NORTH CENTRAL REGIONAL TRANSIT DISTRICT
BOARD MEETING AGENDA

December 7, 2012
9:00 AM - 1:00 PM
Jim West Regional Transit Center
Board Room

CALL TO ORDER:

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. ROLL CALL
4. INTRODUCTIONS
5. APPROVAL OF AGENDA
6. APPROVAL OF MINUTES – November 2, 2012
7. PUBLIC COMMENTS

PRESENTATION ITEMS: None

ACTION ITEMS FOR APPROVAL/DISCUSSION:

A. Discussion regarding authorization for Executive Director to enter into a Legal Services Contract. Sponsor: Anthony J. Mortillaro, Executive Director. Attachment.


DISCUSSION ITEMS:

A. **Financial Report for November 2012:**
   *Sponsor:* Anthony J. Mortillaro, NCRTD Executive Director and Glenda Aragon, Finance Manager. *Attachment.*

B. **Finance Subcommittee Report:**
   *Sponsor:* Chair Tim Vigil and Anthony J. Mortillaro, NCRTD Executive Director. *Attachment of minutes from October 26, 2012 meeting.*

C. **Tribal Subcommittee Report:** *Sponsor:* Chairwoman Marylou Valero. *No attachment.*

D. **Executive Report for December 2012 and Comments from the Executive Director:**
   *Sponsor:* Anthony J. Mortillaro, NCRTD Executive Director. *Attachment.*

MATTERS FROM THE CHAIR

MATTERS FROM THE BOARD

MISCELLANEOUS

ADJOURN

**NEXT BOARD MEETING:** January 4, 2013 at 9:00 a.m.

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If you are an individual with a disability who is in need of a reader, amplifier, qualified Sign Language interpreter or any other form of auxiliary aid or service to attend or participate in the hearing of the meeting, please contact the NCRTD Executive Assistant at 505-629-4702 at least one week prior to the meeting, or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats.
North Central Regional Transit District
Board Meeting
Friday, November 2, 2012

CALL TO ORDER:

A regular meeting of the North Central Regional Transit District Board was called to order on the above date by Commissioner Daniel Barrone, Chair, at 9:20 a.m. at the Jim West Transit Center, 1327 Riverside Drive, Española, New Mexico.

1. Pledge of Allegiance

2. Moment of Silence

3. Roll Call

Roll call indicated the presence of a quorum as follows:

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<th>Members Present:</th>
<th>Elected Members</th>
<th>Alternate Designees</th>
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<td>Los Alamos County</td>
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<td>Mr. Philo Shelton III</td>
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<td>Rio Arriba County</td>
<td>Commissioner Barney Trujillo</td>
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<td>Taos County</td>
<td>Commissioner Daniel Barrone</td>
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<td>Santa Fe County</td>
<td>Commissioner Kathy Holian</td>
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<td>Tesuque Pueblo</td>
<td>Gov. Charles Dorame</td>
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<td>City of Santa Fe</td>
<td>Councilor Patti Bushee [T]</td>
<td>Mr. Jon Bultuis</td>
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City of Española | Mayor Pro Tem Dennis Tim Salazar
---|---
Town of Edgewood | Councilor Chuck Ring
Rio Metro (ex officio) |

**Staff Members Present**
Mr. Anthony J. Mortillaro, Executive Director
Ms. Barbara Mascareñas, Executive Assistant
Mr. Mike Kelly, Transit Operations Manager
Mr. Pat López, Financial Analyst
Mr. Jim Nagle, Public Information Officer

**Others Present**
Mr. Peter Dwyer, Legal Counsel
Mr. Tomás Campos, Rio Arriba County
Mr. Andrew Martínez, Rio Arriba County
Ms. Judith Amer, City of Santa Fé
Mr. Carl Boaz, Stenographer

4. INTRODUCTIONS

Those present introduced themselves to the body.

5. APPROVAL OF AGENDA

Governor Dorame moved to approve the agenda as presented. Mayor Pro Tem Salazar seconded the motion and it passed by unanimous voice vote.

6. APPROVAL OF MINUTES

- Minutes of Regular Meeting on September 7, 2012

Governor Dorame moved to approve the minutes of September 7, 2012 as presented. Commissioner Holian seconded the motion and it passed by unanimous voice vote.

7. PUBLIC COMMENTS

There were no public comments.
PRESENTATIONS - None.

ACTION ITEMS FOR APPROVAL/DISCUSSION

A. Review and Adoption of Resolution No. 2012-23 Adopting a Petty Cash Policy

Mr. Mortillaro explained the procedure for the petty cash policy. He said this resolution was separated from the procurement policies. The policy was considered by the Finance Committee and recommended for adoption. The only correction was the date of approval at the end which should read "second day of November" instead of October.

Commissioner Holian moved to adopt Resolution No. 2012-23 as corrected. Governor Dorame seconded the motion and it passed by unanimous roll call vote with Edgewood, Española, Los Alamos County, Rio Arriba County, City of Santa Fé, Santa Fé County, Taos County and Tesuque Pueblo voting in favor and none against.

B. Review and Adoption of Resolution No. 2012 - 24 Approving a Budget Adjustment for Fiscal Year 2013 to account for additional JARC funding of $50,000 and its expenditure allocation

Mr. López provided a handout on the budget adjustment. They requested a $50,000 increase of federal funds from a JARC grant and received the grant award thus increasing the budget by $50,000. If the resolution was adopted he could process it through the Local Government Division of DFA. It includes required match of $50,000 which the RTD has in the GRT revenues budget. This grant will provide for an increase of the Chama route to three days per week.

Mr. Mortillaro reminded the Board that the increase for Chama was approved by the Board on August 3, 2012.

Commissioner Holian moved to adopt Resolution No. 2012-24 as presented. Mayor Pro Tem Salazar seconded the motion and it passed by unanimous roll call vote with Edgewood, Española, Los Alamos County, Rio Arriba County, City of Santa Fé, Santa Fé County, Taos County and Tesuque Pueblo voting in favor and none against.

C. Review and Adoption of Resolution No. 2012-25 Authorizing the Creation of the Property Disposal Committee

Mr. Mortillaro explained the state requirement to designate a committee of at least three Board members for disposal of equipment as authorized by the Board. If adopted, the Chair would appoint three members to serve on the committee.

Mr. Shelton requested to add, "Whereas NCRTD follows the FTA guidelines for disposal..."
Mr. Dwyer agreed that was okay.

Councilor Bushee moved to adopt Resolution No. 2012-25 as amended. Commissioner Holian seconded the motion.

Councilor Bushee asked that Mr. Bulthuis be on the committee.

Chair Barrone agreed. He wanted people who were able to travel to serve on this committee.

Mr. Mortillaro clarified that it was at the Chair's discretion to appoint three members. They would develop a list to send to DFA so this could be on the December agenda.

The motion passed by roll call vote with Edgewood, Española, Los Alamos County, Rio Arriba County, City of Santa Fé, Santa Fé County and Taos County voting in favor and none voting against and Tesuque Pueblo abstaining.

D. Discussion regarding Follow-up Information of Annual Route Assessment, Adjustments and Possible Action

Mr. Mortillaro said this was a follow up from the discussion in August. He explained the schedule involving Nambé Pueblo and Las Trampas. The expansion in Santa Fé County awaited the decision on the Las Trampas route.

Mr. Nagle reported holding a community meeting on October 17 at the Peñasco Community Center and six people were in attendance. Of the comments received they favored keeping the service intact and not eliminate it completely.

They talked about whether to eliminate it altogether or reduce service during the week to Tuesday and Thursday or one trip in and one out every day to España. They also agreed to hold a meeting in Ojo Sarco which took place on October 30. There were four people attending including Carol Miller who was their leader. They supported public transportation. They said the need was critical but a 9 am inbound to España was too late for those going to work or school. They proposed a new schedule for a six month test and pointed out that a schedule of 2-3 times in the week would not be helpful. They also didn’t want to have to change buses in Chimayó.

Councilor Ring asked what the ridership numbers were.

Mr. Nagle said it was about 500 per quarter and the driver hours were approximately 70.

Commissioner Holian asked if there was any one trip more heavily used than the others.

Mr. Nagle said it was pretty equally spread out.
Commissioner Holian asked if staff knew why they used the bus.

Mr. Nagle said those without work to look for work, seniors for appointments and shopping. The man from Truchas at that meeting used the bus to get to Northern New Mexico College. He spoke to driver on Tuesday and they had three riders that morning.

Commissioner Holian asked if he had some recommendations.

Mr. Nagle said Mr. Kelly would present recommendations.

Mr. Mortillaro said they wanted some public comments from that community and then formulate recommendations for going forward.

Mr. Martínez asked if in the response from the community meeting they leaned more to an on-demand service.

Mr. Nagle said it was suggested. But those are remote communities and it would be more expensive.

Mr. Campos was welcomed.

Mr. Kelly said they discussed that after the meeting and have some recommendations with three options:

#1 is to do no changes;

#2 is to ask staff to look into the recommendations and concerns for not serving the commuter as well. We do have the Peñasco bus at 6:45 going to Taos. They want to look at a trip to arrive in Española about 8 am. But to do that we have to look at the effect on Chimayó. And if eliminated, how would that affect the Chimayó route.

#3 is to come back with the assessment and final recommendation at the January board meeting.

Chair Barrone thought there were a number of people living there who are employed in Los Alamos.

Mr. Kelly said it would depend on how it affected other routes. He briefly explained how they would have to schedule the routes to accommodate that. More public education was needed on it.

Chair Barrone asked if the Chimayó route now mostly served seniors.

Mr. Kelly agreed and said the Las Trampas route was the same thing.

Mr. Martínez was concerned with how the Chimayó route would affect dealing with commuters. Everyone from Truchas was a student or a commuter going to work. To have Chimayó rely on Las Trampas for ridership doesn’t make sense. He didn’t think one route should rely on another route.
Commissioner Trujillo asked for the Chimayó ridership at 8:00.

Mr. Kelly said he didn't have the 8:00 ridership but the average monthly ridership was 334.

Chair Barrone asked about the cost per rider.

Mr. Kelly said he didn't do that calculation.

Mr. Campos said Mr. Mortillaro had made every effort to meet with the County Commission to gather their desires. The previous Commission studied the commuter routes. He thought 20% of LA employees came from the Española Valley. He thought it would be better to see if that study produced a viable option.

Mr. Mortillaro said the routes historically were built on a premise that might not be the same today. This is a good time to go back and look at it further. They have feedback now and he would like to meet with Rio Arriba staff who know those communities better than he did. He said the cost per trip for the Chimayó route was $37.52 per rider.

Mr. Kelly said the monthly ridership was not 334 but 445.

Councilor Ring moved to accept the option to direct staff to come back in January. Commissioner Holian seconded the motion.

