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 9:05 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:

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<tr>
<th>MEMBERS</th>
<th>ELECTED MEMBERS</th>
<th>ALTERNATE DELEGATES</th>
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<tbody>
<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>
<td>Commissioner Danny Garcia</td>
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<td>Santa Fe County</td>
<td>Commissioner Ed Moreno</td>
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<td>Taos County</td>
<td>Commissioner Jim Fambro</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>
<td>Councilwoman Anna Sanchez</td>
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<td>San Ildefonso Pueblo</td>
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<td>Santa Clara Pueblo</td>
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<td>Ms. Mary Lou Valério (T)</td>
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Staff Members Present
Mr. Anthony J. Mortillaro, Executive Director
Mr. Peter Dwyer, Legal Counsel
Mr. Hector Ordoñez, Finance Director
Ms. Stacey McGuire, Development Director
Ms. Delilah Garcia, Transit and Facilities Operations Director
Mr. Jim Nagle, Public Information Officer
Ms. Dora Anaya, Human Relations Director

Others Present
Mr. Dave Harris, NMDOT
Mr. Keith Wilson, City of Santa Fe
Mr. Austin Fisher, Rio Grande Sun
Mr. Carl Boaz, Stenographer

2. INTRODUCTIONS

No introductions were made.

3. Pledge of Allegiance

The Pledge of Allegiance was recited.

4. Moment of Silence

5. APPROVAL OF AGENDA

Commissioner Fambro moved to approve the Agenda as amended, Councilor Romero-Wirth seconded the motion and it passed by unanimous (12-0) roll call vote with City of Española, City of Santa Fe, Town of Edgewood, Village of Chama, Los Alamos County, Pojoaque Pueblo, Rio Arriba
6. APPROVAL OF MINUTES — October 5, 2018

Councilor Salazar moved to approve the minutes of September 7, 2018 as presented, seconded by Commissioner Garcia and it passed by unanimous (12-0) roll call vote with City of Española, City of Santa Fe, Town of Edgewood, Los Alamos County, Pojoaque Pueblo, Rio Arriba County, Santa Clara Pueblo, Santa Fe County, Taos County, Town of Taos, Tesuque Pueblo and Village of Chama voting in favor and none against.

7. PUBLIC COMMENTS

There were no public comments.

PRESENTATION ITEMS

A. Recognition Above and Beyond Years of Service and Safe Driving Quarterly Awards Presentation

Mr. Mortillaro indicated there were two people to recognize, one for Above and Beyond for the third quarter. Michael Broussard was not able to be present but was nominated by bus passenger Kate Ulrich who stated she is a daily rider. She noticed an older woman who was moving too slowly and had been missed by the driver of the connecting bus. Mr. Broussard took care of the woman immediately and went above and beyond to ensure the senior was not left stranded.

Ms. Ulrich wrote about the amazing customer service practiced by Mr. Broussard who had apologized to the older customer even though it was not his fault. She stated he is an amazing driver on a daily basis and always drives safely and is courteous and helpful.

Mr. Mortillaro explained the Above and Beyond award is given to recognize employees who sincerely care about their passengers/colleagues and go beyond their job expectations. He noted that Mr. Broussard has been a driver for over five years with RTD and exemplifies professional dedication in caring for his colleagues as well as his customers. He was unable to be present because he has another full-time job with the State of New Mexico.

Ms. Diane Sanchez was recognized and awarded a five-year service pin and a gift certificate for five years of service and accident-free driving. She thanked the Board for the recognition and enjoys working here.

Ms. Peggy Ward was also not able to be present but would receive a service award and the associated gift.
B. Presentation of RTD Promotional Video

Mr. Jim Nagle explained he has been working with Hutton Broadcasting this year to develop a short video that will air around Santa Fe and Los Alamos. The video is a 50-second spot to give an overview of the RTD and their service and will be shown in restaurants, bars, visitor/tourism centers and ultimately on a dedicated channel in the Heritage Hotels in Santa Fe and Taos.

Currently part of the package includes a two-minute promotional piece on a YouTube channel and social media and their Facebook page has been one of the most popular ever and is being shared with others.

Mr. Nagle noted the budget would allow for two video productions and this form of advertising could be done more cheaply.

