voting starting next Thursday.

Chair Barrone said the Board members could consider writing an op-ed in support and they would get that to Mr. Nagel to bring to the publications.

At 10:58, Councilor Maggiore moved, seconded by Mary Lou to adjourn the meeting. The motion passed by unanimous voice vote.

Approved by:

Daniel R. Barrone, Chair

Attest:

Ed Moreno, Secretary/Treasurer

Submitted by:

Carl Boaz for Carl G. Boaz, Inc.