Commissioner Holian added that it would be good to identify the community leaders and assess how well they have tried to get feedback in their community.

Chair Barrone said no motion was needed.

E. Discussion regarding route concerns from Rio Arriba County

Mr. Mortillaro said the route Mr. Martinez brought last month was a route that had existed before and it impacts on Las Trampas. Staff met with Mr. Martinez in September and he provided additional information regarding the population in that area. They had not had a follow-up discussion so he was bringing it back to discuss today. He would welcome direction from the Board.

Mr. Kelly reported they met with Mr. Martinez. He showed the proposed map for a route from Española to Dixon that today was not being served. There was previously a route to Velarde with very low ridership. No one attended a community meeting there and the Board voted to discontinue it. Staff also recommended extending the on-demand service to a 15-mile radius in Rio Arriba County (from the present 3/4 mile radius). On-demand service is the most expensive service offered. Rinconada/Dixon is served now by the Taos route twice in the morning and twice in the afternoon. Staff felt the current service to Taos was fairly well utilized by Dixon residents and the RTD has limited funding.

Questions raised in the meetings were with communities to the west of Española (Hernandez). Those communities are served with on-demand routes.
Mr. Martínez said the frequency was not being mentioned. The on-demand route is more expensive but has less frequency. The Taos route didn’t even stop in Velarde or Alcalde so those people were not being served. Maybe a stop could be added there.

Mr. Kelly said they could look at those, based on time lines. The Taos route was a timed route to get people from the north to the Park and Ride to Los Alamos.

Mr. Mortillaro characterized the Taos as an express route so people could make their connections. Alcalde and Velarde were an on demand response.

Mr. Martínez understood but added that a 48 hour notice was tough.

Mr. Mortillaro said it just takes a little planning.

Mr. Kelly showed a map of the east-west route for Española from the High School to the west side health clinic and south on Oñate and back up. The Riverside goes south to the Dream Catcher Theater and connects with the Park and Ride on the way back.

Mr. Kelly showed four route maps in the Española Valley area. The suggestions would be on the table for consideration as they reassess the routes on how well they serve the public and what the RTD could do better. The consultants will help with that.

Chair Barrone asked if this route was possible if Truchas didn’t stand up because of not enough ridership, and then move the budget to this route.

Mr. Kelly said it was a decision for the Board to make.

Mr. Mortillaro said if they discontinued Las Trampas, it would free up money for the other requests. There was one request for a route from Golden to Santa Fe and also this route. There were others requested in the 5-year plan.

Chair Barrone felt they could take this into consideration in the route realignment work.

Mr. Mortillaro added that they were issuing an RFP for analysis of the 5-year plan. It will take a while (5-6 months) for consultants to do the work and bring back recommendations for the Board. At the same time, we have to do budget development as well. There will be a couple of opportunities for what is contemplated.

Mr. Martínez asked that each community be involved in that process.

Mr. Bulthuis acknowledged the RTD reached out to the MPO staff and their plans and he hadn’t seen any response.

Mr. Mortillaro said he had not gotten a response. He also made a request to the Northern Pueblos
RPO. The MPO was working on the Santa Fé County Transit Plan and we don’t want to duplicate efforts.

Mr. Bulthuis noted that Councilor Bushee was serving on the MPO-TPB.

Commissioner Holian said she was also.

Councilor Bushee asked Mr. Bulthuis to catch up with her later on it.

Mr. Mortillaro thought one option might be if Rio Arriba County has any funds to allocate to this to get the route started.

Mr. Campos asked if a work session could be set up to talk about it. It would be good to experiment with a commuter route. The County has requested that before since many people do commute to the lab from that area.

Commissioner Trujillo agreed.

DISCUSSION ITEMS:

F. Intergovernmental Agreement

Mr. Dwyer said the agreement needs a signature from each entity in order to be approved.

Mr. Mortillaro distributed copies of the voting strength analysis. With Edgewood, it changed the voting strength in that handout. That would become a new exhibit in the Intergovernmental Contract.

Mr. Dwyer clarified that when Taos joined, the Board immediately allowed them to vote but the policy does say it requires everyone to sign the amended agreement. Right now the agency is in limbo on voting requirements and that is important. It took over six months last time when Taos joined.

Commissioner Holian asked who should sign it.

Mr. Dwyer said each entity has its own process. The RTD accepts whatever process is used.

Mr. Mortillaro announced that no one’s voting changed with the addition of Edgewood. They just reduced that part of the population of Santa Fé County. Edgewood is actually in three counties but it is hard to determine how much is in each. The same is true in Española and it was all allocated to Rio Arriba County.

G. Financial Report for October 2012

Mr. López provided a handout for the Board with the revised revenue that replaces page 52. His report covered 33% of the fiscal year (through October). Federal monies cross the fiscal year end.
spent 99.9% of the federal grant income. The numbers were a little skewed because of the lag in getting GRT and federal money of about 2 months.

Mr. López briefly reported on GRT receipts. Rio Arriba was breaking even, Taos was 5% above budget, Los Alamos was about 7-8% below and Santa Fé was about 6% above budget of which half goes to the Rail Runner. So overall it was okay.

On the expenses, about 19.3% has been spent. Much of the capital budget has not been spent and some was owed to Santa Fé and Los Alamos for the first quarter.

The FTA Audit was updated and the RTD has received no response. The NMDOT audit was continuing with a slight delay. It was about 80% complete. The auditor was also doing the financial and compliance audit, auditing FY 2012. They were here this week doing field work. Year before last we had 17 audit findings and last year only five.

Mr. Mortillaro said they actually had zero findings for 2011 because those five were carry overs from the previous year.

Councilor Ring said on pages 52 and 54 at the top there were typos to be corrected.

H. Finance Subcommittee Report

Mr. Vigil was not present for this report.

Mr. Mortillaro said they met August 31 and did an entrance interview with auditors.

They developed several performance measures against benchmarks or other criteria and the Finance Committee had good comments on things that were helpful and some that were not necessary and places where data could be presented differently. One of them had to do with the average age of the fleet in comparison to the federal benchmark. The Committee felt mileage would be the best benchmark on fleet aging.

They were looking forward to the exit conference in early November. The audit has to be submitted to the State Auditor by December 1.

Presentation - Pojoaque Teen Center

Mr. Don Christie, CEO of the Pojoaque Boys and Girls Club and also of the Teen Center and Ms. Theresa Romero who directs the Teen Center arrived to share the work at their center.

Mr. Christie said the Teen Center is to be a true teen center in four phases. Phase 1, the student lounge and computer lab is completed. It also has the Senior loft is only for seniors. Phase 2 would establish a basketball / volleyball court. Phase 3 will be a dance area and phase 4 will be a recording studio.
and technology center which will be completed probably ten years down the road.

He said they have had this idea on the books for many years and now it is coming to realization. There is no place for youth to go after school. He was a law enforcement officer in Santa Fe before and knew what that means. This Teen Center gets youth off the street and they anticipated a reduction in graffiti, drug use and teen pregnancies.

Today they were not asking for a special drop off place from the RTD but would also like a place where people could get picked up nearby and taken to the center in. Freshmen and sophomores don’t have drivers’ licenses yet.

Ms. Romero oversaw the teen center and she invited all board members to come see it. They had good programs for the youth to get involved in and wanted to invite Española Valley kids to participate also.

Mr. Christie talked about scholarships they were able to get for their kids - Tamara Johnson was a member and got a full ride scholarship to Marquette University and would be spending next semester in Spain. We have many others.

Councilor Ring asked about having a Santa Fe address.

Mr. Kelly said it was actually in Pojoaque which has all Santa Fe addresses.

Mr. Martínez - fees?

Mr. Christie said the membership was $25 per month for the Teen Center and were admitted to the wellness center on that fee. For someone who cannot pay the staff works it out with them. They tried to get the youth to come in on a daily basis.

Commissioner Holian thanked for the presentation. It is a great contribution. She asked how many members they had now.

Mr. Christie said they had 55 registered members and about 20-25 members per day. We just opened September 14. They could probably handle 200 per day. The Pueblo of Pojoaque has been great. Most of the funding did not come from gaming.

Mayor Pro Tem Salazar thanked them for the presentation. He invited them to present to the Española City Council sometime soon.

Councilor Ring invited them to come to Edgewood Council and talk about how they got it going so Edgewood could consider that too.

Mr. Christie agreed.

I. Tribal Subcommittee Report
The Tribal Subcommittee report was not considered.

J. Executive Report for October and November 2012 and Comments from the Executive Director

Mr. Mortillaro was looking forward to the presentation of the annual report to the member entities. He thanked Mr. Nagle who was the main staff person drafting the report.

Chair Barrone thanked him for a good job.

Commissioner Holian thanked Mr. Mortillaro for his presentation to their Board of County Commissioners last Tuesday.

Councilor Ring asked if he would be coming to the Edgewood Council to present it.

Mr. Mortillaro said Ms. Mascareñas would set it up.

MATTERS FROM THE CHAIR

Chair Barrone was grateful that now all staff were under one roof.

MATTERS FROM THE BOARD

Commissioner Holian thanked the staff for providing a bus to Santa Fe County for the Commission’s tour of the solid waste station. It was great.

Mr. Mortillaro explained they could do that for the member entities as long as it was related to government officials in their official duties.

Councilor Ring thanked Santa Fe County and this Board for allowing Edgewood to become a member.

Commissioner Trujillo announced that Commissioner-Elect Valerie Espinoza was having a victory party at the Knights of Columbus hall at 7:00.

Governor Dorame announced that the Pueblo of Tesuque was celebrating its feast day on November 12 with dances during the day and feasts for all who come. He said it would be easier if people mentioned his name at a home there. Good chile – Monday, November 12.

MISCELLANEOUS

There were no miscellaneous items.
ADJOURNMENT - Next Meeting: December 7, 2012 at 9:00 a.m.

The meeting was adjourned by unanimous voice vote at 11:00 a.m.

Approved by:

_________________________  
Daniel R. Barrone, Chair

Attest:

_________________________  
Geoffrey Rodgers, Secretary

Submitted by:

_________________________  
Carl Boaz, Stenographer
Title: Board approval authorizing the Executive Director to enter into a Legal Services Contract

Prepared By: Anthony J. Mortillaro, Executive Director

Summary: The initial contract period for the proposed Legal Services contract is for a two year period renewable for two, one (1) year periods. Since the possibility exists that the multi-year contract if renewed for the entire four year period would exceed the Executive Director’s signatory authority, the award is being brought to the Board for consideration.