The Board was shown the video.

PUBLIC HEARINGS

None.

ACTION ITEMS

C. Discussion and Consideration of Resolution 2018-29 Authorizing the NCRTD Staff to Apply for Federal Funding Through the FFY 2018 Competitive Access and Mobility Partnership Funding Grants to Support a One-Year Pilot Demand Service in Taos County

Mr. Mortillaro indicated this was an opportunity to acquire funds for an enhanced one-year on-demand service pilot in the Taos area and Ms. McGuire would discuss the specifics of the grant application.

Ms. McGuire explained Staff was seeking approval from the Board to submit an application to FTA for funds under the Competitive Access and Mobility Partnership Funding Grant. The grant is designed to provide additional funds for services for senior citizens and low mobility and those with lower income.

NCRTD has been hearing about a need to expand their current operation of Monday through Friday from 7 a.m. to 7 p.m. The pilot program demand service function would fall under micro transit, which is essentially the public version of Uber, etc. The concept is shared rides, more than one person in the car, and a premium service designed with 3 zones (page 25).

Ms. McGuire noted the diagram outlining the first zone, a one-mile buffer zone from UNM-Taos east to NM68 to Paseo del Pueblo, running north like the Chile Line and including the Holy Cross Hospital, up to the plaza and north to El Prado and terminating at the 150/64 intersection.
The second zone is the Taos Regional Airport and the third zone is Taos Ski Valley (TSV). Zones two and three do not have a one-mile buffer and the objective is to complement the Chile Line and expand service for one mile, capturing 90% of the town population. Service would operate Monday through Friday from 5 p.m. to 11 p.m.

There is both a safety and an educational development component related to the service because people could go out to dinner, the urgent care, the farmer’s market, etc. Expanding service into weekends to provide access to quality of life activities is also being considered.

Page 26 shows an aerial of the airport and TSV guard shack that would be additional zones.

Ms. McGuire provided examples of the cost charged at $5 per zone. The project is being looked at from the public transit side as a shared ride component. A phone app option would allow riders to request rides and potentially attract new riders or those whose service needs were not being met.

Ms. McGuire explained the financial commitment with operating costs estimated at $317,000 and 50% provided by the grant. NCRTD would need 50% (about $84,000) and would provide three vehicles (valued at $25,000 per vehicle). Capital costs would be provided at 80/20% and the software expense for the app is estimated at $48,000 per year. NCRTD’s share at 20% would be about $9,600 for the local match and total match commitment would be $168 thousand.

Ms. McGuire reviewed page 23 showing the operating and capital cost commitments.

Mr. Mortillaro noted this would be an innovative approach that he believed was the first pilot and an opportunity to expand the micro-transit service throughout the Espanola service area. The software component is more sophisticated than that used by Uber and the grant process is very competitive. They hope because this is a rural area, to pique the federal government’s interests.

Commissioner Fambro moved, seconded by Chair Barrone to approve Resolution 2018-29 authorizing the NCRTD Staff to apply for federal funding through the FFY 2018 Competitive Access And Mobility Partnership Funding Grants to support a one-year pilot demand service in Taos County and it passed by unanimous (13-0) roll call vote with Santa Fe County, Taos County, Town of Taos, Tesuque Pueblo, Village of Chama, City of Española, City of Santa Fe, Town of Edgewood, Los Alamos County, Nambé Pueblo, Pojoaque Pueblo, Rio Arriba County, and Santa Clara Pueblo, voting in favor and none against.

D. Discussion of Fiscal Year 2018 Ending Budget

Mr. Mortillaro explained the financial policies required NCRTD to provide a summary of the budget and its performance and that is always done prior to the audit. He turned the presentation over to Mr. Ordoñez.

Mr. Ordoñez explained the numbers were not final and the auditors may have recommendations and reclassifications. The information had been reviewed, discussed and recommended by the Finance Subcommittee on October 27, 2018.
Mr. Ordoñez presented the revenues and expenses received (page 37):
- Revenues exceeded expenses by $45,224 with a difference versus actuals of $1,169,736 budgeted. None of the cash reserves were used to fund upgrades.

- The projected fund balance in June 2017 was $6,982,763 and the projected fund balance reserve is estimated at $8,151,109 and exceeds the 25% requirement by $5,265,015.