Background: The District had a contract for legal services with Basham and Basham for the last five years (which was renewable annually). The last year of the contract is set to expire on December 31, 2012. As a result the staff prepared a Request for Proposal (RFP) for Legal Services. An announcement that the District was seeking proposals was placed in the local newspapers of all four member counties. In addition, RFP announcements were mailed to certain legal firms in the counties as well. Only one proposal was submitted, although 14 firms did receive or request the RFP. A legal services review committee was established consisting of the Board Chair and Secretary/Treasurer and Executive Director.

Recommended Action: It is recommended that the Board authorize the Executive Director to enter into a contract for legal services with Basham and Basham for an initial 2 year period renewable for two, one (1) year periods.

Options/Alternatives: The Board may consider the following options/alternatives:

1. Take no action; or
2. Adoption of the recommendation; or
3. Provide further direction in relation to procurement of legal services and then take action.

Fiscal Impact: Since 2007 the hourly rate for attorney services was $150 per hour and for paralegal $50 per hour. The proposed rate is $165 per hour for attorneys and $35 per hour for paralegal. Legal services are budgeted on an annual basis. The FY 13 adopt budget includes sufficient funds for payment of services.

Attachments:
RFP for Legal Services
Basham and Basham Proposal for Legal Services
REQUEST FOR PROPOSALS
FOR LEGAL SERVICES- RFP 2012

GENERAL INFORMATION

The North Central Regional Transit District (NCRTD), a transit agency located in Espanola, New Mexico, is soliciting proposals from firms qualified to provide legal services.

BACKGROUND

North Central Regional Transit District invites all interested, qualified firms with governmental experience to submit a proposal to provide professional legal services for the North Central Regional Transit District. The legal services will generally include, but not be limited to: serving as general counsel to the District and Executive Board, contract review and drafting, review of legislative documents, attending meetings of the Executive Board, and advising on human resource and labor relation’s matters; all in accordance with the terms, conditions, and scope of work identified in this Request for Proposal (RFP).

In March 2003, the New Mexico State Legislature (SB 34) authorized the formation of Regional Transit Districts (RTDs) and subsequently in September 2004 the NCRTD was recognized by the New Mexico Department of Transportation (NMDOT) as the first RTD in New Mexico.

State Statue 73-25-2. The Regional Transit Act provides for the following purpose:

A. serve the public by providing for the creation of regional networks of safe and efficient public transit services;
B. allow multijurisdictional public transit systems to reduce the congestion of single-occupant motor vehicle traffic by providing transportation options for residents;
C. decrease automobile accidents by reducing traffic congestion on freeways and streets;
D. reduce noise and air pollution produced by motor vehicles;
E. prolong and extend the life of New Mexico's existing roadways by easing the traffic burden;
F. provide residents with a choice of transportation alternatives so that seniors, youth, low-income and mobility-impaired residents and others unable to drive or afford motor vehicles continue to have full access to the goods, services, jobs and activities of the community;
G. improve the New Mexico economy by increasing workforce and citizen access to education and higher paying jobs; and
H. prolong and extend petroleum resources.

The NCRTD provides commuter, fixed route, para-transit and demand response transit services within the counties of Los Alamos, Rio Arriba, Santa Fe and Taos, the cities of Espanola, Edgewood and Santa Fe and to five Pueblo’s located within the RTD boundaries. The individual transit systems within the RTD are municipal partners. The Districts services area is in excess of 10,000 square miles. The administrative structure of the NCRTD is designed to support the enhancement of transit services where they currently exist, and to provide transit services to the four (4) Counties which do not individually have the resources or expertise to provide these services. In fiscal year (FY) 2012 the District had 185,827 riders for the routes it operates and an annual budget of $9.7 million and currently employs 51 team members. District ridership for the 2012 FY when accounted for non–district operated but funded routes totals 431,941.

SCOPE OF WORK

The successful firm will have local and/or special purpose government experience in providing legal services as related to issues affecting transit providers as more fully described in this RFP.
The successful firm must agree to:

- Be available at all times upon reasonable request to meet with the District Board, and Executive Director as specified in order to perform the responsibilities assigned; and
- to attend meetings, represent the interest of the District; and
- act as liaison between the District and all branches, departments, and agencies of the State and Federal government as maybe directed.

The successful firm will work directly with and through the North Central Regional Transit District Executive Director and Board Chair on occasion.

The successful firm will handle a range of activities including, but not limited to:

1. Attend all Executive Board meetings. The Board meets on the first Friday of every month. Meetings start at 9 a.m. and generally end at Noon. At times General Counsel maybe requested to attend special meetings of the Board or of its subcommittees. As needed Counsel acts as agency Parliamentarian.

2. Act as General Counsel. General Counsel will provide advice and interpretation of state laws as it applies to the NCRTD. Such information may involve federal laws as well as state and local statues and ordinances.

3. Review draft Board resolutions; assure compliance with bylaws and with non-profit requirements; assist in development of District policies and procedures as requested.

4. Monthly, review agenda items to be considered by the NCRTD Board.

5. Maintain knowledge of the issues facing the NCRTD and be prepared to offer legal opinions as requested.

6. Report to and receive assignments from the Executive Director or his delegate. On occasion the Chair of the Board may also contact the General Counsel with their own inquiries and Counsel is authorized to respond to those as well.

7. Provide prompt response to inquiries. Establish reasonable completion dates for assignments and be accountable for adherence to such dates.

8. Draft and review contracts with third parties for a wide variety of goods and services (including transportation, professional, and service contracts); review requests for proposals and construction bid packages.

9. Research and interpret regulations of federal and state transit agencies and boards, including U.S. Department of Transportation, Federal Transit Administration, New Mexico Department of Transportation, New Mexico Department of Motor Vehicles, and State Highway Commission; assist in review of policies and procedures to comply with transit laws and regulations.

10. Provide advice on a full array of employment, personnel and labor issues; research and interpret federal and state laws and regulations; review draft employment and personnel policies; interpret provisions of collective bargaining agreement; assist in advising on new agreement and upon expiration of existing agreement; participate in labor arbitrations.

11. Monitor tort cases handled by insurance defense counsel; initiate and defend other litigation.

**TERMS OF CONTRACT**

This service is for a two (2) year contract, January 1, 2013 through December 31, 2014 plus an option to extend the contract for two (2) additional years to be renewed in one (1) year increments.

**RFP Evaluation Criteria**

When determining whether a respondent is responsible, or when evaluating a respondent’s proposal, the following factors will be considered, any one of which will suffice to determine if a respondent is either not a responsible respondent or the respondent’s proposal is not the most advantageous to NCRTD:
1. The ability, capacity and skill of the respondent to perform the contract or provide the service required.
2. The character, integrity, reputation, judgment, experience and efficiency of the respondent.
3. Whether the respondent can perform the contract within the time specified.
4. The quality of performance of previous public and private contracts – or services – including, but not limited to, the respondent's failure to perform satisfactorily, or complete any written contract. NCRTD’s termination for default of a previous contract, with a respondent, shall be deemed to be such a failure.
5. The previous and existing compliance by the respondent with laws relating to the contract and services.
6. Evidence of collusion with any other respondent, in which case colluding respondents will be restricted from submitting further bids on the subject project or future tenders.
7. The respondent is not qualified for the work or to the full extent of the RFP.
8. There is uncompleted work with NCRTD or others, or an outstanding dispute on a previous or current contract that might hinder, negatively affect or prevent the prompt completion of the work bid upon.
9. The respondent failed to settle bills for labor, or materials, on past or current public or private contracts.
10. The respondent has been convicted of a crime arising from a previous public contract, excepting convictions that have been pardoned, expunged or annulled.
11. The respondent has been convicted of a crime of moral turpitude, or any felony, excepting convictions that have been pardoned, expunged or annulled, whether in this state, in any other state, by the United States, or in a foreign country, province or municipality. Respondents shall affirmatively disclose to NCRTD all such convictions, especially of management personnel or the respondent as an entity, prior to notice of award or execution of a contract, whichever comes first. Failure to make such affirmative disclosure shall be grounds, in NCRTD's sole option and discretion, for termination for default subsequent to award or execution of contract.
12. More likely than not, the respondent will be able, financially or otherwise, to perform the work.
13. At the time of RFP opening, the respondent is not authorized to do business in New Mexico State, is not registered as a contractor in New Mexico, or otherwise lacks a required license, registration or permit.
14. Such other information as may be secured having a bearing on the decision to award the contract.
15. Any other reason deemed proper by the NCRTD.

PROPOSAL FORMAT AND MINIMUM QUALIFICATIONS

In order to facilitate the evaluation, please format your proposal in the same order indicated below.

Proposals shall address the following items:

(A) Background and Introduction

1. Indicate your experience with Legal Services similar to those in this RFP.
2. If requested/required what additional Legal Services could your company provide the NCRTD?
3. Do you have any questions about the scope of Work considered pertinent to your response?

(B) Single Point of Responsibility/Accountability

1. NCRTD's expectation is to have a single point of contact, i.e. a single point of responsibility/accountability and a single contracting entity for this project. This is of critical nature pertaining to this RFP; a contract will not be awarded to a supplier who does not submit this single point
of responsibility or accountability. Indicate your understanding of the aforementioned requirement and include contact information for your single point of responsibility and accountability. Describe the process for resolution of issues regarding performance, timeliness of response or other general concerns.

(C) **General Questions**

1. How many years has your company been in business? How long have you been providing Legal Services? What is your company's primary line of Legal Services?

2. Provide a brief overview of your company (furnish your business philosophy, mission statement, Management Structure, Organizational Chart, etc.).

3. How many employees do you have? What is the total years' of experience your employees possess within the Legal Services profession?

4. State the type of ownership of your company. Provide the State and date of your incorporation if applicable. Also list Headquarters and Regional/Full-Service office locations and website address.

5. Provide key contact names, titles addresses, telephone and fax numbers. Also, identify the person(s) authorized to contractually bind your organization.

6. Please provide status of any current, or pending, litigation against your company that may directly affect ability to deliver the product/services you offer.

7. Please identify any potential conflicts of interest, especially in light of the fact that the Board of Directors is composed of 4 Counties, 3 Municipalities and 5 Pueblo Tribes.

(D) **Summary**

Explain, in two pages or less, how your company's proposed Legal Services will differentiate you from other providers and why NCRTD should choose your company as our Legal Services provider of choice.

(E) **Pricing Schedule**

Proposers shall provide proposed hourly rates for all Legal Services. Also include pricing for time spent by administrative staff on copying, faxing, mailing etc... Provide hourly rate for travel time. Provide mileage rate and rates for reimbursables.

The hourly compensation associated with this proposal must remain firm until December 31, 2014. Any price adjustments, through the life of this agreement, will be mutually agreed upon, in writing, at the time of renewal.

The District reserves the right to request an interview and presentation by the top firm/s as a follow-up part of the evaluation process, along with the option to request from the firm/s a "best and final offer".

No Proposal may be withdrawn after the scheduled closing time. Proposals will not be accepted after the scheduled closing time.
PROPOSAL EVALUATION CRITERIA

Evaluation Criteria Chart:

Evaluation Criteria .......................................................... Weighted Percentage
1. Experience with transportation providers similar to NCRTD ............................................. 40
2. Experience with Non-Profit Organizations and Board of Directors ..................................... 20
3. Working knowledge of State and Federal Transportation Administration (FTA) Laws .......... 15
4. Experience in all aspects of labor, human resources, procurement and contract law .............. 10
5. Compliance to proposal specifications and required documentation .................................. 10
6. Pricing .............................................................................. 5
Total .................................................................................. 100

NCRTD encourages the submission of qualifications from minority and women owned businesses.

PROPOSAL SUBMITTAL REQUIREMENTS

Offerors shall deliver four (4) identical copies of their proposal to the location specified as follows on or before the closing date and time for receipt of proposals. Interested parties must deliver hard copy sealed proposals, clearly marked as containing proposal for “Legal Services” to the NCRTD Offices, located at 1327 N. Riverside Drive, Espanola, New Mexico, 87532 so they are received by 4:30 p.m. on November 16, 2012. If the above requirements are not met, the proposal may not be considered. Proposals received after the deadline will not be accepted.

SPECIAL CONDITIONS

North Central Regional Transit District (hereafter District) reserves the right, at its sole discretion, to accept or reject any proposals; to waive any and all irregularities in any or all statements or proposals; to request additional information from any or all respondents; and to award a contract to the responsible Offeror whose proposal is most beneficial to District. While District intends to execute a contract for the services listed herein, nothing in this document shall be interpreted as binding District to enter into an agreement with any Offeror.

Following award of the solicitation by the District, the successful Offeror will be required to execute a contract with District. A sample contract is attached hereto.

By submitting a response to this solicitation, Offerors certify they are not currently suspended or debarred from conducting business with a State or the Federal Government of the United States of America or, if currently suspended or debarred, the response discloses and describes the nature and circumstances for such suspension or debarment, and the effective dates of the suspension or debarment.

CONTACT
Prospective Offerors wishing additional information regarding this request for proposal should contact Anthony J. Mortillaro, Executive Director, at 505-629-4713 or e-mail questions to: anthonym@ncrtd.org.

ATTACHMENTS
Non collusion certificate
Sample Agreement
BASHAM & BASHAM P.C.'S
RESPONSE TO NCRTD'S REQUEST FOR PROPOSALS
FOR LEGAL SERVICES
RFP 2012

Basham & Basham, P.C. is a professional corporation duly organized under the laws of New Mexico, and established in 2000 by its two principal shareholders Katherine Basham and Mark Basham. Its offices are located at 2205 Miguel Chavez Road, Santa Fe, New Mexico.

(A) Background and Introduction

(1) Experience with Legal Services similar to those in the RFP:

The firm has extensive experience representing public entities including entities providing transit services such as the New Mexico Department of Transportation and the City of Santa Fe. Mark Basham has been representing governmental entities for 22 years including service as Santa Fe City Attorney. Peter Dwyer has been the City Attorney for both the City of Santa Fe and the City of Espanola and the County Attorney for the Incorporated County of Los Alamos. Katherine Basham has represented the Cities of Espanola, Sunland Park and Mountainair. Cheryl O'Connor was Deputy County Attorney for Santa Fe County from 1998 to 1999 and has extensive experience representing the State of New Mexico including over 8 years as counsel to the New Mexico Department of Transportation.

See Firm Resume attached hereto for more details.

(2) Additional Legal Services:

The firm has extensive experience in the fields of Civil Litigation, Zoning, Real Property, Collections, Labor-Management, and Public Finance. Basham & Basham is prepared to assist the NCRTD in any of these matters if the need arises. Additionally, Basham & Basham has extensive experience and contacts in all forms of public law and can assist the NCRTD with typical public law issues such as Open Meetings Act compliance, Inspection of Public Records responses, Tort Claims Act issues, Civil Rights compliance and defense, as well as Federal and State employment law compliance and defense. Finally, the firm has extensive experience with specific transit related issues and litigation from its extensive work for the New Mexico Department of Transportation. Transit related work includes federal grant compliance, knowledge of NMDOT regulations and standards, and extensive experience in litigation defense on behalf of transit providers.

(3) Basham & Basham is familiar with the scope of work typically required by the NCRTD from its previous experience as counsel to the NCRTD and has no additional questions about the Work.
(B) Single Point of Responsibility/Accountability

Peter A. Dwyer will serve as Basham & Basham’s single point of contact and shall be responsible for, and accountable to the NCRTD for the prompt, efficient and professional delivery of legal services. Peter’s contact information is:

Peter A. Dwyer  
2205 Miguel Chavez Rd.  
Suite A  
Santa Fe, NM 87505  
(505) 988-4575 x106 (office)  
(505) 501-0622 (cell)  
(505) 992-6170 (fax)  
pdwyer@bbpcnm.com

Peter will be available as needed including weekends and evenings in the event legal issues arise for the Board, the Board Chair or the Executive Director such as press requests or emergency inquiries by the Board Chair. If there are concerns regarding Peter’s performance, the timeliness of responses, or other general concerns they may be addressed to Mark Basham as the principle shareholder and manager of Basham & Basham, P.C. Mark can be reached at:

Mark A. Basham  
2205 Miguel Chavez Rd.  
Suite A  
Santa Fe, NM 87505  
(505) 988-4575 x101 (office)  
(505) 603-0104 (cell)  
(505) 992-6170 (fax)  
mbasham@bbpcnm.com

Basham & Basham understands that it is imperative that legal services be delivered on a timely basis in order to avoid delays and inefficiencies in the NCRTD’s delivery of services to the public. Basham & Basham will allocate the necessary resources to ensure that legal analysis, review and approval of NCRTD business does not constrain or delay the NCRTD’s operations.

(C) General Questions

1. Basham & Basham has been in business for 12 years and the firm has been delivering Legal Services continuously since 2000. The individual attorneys in the firm have each been practicing law for over 20 years. Basham & Basham currently provides legal services to multiple public entities including the NCRTD, Northern New Mexico College, Santa Fe Regional Emergency Communications Center, the State of New Mexico and numerous Counties. Much of the firm’s work is in the field of litigation defense on behalf of public entities but the firm also provides general counsel such as contract review, legislative analysis, and rendering legal advice to governing bodies at public meetings. The firm also does extensive work in Zoning, Collections and some appellate work on public sector issues such as Labor-Management.
2. Basham & Basham is a small family run law firm whose principle shareholders, Kathy and Mark Basham, are husband and wife. The firm is dedicated to “efficient delivery of quality legal services” and has no mission statement or business philosophy aside from that. Management decisions are made by the two principle shareholders, Kathy and Mark Basham.

3. The firm has a total of four lawyers and two paralegals. The firm has the capacity to perform complex litigation as needed. The total number of years of legal practice of the four lawyers is 84 years.

4. Basham & Basham, P.C. is wholly owned by its two principle shareholders, Kathy and Mark Basham. It is a registered professional corporation formed in 2000 and in good standing with the State of New Mexico’s State Corporation Commission. The corporate offices are located at 2205 Miguel Chavez Road, Suite A, Santa Fe, New Mexico.

5. Key contacts are:

Mark A. Basham
Basham & Basham, P.C.
2205 Miguel Chavez Rd.
Suite A
Santa Fe, NM 87505
(505) 988-4575 x 101 (office)
(505) 603-0104 (cell)
(505) 992-6170 (fax)
mbasham@bbpcnm.com

Peter A. Dwyer
Basham & Basham, P.C.
2205 Miguel Chavez Rd.
Suite A
Santa Fe, NM 87505
(505) 988-4575 x:06 (office)
(505) 501-0622 (cell)
(505) 992-6170 (fax)
pdwyer@bbpcnm.com

For billing information and general office support please contact:

Dorothy Wells
Basham & Basham, P.C.
2205 Miguel Chavez Rd.
Suite A
Santa Fe, NM 87505
(505) 988-4575 x105 (office)
(505) 992-6170 (fax)
dwells@bbpcnm.com

Mark Basham is authorized to contractually bind Basham & Basham, P.C.

6. There is no current or pending litigation against Basham & Basham, P.C. or its members, agents or employees.

7. Basham & Basham has no conflicts of interest with the NCRTD or any of its constituent members.

(D) Summary

Basham & Basham is currently counsel to the NCRTD and has provided legal counsel to the NCRTD since its creation. Therefore, it is fully apprised of current and prior legal issues, current and prior management practices, and the general expectations and operating procedures of the NCRTD. This prior experience will save the NCRTD money because there will be no need for Basham & Basham to familiarize itself with the specific laws and documents governing the NCRTD including the Regional Transit District Act, the Intergovernmental Contracts forming the NCRTD, and the NCRTD’s internal policies on personnel, employment, and procurement. Basham & Basham has extensive files from prior work for the NCRTD which make revisions and changes to existing contracts and policies relatively easy. Basham & Basham’s attorneys are familiar with all the elected officials past and present who make up the NCRTD Board which facilitates communications as needed between the Board and their legal counsel.

In addition Basham & Basham is familiar with the NCRTD staff including the Executive Director and is able to minimize the need for legal services by provision of services on an “as needed” basis. As counsel to the NCRTD, Basham & Basham has had occasion to work directly with the Board on issues which involve the selection and evaluation of the Executive Director. However, Basham & Basham has always ensured that the Executive Director was the one who managed the operations of the NCRTD, was the principle contact with the Board Chair, and was able to manage without having to worry about undue interference by NCRTD’s attorneys. Basham & Basham has always supported the decisions of the NCRTD and the management direction of its Executive Directors and would continue to do so.

Because the attorneys at Basham & Basham have extensive experience representing public sector entities in New Mexico, they can provide valuable insight into the legal procedures of the various Members and can assist the NCRTD in its role as a truly “regional” entity by ensuring successful coordination of NCRTD and Member procedural requirements.

The NCRTD has never been sued since its formation (a trend we can hope will continue) and Basham & Basham hopes that its legal advice and assistance have contributed to the current low risk profile of the organization. In the event that the NCRTD is sued Basham & Basham are familiar with, and prepared to work with any insurance defense counsel assigned by the
NCRTD’s insurers. In prior meetings the NCRTD’s insurer has listed the attorneys likely to be designated for defense work and Basham & Basham is familiar with all the firms.

Finally, Basham & Basham firmly believes that its areas of expertise are an ideal match for the NCRTD’s needs. Basham & Basham has the specific skills necessary to address the current legal issues confronting the NCRTD including Labor Management issues arising from the newly formed unionization of the workforce, contract issues, and the periodic employment issues within the workforce.