- The GRT (page 38) received $8,063,103 or 12% more than budgeted which is due to an increase in tourism and a stable Los Alamos County sales tax.

- Federal revenues received were $298,757, less than forecasted because of capital projects not realized and carried to this fiscal year; the satellite office in Santa Fe and the facility service building did not occur and $97k that was expected under 5307 funding was not received but NMDOT has recently applied for the funds.

- 5311C member contributions of $173,602 are less than budgeted. The difference of $432k was from Santa Clara operations, a Tesuque bus that will be purchased next year and the Jicarilla Apache Nation.

- Miscellaneous revenue received was $137,267 which consists of debt proceeds, a grant for the maintenance facility and $60k for optional vehicles.

- GRT of $494,762 received (page 39) was more than the prior year and $840k more than budgeted.

Los Alamos County - $1,355,000 received was 28% more than budgeted.

Rio Arriba County - $67,289 received was less than budgeted, but only $8k less than last year.

Santa Fe County - $516k was received and was more than budgeted and more than the prior year.

Taos County - $17,900k received was more than budgeted, but less than last year.

The Grant Revenues received of $298,757 was less than budgeted and less than the prior year. The difference is due to the TAP project completion in FY 2017 and most of the expenses being incurred in that year.

GRT Expenses By Month decreased from the prior year and is the net effect of increases in operation and administrative costs and fewer capital expenses.

Administrative Expenses - $1,466,957 is more than the prior year, but $316,229 less than budgeted.

Operating Costs -$420,284 incurred is more than the prior year but $160,438 less than budgeted.

Significant differences for the increase in operating/administrative costs were $193,000 in salary
savings, $215,000 employee benefits and a slight increase of $65,000 in overtime. There was an increase of $288,051 in GRT contributions from Rio Metro and $32,000 in advertising savings.

Capital Expenses decreased $850,025 from the prior year and is $738,000 less than budgeted with differences due to bus shelter replacements that did not occur, ADA compliance, the Tesuque bus and fleet replacement, the final facility design, asset management software and DVR replacement.

There were no questions.

Councilor Salazar moved, seconded by Commissioner Moreno to accept the 2018 Ending Budget Report as presented and it passed by unanimous (13-0) roll call vote with City of Santa Fe, Santa Fe County, Taos County, Town of Taos, Tesuque Pueblo, Village of Chama, City of Española, Town of Edgewood, Los Alamos County, Nambé Pueblo, Pojoaque Pueblo, Rio Arriba County, and Santa Clara Pueblo, voting in favor and none against.

E. Discussion and Consideration of Resolution No. 2018-30 Adopting Revised Board Meeting Procedures

Mr. Mortillaro explained that the Board had directed Staff in the October meeting to have the Finance Subcommittee review the Board meeting procedures and the chair of the Finance Subcommittee would provide a review.

Commissioner Moreno, Chair of the Subcommittee indicated the review is an update to procedures that have not been working well and the subcommittee recommended a number of changes. He asked Mr. Dwyer to review those.

Mr. Dwyer pointed out that issues were identified starting on page 60 and the potential issues and changes were in redline format starting on page 64. The rules were adopted in 2011 and written by then Board Member and Former Los Alamos County Councilor Mike Wismer which emulated the procedures Los Alamos follows and does not rely heavily on Robert’s Rules of Order.

Mr. Dwyer reviewed the changes made:

- A caption was changed and an amendment was added to show that the bylaws had been amended in 2016.

- Under section 2, page 64, it was added that the Secretary/Treasurer position currently held by Ed Moreno, could be combined into one position.

- A paragraph was changed to reflect that the NCRTD meets monthly.

- Under Quorum on page 65, a combined procedure is used to define quorum that is in the governmental contract. A significant change was made to be consistent throughout the rules to adhere to the concept that a majority of voting members and majority of voting units are required
for all votes.

A rule not addressed that the Board may want to consider is not to change the majority of members (8 of 15) and the majority of voting units (18) if everyone is present.

Ms. Romero-Wirth asked what would happen if there was a majority of one and not the other.