(E) **Pricing Schedule**

Basham & Basham’s rates are as follows:

- **Attorney Time** $165.00 per hour. Billing increments are in 1/10th of an hour.
- **Paralegal Time** $35.00 per hour. Billing increments are in 1/10th of an hour.

Basham & Basham does not charge for administrative staff work, copying faxing, and mailing other than the paralegal time described above. Hourly rates for travel time are as stated above. Basham & Basham does not charge for mileage or reimbursables.

In the event of litigation Basham & Basham will charge for litigation costs including cost of Court Reporters, discovery copying, and witness fees, but the charge will only be the actual costs as incurred and will not have any markup.

All pricing is firm through December 31, 2014.

By submitting this Response, Basham & Basham certifies that it and its agents and employees are not currently suspended or debarred from conducting business with any State or Federal governmental unit.

Basham & Basham also agrees to be available at all times upon reasonable request to meet with the District Board, and the Executive Director as specified in order to perform the responsibilities assigned; and to attend meetings, represent the interests of the District; and to act as liaison between the District and all branches, departments, and agencies of the State and Federal government as may be directed.

Response Submitted by:

[Signature]

Mark A. Basham, Principal Shareholder
Basham & Basham, P.C.
2205 Miguel Chavez Road
Suite A
Santa Fe, NM 87505
(505) 988-4575
mbasham@bbpcnm.com
CERTIFICATE OF NON COLLUSION

I hereby swear (or affirm) under penalty for perjury:

1. That I am the Offeror or an officer or employee of the proposing corporation having authority to sign on its behalf (if the Proposer is a corporation);

2. That the attached Proposal has been arrived at by the Offeror independently and has been submitted without collusion and without any agreement, understanding, or planned course of action with any other vendor of materials, supplies, equipment, or service described in the Request for Proposal, designed to limit independent bids or competition;

3. That the contents of the Proposal has not been communicated by the Offeror or its employees or agents to any person not an employee or agent of the Offeror or its surety on any bond furnished with the Proposal, and will not be communicated to any such person prior to the official opening of the proposals; and,

4. That I have fully informed myself regarding the accuracy of the statement made in this affidavit.

Signed _______________

Firm Name _______________

Subscribed and sworn to before me this __________ day of __________________, 2012.

Notary Public: _______________

My commission expires _______________

Proposers E.I. Number _______________

(Number used on employer’s Quarterly Federal Tax Return)
BASHAM & BASHAM, P.C.

GENERAL INFORMATION

Founded March 2001

Addresses:
2205 Miguel Chavez, Suite A
Santa Fe, N.M. 87505

Telephone:
Voice: (505) 988-4575
Facsimile: (505) 992-6170

MARK A. BASHAM, ESQ.

Licensed to practice law in New Mexico

EXPERIENCE

March 2000-present  Basham & Basham, P.C.  Santa Fe, NM
Shareholder
- Handle diverse caseload.
- Represent and provide legal advice to governmental entities
- Primary practice in Land Use, Civil Rights and Tort Claims Defense

1996–2000  City of Santa Fe  Santa Fe, NM
City Attorney
- Supervised staff of thirteen (eight attorneys).
- Managed a case load which focused on civil rights, tort claims defense and land use matters.
- Provided legal advice to the governing body, city manager and city staff.
- Negotiated with three different Unions.

1995–1996  City of Santa Fe  Santa Fe, NM
Deputy City Attorney; Assistant City Attorney
- Managed a case load which focused on civil rights, tort claims defense and land use matters.
- Provided legal advice to the city manager, city staff and various committees.

1993–1995  State of New Mexico  Santa Fe, NM
Risk Management Division
Legal Bureau

Senior Litigator
- Managed a case load focused on civil rights and tort claims defense.
1992–1993  White, Koch, Kelly & McCarthy, P.A.  Santa Fe, NM

Associate Attorney
- Managed a case load which included criminal, insurance and tort claim defense, domestic relations and real estate.

1990–1992  First Judicial District Court
District Attorney's Office  Santa Fe, NM

Assistant District Attorney
- Supervised magistrate court attorneys.
- Prosecuted misdemeanors and felonies.

Fall 1990  Licensed to practice law.

EDUCATION

1987–1990  University of New Mexico  Albuquerque, NM
- Juris Doctor, 1990

- B.A. in Politics and Economics, 1982

ACHIEVEMENTS

1989–1990  Editor, Natural Resources Reporter

1989–1990  Associate Editor, Natural Resources Reporter

Spring 1989  Copy Editor, Legislative and Administrative Newsletter

1988–1990  Member, Natural Resources Journal

1989  American Jurisprudence Book Award for Top Grade in Legislation

ACTIVITIES

2007–present  Santa Fe County Probate Judge

2001–2005  President, Board of Santa Fe Boys & Girls Club

1995–2001  Board Member, Trial Practice Section of the NM Bar Association

1995–1996  Barrister, Northern New Mexico Inn of Courts

1993–1995  Associate Member, Northern New Mexico Inn of Courts

1990–present  Member, New Mexico State Bar Association
KATHERINE A. BASHAM, ESQ.
Licensed to practice law in New Mexico and Arizona

EXPERIENCE

January 2001-present
Basham & Basham, P.C. Santa Fe, NM
Shareholder
- Handle diverse caseload.
- Primary practice in Land Use, Appeals and Collections.

1997–2001
Santa Fe Community College Santa Fe, NM
Director of Paralegal Studies
- Managed the Paralegal Studies program.
- Hired and supervised part-time instructors.
- Developed curriculum.
- Taught in the areas of Business Law, the U.S. Legal System, Contract Law, Family Law, Business Organizations, Criminal Law, and Constitutional Law.

1995–1997
Coppler & Mannick, P.C. Santa Fe, NM
Associate Attorney
- Handled a diverse case load.
- Primary practice in Contract and Municipal Law.
- Represented/Advised Cities of Espanola, Sunland Park and Mountainair.
- Represented/Advised the New Mexico Public School Insurance Authority.

1990–1995
Wilson & Pryor, P.C. Albuquerque, NM
Associate Attorney
- Handled diverse case load.
- Primary practice in Employment Law and Contract Law.

1989–1990
The United States District Court Albuquerque, NM
Law Clerk
- Law Clerk to the Honorable James A. Parker.
- Researched and drafted the Judge’s opinions for several cases which were before him.
- Attended court hearings and trials.

Fall 1989
Licensed to practice law.
EDUCATION AND AWARDS

1986–1989 University of New Mexico Albuquerque, NM
- Juris Doctor, 1989
- Graduated Summa Cum Laude.
- Rank 3rd of 101; GPA 3.8
- American Jurisprudence Book Awards for Top Grades in: Remedies, Criminal Law, and Wills & Trusts.
- American College of Trial Lawyers Award for Excellence in Advocacy.
- Outstanding Academic Achievement Award 1989
- Order of the Coif 1989
- Member of the Winning Team of Regional Moot Court 1987
- Executive Editor of the New Mexico Law Review 1988-1989

1981–1986 University of New Mexico Albuquerque, NM
- B.A. in English, 1986
- GPA 3.6; Dean's List; Honors Program
- Several Non-Renewable Scholarships based on GPA.

ACTIVITIES

1989-present Member, New Mexico State Bar Association
2003-present Member, Arizona State Bar Association

BASHAM & BASHAM, P.C. PRESENT AND FORMER CLIENTS

Present and former clients include:
- CAP II, Verizon Communications, Cricket Communications, Qwest Communications, T-Mobile Communications, ATT, New Mexico Association of Counties, New Mexico State Risk Management Division, Household Finance Corporation, County of Santa Fe, North Central Regional Transit District, Santa Fe Regional Emergency Communications Center and Northern New Mexico College.
Title: Resolution 2012 – 26 establishing the NCRTD’s 2013 Legislative Agenda

Prepared By: Anthony J. Mortillaro, Executive Director

Summary: This resolution establishes a “Legislative Agenda” which is used as a guide for the Districts intergovernmental efforts. The Legislative Agenda serves as guidance from the Board of Directors to staff and our legislative support contractor in dealing with various State officials and entities with a consistent voice. The Federal items provide guidance to the Executive Director and Chairman as to our priority items related to federal issues and in dealing with our elected federal legislators.

Background: This is the first resolution related to this topic that the NCRTD appears to have adopted. Various sources are used when determining the District’s priorities such as:

- Regional, State and National Organizations’ identified priorities;
- Staff recommended and identified issues;
- Review of state and federal budgets.


Recommended Action: It is recommended that the Board adopt Resolution 2012-26.

Options/Alternatives: The Board may consider the following options/alternatives:

1. Take no action; or
2. Adoption of the recommendation; or
3. Provide further direction in relation to the legislative priorities and then take action to adopt the resolution.

Fiscal Impact: Most of the items have varying fiscal impacts depending on the specifics of the legislation. However, the focus of our efforts involves decisions that are revenue neutral or enhancements for the District.

Attachments:
Resolution No. 2012-26
North Central Regional Transit District (NCRTD)
Resolution 2012 - 26

A RESOLUTION ADOPTING THE NCRTD LEGISLATIVE AGENDA

WHEREAS, the NCRTD was created through legislative enactment (NMSA 1978, Section 73-25-1 et seq.); and

WHEREAS, the NCRTD is a sub-division of the State of New Mexico; and

WHEREAS, the NCRTD was approved and certified by the New Mexico Department of Transportation on the 14th day of September 2004; and

WHEREAS, the NCRTD Board of Directors and Staff is concerned with legislative matters at the state and federal level which could have an impact on the operations of the District; and

WHEREAS, the NCRTD seeks to advocate on its behalf to protect the District's interests during the New Mexico State Legislative Session and provide guidance to staff and its legislative support contractor in dealing with various state and federal officials and establish those priority items for federal and state legislative review and enactment; and

NOW, THEREFORE, BE IT RESOLVED by the NCRTD Board of Directors that the District's State and Federal Legislative Priorities are as follows:

LEGISLATIVE PRIORITIES

STATE

- Support changes to New Mexico Statutes regarding payment of Regional Transit funds from the State of New Mexico to the North Central Regional Transit District (NCRTD).
- Support capital appropriations to complete a paving project at the Jim West Transit Center.
- Support capital appropriations for acquisition of fleet replacement.
- Support a reliable and adequate source of financing for NCRTD.
- Support continued relationships, collaboration and support with county, municipal and tribal governments to solve transportation needs of New Mexican citizens.
- Oppose any changes to gross receipts structure for the funding of North Central Regional Transit District.
- Oppose unfriendly amendments to the Regional Transit District Statue (Article 25 Regional Transit District).
- Oppose any decrease in gross receipts used to fund services provided by NCRTD.
- Monitor state implementation of MAP-21 and support efforts to ensure that the NCRTD receives a fair share of federal transportation funding.
- Monitor or oppose legislation deemed to directly affect the NCRTD and/or its ability to serve its constituents.
FEDERAL

- Monitor and support surface transportation authorization, funding and implementation (MAP 21).
- Support level or increased Transportation Appropriations.
- Support legislation that identifies long-term funding for transportation.
- Support efforts to protect transportation funding from legislative initiatives or budget proposals.
- Support legislative policies that promote national Transit Safety and Security.
- Support reasonable legislative policies and programs that incorporate public transit as a solution to achieve environmental sustainability.
- Work with the American Public Transportation Association and other state and national agencies to oppose efforts that would reduce funding for transit or that would make significant policy shifts that would be unfavorable to the NCRTD.