Mr. Dwyer replied the motion would fail. The language in the document refers to a simple majority and this correction indicates there has to be a majority of votes. Making a change would require amending other documents and the individual intergovernmental contracts. The Finance Committee recommended not to do that at this time.

Ms. Romero-Wirth asked if this would change the significance of the voting units.

Mr. Dwyer replied it would not. The issue is when members are added.

Mr. Mortillaro provided the example of Taos Ski Valley (TSV) that is considering joining and would take away from the County population. Depending on the population number, that could result in the County being entitled to a lower threshold of voting units, but that has not been an issue in the past.

Mr. Dwyer agreed adding new members slightly diluted the voting. He had expressed to the Subcommittee that the Board has been consistent and unified and he did not see this as controversial.

Mr. Mortillaro added the Board could have as many as 22 members. He listed the incorporated entities, the Taos Pueblo, Jicarls, Jicarilla, Questa, Red River and TSV that are eligible under State statute.

He noted that when the Board recalculated the population of the City of Santa Fe and Santa Fe County due to the Santa Fe annexation, it did not reduce the number of voting units in Santa Fe County. But the City of Santa Fe gained voting units and is now the largest member with six units.

Mr. Dwyer said the balance is between small members having a say and large population votes.

Mr. Mortillaro pointed out the history of the methodology used by the founding members.

Mr. Dwyer explained this is intended as a clarification of how the voting would be done throughout the document rather than the language "simple majority" which would be 8 members.

A paragraph was added at the end on page 65 regarding suspending the rules.

A sentence and redundant language was removed in the section on page 67 regarding the manner in which the chair should conduct the meeting.

Public comment may require further revision by Staff regarding federal government rules.
Mr. Dwyer noted a preference is not to require public input on every agenda item. The Board rarely has public entities present and people are allowed to speak on a related topic at the chair’s discretion. The Board could discuss if more public input is needed that is a result of a grant.

Page 68 indicates that a motion does not need to be repeated; both directors and voting units are required and the requirement was deleted for the Chair to call out dissenting voters by name.

Page 69 shows changes in format and the chair’s power to run the meeting. A paragraph was added that through a motion, a decision made by the chair could be appealed/overruled.

Page 71 deleted a motion to object to the consideration of an item because that implies an item could be struck without debate from the agenda. That seemed inconsistent that if on the agenda it should be discussed.

Councilor Romero-Wirth asked if that would allow an item to be removed from the agenda once the agenda had been approved.

Mr. Dwyer replied it would and he provided an example.

The Board discussed the rejection of an agenda item and that it would require a vote either in favor or against and would not be debatable.

On page 72 regarding motions, the Board should reconsider the current rule that only a person on the prevailing side could make the motion. The Finance Committee recommended the item come back in two months if a tie vote so the item could be reconsidered and possibly the tie could be broken.

Councilor Romero-Wirth suggested the Board decide in the case of a tie whether they want the item to automatically return to the agenda.

Commissioner Moreno said it is not finite and the idea was to have a cushion for reconsideration.

Councilor Romero-Wirth understood a cooling off period but not the automatic decision. She asked why not have someone have to make the motion to put the item back on the agenda.

She was told an automatic return to the agenda gives everyone a second opportunity for equal say and for the item to be reconsidered and the people who voted the item down would vote not to bring it back.

Mr. Dwyer noted the old rule had no way to bring the item back. Tabling an item follows specific rules with an action to a date certain or an indefinite date and still requires a majority vote. A motion to postpone is debatable and a motion to table is debatable as well under NCRTD rules and avoids forcing a vote without discussion. In a tie situation there is no decision being made and it is subject to gamesmanship.

Mr. Dwyer offered to review the rule in Roberts Rules of Order.

On page 72 the tabulation of votes was reworded to follow the current practice.
Mr. Dwyer said regarding abstention policies it was important to have a clear rule. The proposed language only uses an abstention when a Board member has a conflict of interest, lacks the authority to cast a vote without the ability to consult their member entity, or when voting on minutes.

He pointed out they want to avoid people using abstentions as a mechanism to move votes in a particular direction. Typically it is used strategically either to stop an action or the member leaves to affect quorum.

The proposed rule would be that a person would abstain for two reasons: the need to consult with member entities or a conflict of interest. An abstention would be deemed a concurrence with the majority.