PASSED, APPROVED AND ADOPTED BY THE GOVERNING BODY OF THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT ON THIS 7th DAY OF DECEMBER 2012.

Approved as to form:

______________________________
Daniel Barrone, Chairman

______________________________
Peter Dwyer, Counsel
Title: Resolution 2012-27: Open Meetings Act for 2013

Prepared By: Anthony J. Mortillaro, Executive Director, and Barb Mascarenas, Executive Assistant.

Summary: This is a resolution to adopt the annual policy for regular board meetings for 2013. Included in the resolution are stipulations for time, location, dates, subject matter, and requirements for notices for all regular Board meetings as well as for “special” or “emergency” Board meetings. These requirements are according to the provisions of New Mexico’s “Open Meetings Act.” Although not required by the Open Meetings Act, this Resolution also complies with requirements of the Americans with Disabilities Act. Specifically, this Resolution requires that information helpful to individuals with disabilities be included in the notice of public meetings.

Resolution 2012-27 specifically states the provisions for public notices in order to accommodate the public’s attendance at NCRTD Board meetings or at any meeting of a quorum by the Board.

Please note that all regular scheduled meetings of the Board are on the first Friday of each month, unless noted otherwise.

Background: New Mexico state statute requires the policy on an annual basis.

Recommended Action: It is recommended that the Board adopt Resolution 2012-27.

Options/Alternatives: N/A

Fiscal Impact: None

Attachments: Resolution 2012-27
WHEREAS: Section 10-15-1 (B), NMSA 1978 Provides that “All meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policy-making body of any state agency, or any agency or authority of any county, municipality, district or any political subdivision held for the purpose of formulating public policy, including the development of personnel policies, rules regulations or ordinances, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of any board, commission or other policy-making body, are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution of New Mexico or the Open Meetings Act”; and,

WHEREAS: Section 10-15-3 (A), NMSA 1978 Provides that “No resolution, rule, regulation, ordinance or action of any board, commission, committee or other policy-making body shall be valid unless taken or made at a meeting held in accordance with the requirements of NMSA 1978, Section 10-15-1”; and,

WHEREAS: Section 10-15-4, NMSA 1978 Provides that “Any person violating any of the provisions of NMSA 1978, Section 10-15-1 or 10-15-2 is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more that five hundred dollars ($500) for each offense.”

NOW, THEREFORE, BE IT RESOLVED by the governing body of the NCRTD, that:

1. Notice shall be given at least 72 hours in advance of any regular meeting of a quorum of the members of the governing body and the agenda will be posted at least twenty four (24) hours prior to the meeting.
2. The regularly scheduled meetings of the governing body will be normally held on the first Friday of each month. Meetings will begin at 9:00 am. Location of Board meetings will be at the Jim West Transit Center, 1327 North Riverside Drive, Española, New Mexico. In the event that the regular meeting date falls on a legal holiday, the governing body shall designate an alternate meeting date and/or time at the regular meeting prior to the holiday and shall cause advance notice of the changed meeting date and/or time to be published as provided in this Resolution. In the event that a regular meeting of the governing body is changed to a different location, advance notice of the meeting location shall be posted as provided in this Resolution. The following are the projected dates of the regular meetings for the Calendar 2013:

<table>
<thead>
<tr>
<th>January 4, 2013</th>
<th>February 1, 2013</th>
<th>March 1, 2013</th>
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</thead>
<tbody>
<tr>
<td>July 12, 2013*</td>
<td>August 2, 2013</td>
<td>September 6, 2013</td>
</tr>
<tr>
<td>October 4, 2013</td>
<td>November 1, 2013</td>
<td>December 6, 2013</td>
</tr>
</tbody>
</table>

*moved from July 5th

3. Notice shall be given at least twenty four (24) hours in advance of any special meeting of a quorum of the members of the governing body, Board, committee, or other policy-making body held for the purpose of discussing public business or taking any formal action within the authority of such body.

4. All meetings of the NCRTD Board and Committees of the NCRTD Board shall be conducted pursuant to the procedural rules as adopted and from time to time amended by the NCRTD Board.

5. The notice requirements of Sections 1, 2 and 4 of this Resolution are compiled with notice of the date, time, place and subject matter of any regular or special meeting. “Giving of notice” shall mean posting of the resolution on the “notice board” located at the NCRTD Administration Offices at all times. The Resolution shall also be made available in the office of the NCRTD Secretary who shall maintain the posting for public inspection within the time limits specified.

In addition to the information specified above, all notices shall include the following language:

“If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language, interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing of the meeting, please contact the NCRTD Executive Assistant at 505-629-4702 at least one week prior to the meeting, or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats.”
6. Notwithstanding any other provisions of Sections 1 through 5 of this Resolution, the governing authority may establish such additional notice requirements as may be deemed proper and advisable to comply with the provisions of the Open Meetings Act.

7. A meeting or portion thereof may be closed in accordance with provisions contained in NMSA 1978, Section 10-15-1 (H) of the Open Meetings Act.

8. Notwithstanding any other provision of sections 1 through 6 of this Resolution, the governing body of the NCRTD may call, with whatever notice is possible under the circumstances, a meeting of the governing body, any board, commission, committee or other policy-making body of the District to consider or act on any emergency matter which appears to pose clear and immediate danger to the health, welfare or safety of the inhabitants of the District encompassed by the NCRTD.

9. As the District encompasses a large geographical area with board and committee membership spread over this large region, its membership may participate in a meeting by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting.

PASSED, APPROVED AND ADOPTED BY THE GOVERNING BODY OF THE NORTH CENTRAL REGIONAL TRANSIT ON THIS 7th DAY OF DECEMBER 2012.

Daniel Barrone, Chairman

Approved as to form:

Peter Dwyer, Counsel
Title: Resolution No. 2012-28 authorizing and adopting an inventory/Fixed Asset Policy

Prepared By: Glenda Aragon, Finance Manager

Summary: Resolution No. 2012-28 will establish standards for the accounting for and controlling of the fixed assets acquired and owned by NCRTD.

Background: The NCRTD is in need of establishing standards for accounting for and controlling of the fixed assets acquired and owned. The Inventory and Fixed asset policy and procedures has not been formally written and adopted. The NCRTD had been maintaining inventory as stated in the requirements set forth in NMSA 1978 Chapter 13-6-1 and 13-6-2, and as noted in our Audited financial notes, although these standards were followed and maintained there was a need to have them formally adopted into NCRTD policies and procedures. To accomplish this, subsequent sections of this rule describe the procedures for the acquisition of fixed assets, the methods for assigning values to acquired assets (valuation), the methods of depreciating fixed assets whether required or optional, the establishment of internal controls on fixed assets, the procedures for conducting the annual inventory of fixed assets, and the allowable methods for the disposition of fixed assets.

Recommended Action: It is recommended that the Board adopt Resolution No. 2012-28 Inventory/Fixed Asset policies and procedures as presented. The Finance Subcommittee met on November 27, 2012 and reviewed the draft Inventory and Fixed Asset Policy and suggested a minor addition that is reflected in this final draft. The Subcommittee recommended approval by the Board of the attached policy.
Options/Alternatives:

1. Take no action; or
2. Adopt the resolution, (recommended); or
3. Amend the Resolution and policy items and then take action to adopt.

Fiscal Impact: No Impact

Attachments:

1. NCRTD Resolution No. 2012-28
2. NCRTD Inventory & Fixed Asset Policy & Procedures
RESOLUTION AUTHORIZING ADOPTION
OF INVENTORY/FIXED ASSET POLICY

WHEREAS, the NCRTD was created through legislative enactment (NMSA 1978, Section 73-25-1 et seq.); and

WHEREAS, the NCRTD is a sub-division of the State of New Mexico; and

WHEREAS, the NCRTD was approved and certified by the New Mexico Department of Transportation on the 14th day of September 2004; and

WHEREAS, the NCRTD is authorized to adopt a written Inventory/Fixed Asset Policy pursuant to NMSA 1978 amended 12-6-10

NOW, THEREFORE, THE NCRTD HERBY RESOLVES AS FOLLOWS:

The NCRTD herby adopts attachment “A” Inventory/Fixed Asset Policy which is fully incorporated herein by this reference.

PASSED, APPROVED AND ADOPTED BY THE GOVERNING BODY OF THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT ON THIS 7th DAY OF DECEMBER 2012.

Approved as to form:

Daniel Barrone, Chairman

Peter Dwyer, Counsel
1.0 **Objective:**

The objective is to establish standards for the accounting for and the controlling of the fixed assets acquired and owned by NCRTD. To accomplish this, subsequent sections of this rule describe the procedures for the acquisition of fixed assets, the methods for assigning values to acquired assets (valuation), the methods of depreciating fixed assets whether required or optional, the establishment of internal controls on fixed assets, the procedures for conducting the annual inventory of fixed assets, and the allowable methods for the disposition of fixed assets.

2.0 **Coverage:**

This policy applies to all employees of the NCRTD. The NCRTD Finance Department is responsible for the implementation of this policy and procedures. All managers and supervisors are responsible for knowing, understanding and adhering to the provisions of this policy as applicable to their operations.

3.0 **Inventory Criteria for Tangible Personal Property**

A. **Current and accurate inventory records shall be maintained for the following:**
   1. Tangible Personal Property-$5,000 or more per item including improvements and renovations; or if donated, a fair market value at the time of donation of $5,000 per item. Tangible personal property intentionally acquired for resale or used in NCRTD activities as supplies are excluded.
   2. Licensed vehicles and rolling stock regardless of cost or donated market value at the time of donation.
   3. Sensitive property with an individual cost or fair market value at the time of donation of $1000 or more per item.
   4. Computer components with an individual cost of $500 or more per item.
   5. Leased property totaling $5,000 or more throughout the life of the lease.
B. Tangible Personal Property Composed of Internal Parts

1. Assets that have internal parts that are necessary to the functioning of the asset are not required to be separately inventoried, and can be considered to be all one asset (inventory record) provided all of the following apply:

   a) The internal parts are acquired to place the asset into service and function is required;
   b) The life and utility of the internal parts are mainly independent on that of the asset, even if the acquired dates and vendors are different for each item;
   c) The cost of each part is included in the aggregate total of the inventory record;
   d) The internal parts are included in the description of the inventory record.