Councilor Romero-Wirth voiced a problem with the last statement “abstencia shall be deemed as a concurrence with the majority for purposes of tabulation”. She said a member who abstains is probably not agreeing with the majority.

Mr. Dwyer replied that the person could vote no.

Councilor Romero-Wirth asked what would happen if the person did not agree with either side. She found Mr. Dwyer’s view that a person abstains only to obstruct too narrow.

Mr. Dwyer suggested their motions could amend the changes if they chose that. He noted the current rule was similar to what Councilor Romero-Wirth discussed. The vote was neither for nor against and would deduct from the total number of voting units of those present. He added that abstaining would not only remove the total number of people present who were voting but reduce the number of voting units.

Mr. Mortillaro said that could result in not having a quorum.

Councilor Romero-Wirth said she could not understand how abstaining could risk quorum because quorum would have been established at the beginning of the meeting. She thought those two separate things.

Mr. Dwyer and Councilor Romero-Wirth continued to discuss abstentions.

Mr. Mortillaro noted that at times a member has left before all of the action items were voted upon and that has the potential to disrupt a quorum.

Mr. Dwyer suggested an option could be to change the requirement of 8 votes and majority of the voting units to the majority of the membership present and voting. That would allow a small number of people to make decisions for the Board if only a few members were present.

Mr. Dwyer shared a personal experience where a councilor left a meeting knowing that without her vote the item would be defeated. The overarching picture is to push board members to attend and vote.

Councilor Romero-Wirth replied there are times when a person does not want things to move forward.
and the last sentence defeated the point of abstaining.

Chair Barrone said this was anticipated to be a discussion and the issue brought back in December for Board consideration.

Governor Dorame explained when he abstains on specific items before the Board it was because he was given direction not to participate.

Mr. Dwyer continued with changes to the rules - the Secretary/Treasurer was made into one position instead of two.

Page 74 allows for public input at the beginning and end of each meeting at the Chair's discretion.

Mr. Mortillaro suggested any proposed changes be sent to him to include in the Finance Subcommittee’s packet for their consideration in their November meeting.

Mr. Dwyer asked members to let him know if there were issues other than abstention. He offered to do an analysis of what other entities do and present that to the Finance Committee. He found it helpful for Governor Dorame to explain how the tribes view abstention and that their intent of abstention is for the purpose of taking no position.

Councilor Romero-Wirth suggested looking at the issues of abstentions and tie votes.

Governor Dorame clarified that the language stating “shall be permitted at the Chair’s discretion”, referred to the Chairperson and not the individual.

Mr. Dwyer replied it did or the Vice Chair or person conducting the meeting. He indicated there had been discussion that currently quorum could not be established or the meeting held without the chair or vice chair. Adding the Secretary/Treasurer to run meetings in the chair/vice chair’s absence was an option.

Commissioner Moreno moved, seconded by Councilor Maggiore to refer Resolution No. 2018-30, adopting revised board meeting procedures back to the Finance Subcommittee and be presented to the Board in the December meeting, and it passed by unanimous (13-0) roll call vote with Santa Clara Pueblo, City of Santa Fe, Santa Fe County, Town of Taos, Taos County, Tesuque Pueblo, Village of Chama, Town of Edgewood, City of Española, Los Alamos County, Nambé Pueblo, Pojoaque Pueblo and Rio Arriba County voting in favor and none against.

F. Discussion and Consideration of Resolution No. 2018-31 A Resolution to Support Revenue Stabilization and Predictable Reporting of Tax Matters from the Los Alamos National Laboratory in New Mexico.

Mr. Mortillaro reported that yesterday, Triad took over operation of LANL and the Board discussed the nonprofit status issue of the Laboratories. Councilor Maggiore had given the Board an update last month
regarding the Labs paying taxes, but the issue has not been resolved.

Staff thought it prudent in light of that to send Triad a letter about the Board’s concerns and issues because there are entities other than the Los Alamos community that would be impacted.

Staff also wanted the Board to consider a resolution reincorporating the points they made last year when the legislature considered changing the nonprofit status of reporting entities. The legislature may take the topic up again this session and Staff wants to be in front of the issue. They want to work with Triad and the federal government who has considered changing nonprofit status for the Laboratory.

Councilor Maggiore added that this is a case where the more they are united in asking for clarification in reporting and for open communication of potential decisions, the more it would be in everyone’s best interest. He hoped for the Board’s support because they had helped last year in pushing the House Bill forward although it was ultimately vetoed by the Governor.

They hope to bring the bill back this year with changes that address the concerns of the last bill and need to do everything possible to preserve the revenue stream, especially when faced with potential clawbacks.

Mr. Dwyer noted that outside counsel had reported to the Board in executive session on the litigation to try to force Tax and Revenue to provide more information. He had talked with Santa Fe County’s attorney Bruce Frederick and was told another suit is being filed. There are a number of cities and towns that feel they do not get an accurate picture of their revenue streams and want Tax and Revenue to open their documents. They see construction etc. that should enhance revenue not being reported.

The letter is addressed to Triad and requests that Los Alamos County not pursue tax-exempt status which would remove RTD’s revenue stream and that they provide information to enable NCRTD to do financial planning. If Los Alamos applies for tax-exempt status and has a clawback to November, that is estimated at $1.5 million. The letter is consistent with the 2016 resolution in that NCRTD wants revenue stabilization and explains the cost impact by the four public transit entities.

Chair Barrone moved, seconded by Commissioner Fambro to adopt Resolution No. 2018-31 to Support Revenue Stabilization and Predictable Reporting of Tax Matters from the Los Alamos National Laboratory in New Mexico, and it passed unanimously (13-0) by roll call vote with Rio Arriba County, Santa Clara Pueblo, City of Santa Fe, Santa Fe County, Taos County, Town of Taos, Tesuque Pueblo, Village of Chama, City of Española, Town of Edgewood, Los Alamos County, Pueblo of Nambé, and Pueblo of Pojoaque voting in favor and none against.

G. Discussion and Consideration of Resolution No. 2018-32 A Resolution Certifying the Physical Inventory of Movable Chattels and Equipment Costing More Than $5,000

Mr. Mortillaro explained the annual resolution is required to be submitted to DFA and Mr. Ordoñez would provide a brief review.
Mr. Ordoñez added this complies with New Mexico and single audit requirements and the Board's capital asset policy to conduct an annual inventory of assets.

Pages 87 to 93 show all of their assets divided into segments and the depreciated values as of October 2018. Page 89 provides the total vehicles with the total appreciated costs and components; the bus shelter/improvements net book value and page 92 shows the land and building/building improvements. Page 93 shows the value of equipment with total assets which are valued at $9,277,850.

The term chattel was defined for members as an outdated term used for assets that can be moved that is distinct from real property, which cannot be moved around.

Governor Dorame moved, seconded by Commissioner Garcia to approve Resolution No. 2018-32 Certifying the Physical Inventory of Movable Chattels and Equipment Costing More Than $5,000 as presented and it passed by unanimous (12-0) roll call vote with Pojoaque Pueblo, Rio Arriba County, City of Santa Fe, Santa Fe County, Taos County, Town of Taos, Tesuque Pueblo, Village of Chama, City of Española, Town of Edgewood, Los Alamos County and the Pueblo of Nambé voting in favor and none against. Pueblo of Santa Clara was not present for the vote.

DISCUSSION ITEMS

H. Review of Quarterly Investment Report

Mr. Ordoñez reported the quarterly report reflects the value as of September 30, 2018 and the information has been reviewed and recommended for approval by the Finance Subcommittee.

The value of the portfolio at the end of the first quarter was $7,437,913, a decrease related to the decreasing balance in the operating account in Los Alamos.

Mr. Ordoñez provided a breakdown of the decreases:

- $616,851 on the LNB checking account.
- The Flex Direct account decrease was upset by brokers’ fees because a CD was not invested.
- There is a decrease in the temporary account where funds have not been invested with a total decrease of $589,696.
- Twenty CDs and one Treasury Bill is outstanding and the total amount invested is $5,380,000.
- Interest received was $27,247 and the term dates are 6, 8, 12 and 24 months for CDs with an average term of 12.14 months and an average rate of return of 1% on CDs.

There were no questions.

I. Review of Quarterly Electronic Payments
Mr. Ordoñez the Board is required to disclose payments in excess of $20,000 through ACH each quarter.