2. Should a Department acquire and install an internal part for an asset with an acquisition cost, of at least $500, after it has been placed into service and is functioning as intended, then any subsequent internal parts are considered as separate components and are inventoried separately as a component record. The same asset identification number (ID) is to be used as the original asset, except a suffix is to be added to the ID number that is unique only to the component.

4.0 Inventory Criteria for Real Property

A. Current and accurate inventory records shall be maintained for the following.

   1. Land, regardless of cost
   2. Buildings and land improvements with an actual or estimated cost, or if donated, a market value of $5,000 or more per item.
   3. Real property intentionally acquired through a lease at an insignificant cost and solely as a legal mechanism to disburse bond monies is excluded.
   4. Improvements and renovations to an existing building with an actual or estimated cost, or if donated a market value of more than $100,000 per building component.
   5. Leased property totaling $5,000 or more throughout the life of the lease.

B. The Finance Department will keep a record of infrastructure.

5.0 Use of Property

Items acquired should be used for the departments business only. Additional requirement apply if items were purchased with federal grant money. Refer to the Federal Transit Administration (FTA).

6.0 Annual Physical Inventories

It is the NCRTD policy to complete timely physical inventories for all assets on an annual basis to ensure the accuracy and reliability of the inventory. Physical inventories should be completed in accordance with the frequency and dates prescribed by the Finance Department.
7.0 **Inventory Valuation Basis**

A. Fixed assets, including leased items, are entered in the inventory at the cost arrived at after deducting trade discounts and without considering any trade-ins.

B. Parts, supplies and materials are valued on the weighted average basis. Each time such items are purchased at a price different from the average price of the quantity remaining on hand, a new average cost must be computed.

8.0 **Disposal of Excess/Obsolete Inventory**

A. Use the most practical and cost effective method of disposal. The Requirements set forth in NMSA 1978 Chapter 13-6-1 and NCRTD Resolution 2012-25, must be followed when disposing of fixed assets and inventory.

B. When disposing of property acquired through the use of federal funds, additional steps are required. Please refer to the Federal Transit Authority.

C. Excess computer-related equipment/software should be offered to other departments, within the NCRTD first.

D. Inter-department Transfers
   1. Managers should ensure excess items are no longer needed before transferring to another department.
   2. A fixed asset transfer form must be completed and forwarded to the Finance Department.

E. Public Auction/Public sale
   1. Items not otherwise disposed of through other means should be sold at public auction or public sale, as provided by NMSA 13-6-1.

F. On-site Disposal
   1. The on-site destruction method of disposal of property is applicable to obsolete inventory either damaged beyond repair or where it is otherwise not fiscally feasible to dispose of via any other method. In the situation where items are disposed of on site, the following steps must take place:
      a. Items should be damaged beyond repair before being disposed.
      b. An impartial individual should witness the destruction and sign appropriate documentation stating they witnessed the item was destroyed beyond repair.
      c. All documentation related to such destruction should be maintained on site for a minimum of three years.

9.0 **Stolen/Missing Property**

A. All NCRTD personnel involved in or responsible for any task of maintaining NCRTD property inventories, including a physical inventory, shall notify the department supervisor of any tangible property shown on the current active property report, but cannot be found and/or is suspected of being stolen.

B. A reasonable amount of effort should be made by the department supervisor to
determine the whereabouts of the missing items or the reason(s) for their disappearance prior to taking further action.

C. The notified department supervisor shall review the reported inventory exceptions and, if necessary, will contact the local police requesting an investigation/report. As a guide, the local police should be contacted if the total dollar value of the missing property is in excess of $300. This dollar amount is being provided as a guide only, if the department supervisor feels there is a need to contact the local police; they may do so regardless of the dollar value of the missing items; or they notice a repeated behavior or pattern of missing items.

10.0 **Capitalization of Fixed Assets**

A. Computer software is considered an intangible asset since it represents competitive advantages developed or acquired by an organization. Therefore, computer software does not meet the NCRTD’s capitalization of fixed asset criteria.

B. Modular furniture (parts requiring assembly with other parts) does not meet the NCRTD’s capitalization of fixed assets criteria; only individual fixed Assets (quantities of one that exceed $5,000) are recorded.

11.0 **Federal Common Rule Authority and the NCRTD’s Fixed Asset Accounting Policies**

A. Departments are responsible for adhering to these policies. They are applicable when NCRTD property meets the criteria of a fixed asset as established and defined by the Finance Department.

B. Each department is responsible for adhering to the Federal Common Rule Section 32 and FTA, related to equipment obtained through Federal Grants and FTA.

**Training:**

There is no training mandated for the implementation of this policy or the statutes identified as the authority for this function.

**Definitions:**

**Equipment:** Rolling stock, office equipment, computers, cameras, garage equipment, tools or any other item used to conduct NCRTD business.

1. “Betterment” means a replacement or major renovation of an existing asset or unit of an existing asset by an improved or superior asset or unit, the effect of which is to improve the efficiency of the primary asset or lengthen the remaining service life.

2. “Component” means a separately identifiable part of an asset that is more meaningfully defined as an aggregate assembly.

3. “Depreciation” means the method applied to allocating the cost of a fixed asset over the duration of its useful life.

4. “Fixed Asset” means any property or equipment that has an initial value to
NCRTD, whether in cash or trade value, of more than five thousand dollars ($5,000). It is not acquired for subsequent sale or consumption but for utilization in the course of a department’s normal operations in producing and distributing goods or rendered services. The asset is expected to be used or held beyond the fiscal year in which it was acquired with being consumed by its use. Fixed assets include those assets constructed by department personnel. This $5,000 threshold for capitalization is a minimum and does not preclude departments from controlling assets of lesser value through their fixed systems when such control is desirable or appropriate.

5. “Fixed Asset Coordinator” means an individual within a department or a section of a department who is responsible for controlling and accounting for the fixed assets in the custody and use of the department or section.

6. “General fixed assets” means those assets acquired by governmental funds, and not accounted for directly in the real accounts of such funds.

7. “General fixed asset account group” means those accounts used to record and track fixed assets acquired by “governmental funds.” These “funds” include the Gross Receipts Tax fund, the Federal grants fund, and the capital project fund. Assets are recorded in these accounts, along with any betterments, impairments or depreciation. Assets are carried in this account group to recognize that they are not a component of fund balance available for appropriation.

8. “Object code” means the expenditure accounting code that indicates the category of benefits for which money was spent.

9. “Physical inventory” means the process of verifying that fixed assets owned by NCRTD, are present in their assigned custody and location, and evaluating their condition.

10. “Proprietary funds” means those funds used to account for the provision of services by a government entity to other government entities or to the public. The financial objective of such funds is to recover through user charges to full cost (including depreciation) of operations.

11. “Tag” means any label or marking that is permanently affixed to a fixed asset, including indelible ink or dyes, numbers physically stamped into the fixed asset, adhesive labels or barcodes, and metal tags.

Inventory Label: a self-adhesive tag or comparable electronic medium device used to safeguard and identify inventoried tangible personal property with a department unique serialized asset ID number by affixing it to an asset.

Lease Fixed Assets: a lease is an agreement between two parties in which the NCRTD makes periodic payments to another party for the right to use the property for a stated period of time. The item is considered a ‘capital lease’ and should be included in the fixed asset system if the lease meets at least one of the four criteria listed below:

1. Lease transfers ownership to the NCRTD during or at the end of the lease term.

2. Lease contains a bargain purchase option which is a provision to buy the property at a very favorable price.

3. Lease term is equal to or greater than 75% of the estimated economic life of the leased property. (Not applicable if the beginning of the lease term
falls within the last 25% of the total estimated economic life of the leased property.)

4. Present value of the minimum lease payment equals or exceeds 90% of the fair market value of the leased property. Minimum lease payments generally equal the property rental payments excluding executor costs such as maintenance and insurance.

Licensed Vehicles: all NCRTD vehicles, including renovations and improvements, having a useful life of more than one year, including trailers whether self-propelled or not, that are capable of being licensed through the Motor Vehicle Division, and can be used for over-the-road transportation.

Obsolete Items: Equipment or supplies that are worn out or no longer needed because they are outdated and can no longer be used anywhere within NCRTD.

Property: assets that are owned, subject to ownership, or in effect are owned by the NCRTD. Assets subject to ownership or in effect are owned by the NCRTD would include items being acquired by lease purchase, where the lease purchase contract transfers ownership of property to the NCRTD during or at the end of the lease term. Additionally, assets that are acquired by a capital lease are included where the lease meets one of the four criteria used for determining if a lease is a capital lease.

Real Property: Land and whatever is erected or affixed to land, excluding infrastructure. Major classifications of real property are land, land improvements and buildings. Land improvements include, but are not limited to landscape, sidewalks, parking lots, shelters, storm sewers, towers, storage tanks, etc. Buildings include, but are not limited to, improvements and renovations.

Sensitive Property: Tangible personal property that is highly popular and vulnerable to theft. This includes, but is not limited to, internal components. See Appendix 1.

Supplies: Items consumed or expended when used in the operation of NCRTD activities, or acquired for resale, or have a useful life of less than one year.

Tangible Personal Property: all property that has a real existence (physical) and a useful life of one year or more, excluding real property and intangible personal property, such as software and copyrights. Tangible personal property includes, but is not limited to, equipment, machinery, tools, furniture, office furniture and non-licensed vehicles including renovations and improvements. Tangible personal property is considered real property (building fixtures) when permanently attached and made part of a building in such a way that removal alters the intended use of the facility or site. Thus, it becomes subject to the real property inventory reporting threshold.
APPENDIX 1

North Central Regional Transit District Sensitivity List

Each Department is required to inventory the sensitive property included on this list. The list should not be considered as all inclusive, but is intended to be used as a guide. There may be other items in the general classifications not listed which are subject to the $100 sensitivity threshold.

AUDIO VISUAL EQUIPMENT (example: televisions, VCRs, overhead projector/camcorder, cameras)

COMMUNICATION EQUIPMENT (example: mobile radio/walkie-talkie/scanners, cellular phones)

GARAGE TOOLS (example: photo volt meters, battery chargers/testers, jack (10-12 ton), Pellet, show shovel plows, trash cans, air compressors, tire balancer, tool boxes, dolly, step ladders, pressure washers)

HAND TOOLS (example: drills, sanders, grinders, circular saws, chain saws, small electronic hand tools, etc.)

MISCELLANEOUS OFFICE EQUIPMENT (example: microwaves, refrigerators, air conditioners, dishwashers, small household appliances, etc.)