- There were 30 payments totaling $2,198,598 on capital assets received for the purchase of buses.
- 7 payments were made for fringe benefits for Social Security, federal tax withholdings and Medicaid and 4 payments were made to other transit agencies for GRT contributions.
- 19 payments were made for goods, services and acquired capital assets.

There were no questions.

J. Review of September 2018 Financial Summary

Mr. Ordoñez reported September financial activity that represented about 25% of the budget.

Total Revenues were reported at $2,861,087 and Total Expenses were $1,453,788.

The Significant variances for revenues/expenses were reviewed:
  Contributions decreased
  Salaries increased due to payouts and the $23k increase in overtime.
  Employee benefits and insurance increased due to accruals.
  Utilities increased, there was a reclassification of fuel and one invoice processed the year versus two last year.

GRT revenue by County was reviewed:

  Los Alamos County GRT received was more than budgeted and more than the prior year; Rio Arriba County was less than budgeted and less than prior year; Santa Fe County GRT was more than budgeted and more than last year; Taos County was less than budgeted and less than the prior year.

  The Grant Revenue of $240,000 was less than budgeted but more than the prior year.

  Expense Categories for the month indicated Administrative increased from the prior month but was less than budgeted. Operating Expenses increased from the prior year and was more than budgeted. There were no Capital Expenses.

There were no questions.

K. Finance Subcommittee Report

Commissioner Moreno indicated the Subcommittee met October 26 and discussed issues reviewed by Mr. Ordoñez of the Quarterly Investment Report and other reports, etc., the Board meeting procedures and a proposal to revise the Code of Conduct.
Mr. Dwyer noted the Code of Conduct had been removed from the Board agenda at the recommendation of the Finance Committee to await the outcome of the Constitutional Amendment Two which would create an Ethics Commission statewide.

The Governmental Conduct Act covers all public employees and officials statewide, but for years there has been no enforcement agency and enforcement is only administered through a complaint process. An oversight agency would be created if the amendment passes and at that point it may be helpful for NCRTD to have their own code of conduct and how they would comply with the Act.

Commissioner Romero-Wirth pointed out that the Finance Committee's August minutes contained no discussion on the Board procedures and she thought that would be helpful. She confirmed the September minutes would include that conversation.

L. Tribal Subcommittee Report

Governor Dorame reported that the representative for the Tribe, Christy Van Buren, could not be present but had reported to the Subcommittee. The Board packets have a summation of her report.

He explained the Tribes have asked for support on some of the changes made in D.C., particularly with the University of Virginia program they receive funding from. They are running into problems with the program and receiving the consultation process required for the funding.

They want to call attention to the University on the issue by passing a resolution by the Eight Northern Indian Pueblos Council and then the Pueblo Council of Governors. Any involvement the Tribes have regarding funding for transportation such as with the NCRTD, is important. People need to realize the money is being used for transportation that not only benefits the Tribes, but the other communities.

Governor Dorame said they are asking for the Board's support on the issue. Ms. Van Berean had mentioned that people have asked if the Tribes own casinos, so they are constantly having to educate people. The resolution from all of the Northern New Mexico entities would hopefully be passed by the two tribal entities by the next meeting and then would return to the Board.

Mr. Mortillaro clarified this was not an action item but the request is to direct Staff to bring a resolution for the Board to discuss and consider in the December meeting.

Chair Barrone directed Staff, if there were no objections by Board members, to bring the resolution back in December.

M. Executive Report and Comments from the Executive Director (Revised Agenda Order)

a. Executive Report for October 2018
e. Update on Memorandum of Agreement modifications with the Federal Transit Administration through New Mexico Department of Transportation regarding 5339B Maintenance Facility Grant,

Mr. Mortillaro asked Mr. Dwyer to address the MOA that funds the maintenance facility (page 177) and the request that Staff bring back the changes in the agreement made by Mr. Dwyer in his reply to the DOT. The Board packet contains a red-lined version of the changes.

Mr. Dwyer noted he agreed with most of the copy he was sent by the DOT’s attorney and the red-lined edition on page 179 is what was discussed. He indicated although DOT attorneys had not always agreed with him, he now has a role in the process and the DOT considers the changes.

He was not able to persuade DOT on the issue of paying their attorney fees and costs and would continue to fight that. The language was not removed stating Nerio agrees to pay the fees should there be a finding or audit, even though the DOT attorney understood the reason. The agreement is included in every FTA grant, but the 5311 Grant is the only consistent agreement and other grants are as awarded.

Ms. Garcia reported on performance measures for September as follows:

b. Paratransit Performance Measures, September 2018

Demand Response had 1,393 trips for services; Paratransit had 460 and total operational cost was $354,498.

c. Performance Measures for September 2018

Average operational cost per vehicle mile - $2.87; per passenger trip - $17.73. There were 292 cancellations, 92 late cancellations and 105 no-shows. They arrived early 38% of the time, 59% they were on time and were late 2% of the time. The average trip per client was 27 minutes and 8.3 miles.

There were no commendations, no complaints and no incidents for Demand or Paratransit.

d. Ridership Report for September 2018

- Mileage for all operated routes is 23,168; monthly expenditures were $452,394; operational per vehicle for fixed route was $3.34 and per passenger trip was $15.30.
- The spare ratio remains the same at 58.33%; the average fleet age is 85,267 miles.
- There was a decrease in the on-time maintenance inspections from 100 to 96%.
- There were no major or minor accidents and no commendations. There was one passenger complaint and the customer incidents are listed.

Ms. Garcia indicated either she or Mr. Mortillaro could address any questions.
Mr. Mortillaro reminded the Board that Stephen Dalquist was hired as the new Executive Assistant and would start Monday and the Board would meet him at the next meeting.

MATTERS FROM THE BOARD

Commissioner Fambro shared a letter discussed by the Board months ago for continuation of service in the Arroyo Seco area. The service request was for the Board to discuss the issue at a future meeting and there is no hard timetable because service is currently through March. There have been numerous requests for service in the area and he asked that the Board consider the request favorably in a future meeting.

Commissioner Fambro also requested the Board consider having a consent agenda in their Open Meetings Act Resolution next year.

Governor Dorame said he failed to mention in Tribal Subcommittee report that they have found that some of the kids in the Española School District have been attending Pojoaque schools. There is an understanding with the Pojoaque School Board that was agreed on that allows Española kids to attend Pojoaque schools when he was a governor. At the time they thought transportation would be taken care of but they have learned it is not and parents are providing their own transportation to get their kids to school.

A bus takes kids from the Española District and drops them off at Arroyo Seco where they are picked up by another bus and it is concerning that the kids have to wait for a second bus. There is uncertainty as to whether the bus would show up and kids could be left at the side of the road.

The Tribal Government plans to pursue this and try to meet with the Pojoaque School District and the State PED and are taking the issue up with Governor Peter Garcia (Pojoaque Pueblo).

Governor Dorame indicated this came up at their meeting because they transported kids to and from school in NCRTD buses, but more importantly the need for alternative transportation. He indicated busing kids was the furthest thing from their minds when NCRTD was formed but they have slowly realized the issue. Many of the parents look at the blue buses as salvation because they do not have to pay for gas.

He suggested the Board members should look at their districts to ensure their kids are being bussed properly.

MISCELLANEOUS

Chair Barrone wished everyone a Happy Thanksgiving and a Merry Christmas and asked them to ensure their families stay safe.

Governor Dorame invited everyone to Tesuque’s Annual Feast Day on November 12, 2018.
Councilwoman Sanchez announced the Pueblo of Pojoaque Annual Feast Day December 5, a Wednesday.

Councilor Flurry reminded everyone that on December 8th and 9th the Christmas Train would be running in Chama. He said it is wonderful for families and Santa, Mrs. Claus and all their helpers would be on the train and the town would be decorated and it is a nice way to get into the Christmas spirit.

**ADJOURN**

Councilor Maggiore moved to adjourn seconded by Commissioner Moreno. The meeting was adjourned at 11:35 a.m.

**NEXT BOARD MEETING:** Friday, December 7, 2018 at 9:00 a.m.

Approved by:

[Signature]
Daniel R. Barrone, Chair

Attest:

[Signature]
Ed Moreno, Secretary/Treasurer

Submitted by:

[Signature]
Carl Boaz for Carl G. Boaz, Inc.