OFFICE EQUIPMENT (example: calculators, electric staplers, digital telephones, electronic binder machines, laminators, etc.)

OFFICE MACHINES (example: computers, printers-computer connected/pc related, facsimile machines)
Fixed Asset Inventory Procedures and Guidelines

I. Inventory records for licensed vehicles should be maintained via the Finance Department.

II. All tangible personal property required to be inventoried by this policy shall each be affixed with at least one inventory label, except where the following items or conditions apply:
   a. Licensed/owned vehicles;
   b. Internal components of an original asset;
   c. Items not having an appropriate outside surface area or other physical configuration to allow placement of an inventory label;
   d. Assets subject to environmental conditions not allowing the inventory label to remain affixed to the items throughout their useful life;
   e. Modular furniture that requires attachment to other modular furniture in order to perform its intended function;
   f. Antiques and/or museum items

III. Inventory numbers, once assigned, shall not be transferred from one asset to another or altered in any way.

IV. In order to facilitate the property identification and physical inventories the following apply to inventory labels and/or security labels: (See GUIDELINES FOR THE PLACEMENT OF INVENTORY LABELS)

V. Inventory Record Activity
   a. Transactions related to fixed assets and supply inventories shall be recorded on the appropriate inventory form and inventory system.
   b. Physical inventories shall be reported on the inventory form. Each Department shall complete and sign an inventory form upon the completion of the physical inventory for the respective inventory types. All forms shall be signed by the department Manager & Supervisor and submitted to the Finance Department.
   c. The physical inventory does not relieve staff members of the responsibility for making intermittent checks to determine correctness of the inventory.
   d. Maintenance items (signage schedule holders and material related to maintaining bus shelters) need to be maintained regardless of cost. Garage inventory items are defined by the Finance Department.

VI. Suggested Procedures for the Various Methods of Disposal
   The NCRTD Disposal form will be completed, the appropriate method indicated, and the inventory ID label attached (if available) and submitted to the Finance Department.
Guidelines for the Placement of Inventory Labels

Labels should be uniformly located on similar types of property. Recommended placement is prescribed below:

a. Inventory labels should be easily visible with moving the asset;
b. Inventory labels should not impede regular use of the asset;
c. Place inventory labels on the permanent part of the asset;
d. Whenever possible, do not place inventory labels on the bottom, back, or inside drawers of an asset;
e. In executive areas, or areas with furniture, do not deface the décor, or exterior facades;
f. An alternate method of etching, stenciling or painting the inventory number onto the asset can be used instead of an inventory label when a department chooses not affix an inventory label due to items noted in section IV of these procedures;
g. Weather proof paint or weather proof paint markers must be used if painting the inventory number onto the asset.

Examples of placement on Assets:
1. Desks, credenzas – affix where easily accessible, on the front, inside, right side of the item.
2. Table, chairs, stools, sofas, etc. – affix where easily accessible, placed vertically on the front, right leg.
3. Files, cabinets, lockers, racks, bookcases, etc. – affix on the right side, the front, top left corner of the item.
4. Office equipment/machines, computer/accessories and audio/visual equipment – affix to a clean, flat surface, on the front right top corner.
5. Power tools, machinery – affix or etch on a place which is easily accessible on clean flat surface.
6. Small had tools – affix or etch onto a clean, flat surface, on a place which is easily accessible.
7. Rolling stock- Label will be affixed on the inside seam of the driver door jam, near VIN number plate.
Title: Resolution No. 2012-29 Adopting the Facilities Usage Policy and Creating Priorities for use of the Jim West Regional Transit Center Facility.

Prepared By: Mike Kelly, Transit Operations and Maintenance Manager

Summary: The proposed resolution establishes a Facilities Usage Policy for the Jim West Transit Center. This resolution promotes the use of the facility by qualified governmental entities.

Background: On July 28, 2012 the NCRTD moved into the newly constructed Jim West Transit Center. A major feature of the facility is the Board meeting room, complete with a state of the art audio visual system and seating for up to 86 people. The NCRTD utilizes this meeting room about two to three days each month for monthly Board and committees meetings.

The Jim West Transit Facility is a great addition to the architecture and streetscape of the City of Española. It also has potential to serve the region functionally beyond its current transit use by being made available to state and local government officials, agencies, boards and their committees for meetings of various governmental needs.

A facility usage policy approved by the NCRTD Board would ensure that the facility is being used for its broader intended purpose and establishes priorities for its use. Meetings would be scheduled around NCRTD’s meeting calendar and would not be allowed to conflict. Any meetings scheduled that would incur additional costs on the District such as: staff over sight, custodial and security needs, would be charged to the user by way of rent or a user fee.
Recommended Action: It is recommended that the Board adopt Resolution No. 2012-29 Facilities Usage and Priorities Policy

Options/Alternatives:

- Take no action, or
- Adopt the resolution, (recommended) or
- Amend the resolution establishing the policy and any items of the Facilities Usage and Priorities Policy.

Fiscal Impact: The budgetary impact would be less than $2,500.00 per year.

Attachments:

Resolution No. 2012-29
North Central Regional Transit District (NCRTD)

Resolution 2012-29

RESOLUTION CREATING GENERAL POLICY AND PRIORITIES FOR USE OF THE JIM WEST REGIONAL TRANSIT CENTER

WHEREAS, the NCRTD was created through legislative enactment (NMSA 1978, Sections 73-25-1 through 73-25-19); and

WHEREAS, the NCRTD is a subdivision of the State of New Mexico with all the authority and duties of the same; and

WHEREAS, the Board has the authority to make and pass resolutions necessary for the execution of the powers vested in the District; and

WHEREAS, the Board recognizes that creating a policy and providing priorities for the usage of the Jim West Regional Transit Center is desired; and

WHEREAS, by making available meeting space to state and local government entities, agencies, boards and their committees benefits the greater north central New Mexico region, and

WHEREAS, The Executive Director is requested to promulgate and issue administrative and operational procedures for the implementation of this policy establishing priorities for the use of the Jim West Regional Transit Center.

NOW THEREFORE THE NCRTD BOARD, DOES RESOLVE AS FOLLOWS:

Section 1. The purpose of the policy shall be to:

A. Make the facility available to state and local government entities, agencies, boards and their committees;
B. Provide for the appropriate uses of the NCRTD facility and protection of the asset for future generations;
C. Provide a mechanism for review and approval of possible requested use;
D. Establish priorities and scheduling of the Board Room and other meeting spaces.

Section 2. Review, Approval, and Authority:

A. The Executive Director shall review and approve all usage of the Executive Board Room.

B. Priorities for its usage shall be as follows:
   1) District usage, Board Meetings, Committee Meetings, Professional Meetings hosted by the District Board or Staff.
   2) NCRTD Member entities or their Boards or Committees.
   3) Other Public Service Agencies such as tribal, state, federal, city, county or local agencies deemed to be subdivisions of the state by state statute.
   4) Agencies or Boards or delegated committees of state, municipal or county entities.
   5) Special events as deemed to be incidental uses by the Executive Director.

C. Fees and non-refunded deposits maybe assessed for the following purpose subject to the Executive Director’s approval.
   1) In the event that the District needs to provide staffing to support the requested use and offset it’s incurred costs.

D. NCRTD facilities will not be used for or by;
   1) Activities involving fund raising, advertising, promoting or selling of merchandise or services, for profit or not for profit (excluding professional training sessions offered on a fee basis by any entity permitted to use such facility);
   2) Persons or organizations for election or campaign purposes or purposes contrary to federal, state or city law.

Daniel R. Barrone, Chair

Approved as to form:

Peter Dwyer, Counsel
North Central Regional Transit District
Financial Summary
As of November 29, 2012

Summary:
The North Central Regional Transit District (NCRTD) is currently reporting five months of financial activity. The standard for expenses that should be spent for the five month period is 42% of the budget.

The month of November does not reflect all expenses because the Finance Department will continue to process invoices for the remainder of the month.

All budget figures in the revenue and expense charts and tables have been divided using a straight-line method to allocate monthly budget figures. A comparative analysis in revenue and expenses is presented to compare the previous year operating results.

Financial Highlights

Revenue:
As of November 29, 2012, total revenue of $2,290,902 was received by NCRTD. The revenue consists of $1,954,441 of Gross Receipt Taxes (GRT) collected by participating counties, $287,828 of Federal Revenue, $48,632 of Proceeds from the Sale of Auctioned Vehicles, Transit Fares, Bank Interest and Miscellaneous Revenue.

The amounts collected in GRT for the months of Sept through November 2012 lag two months behind from the counties and some more then 3 months lag. Total collected to date is 27.9% of budgeted revenue.

Expenditures:
For the month ending November 29, 2012, NCRTD recognized expenditures totaling $2,210,697 which is 23% of total budgeted expenditures. This percentage is below the standard 42% for the time period, mostly due to quarterly (instead of monthly) payments to the City of Santa Fe and Los Alamos County for transit services.

Of the $2,210,697 spent by NCRTD, $312,714 was in Administration, $1,561,918 in Operations and $336,065 was in Capital Outlay.

Administration has spent 26.9% of their budget, Operations has spent 22.0% and 22.2% in Capital Outlay.

Other Financial Updates:
- Federal Transit Administration – Financial Management Overview
  - The District sent an update letter to the FTA on September 9, 2012. The FTA has not responded as of this report date.

- NM Department of Transportation – Office of Inspector General Audit
  - Auditors are continuing with the audit after a slight delay. They are approximately 90% complete.

- Annual Finance and Compliance Audit
  - The audit firm began their on-site field work the week of October 18, 2012. An exit interview was conducted on November 27, 2012 during the Finance Subcommittee
meeting. The preliminary Audit report is being submitted on time to the State Auditor’s office by December 3, 2012.

- **Year-end adjusting journal entries related to Audit and operational reconciliations**
  - NCRTD should be receiving recommendations to the year-end adjusting journal entries that may or may not affect the financials for FY13 from the operational auditors noted above.
  - Note: during the transition of Finance Managers the General Ledger needs to be tied out and there will be a slight margin of error presented in the financial statements until all is reconciled.

*This Financial Summary should be reviewed in conjunction with the Monthly Board Financial Report*
# MONTHLY BOARD REPORT
**FY2013 (July 1, 2012 to June 30, 2013)**
NCRTD Revenue by Sources  
**As of November 29, 2012**

![Bar chart showing revenue by sources]

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*11/30/2012 Unaudited finanicals-For Board and Management purposes/revision*
MONTHLY BOARD REPORT  
FY2013 (July 1, 2012 to June 30, 2013)  
Gross Receipts Revenue By County  

LOS ALAMOS COUNTY

<table>
<thead>
<tr>
<th>Date Received</th>
<th>Actual</th>
<th>Budget</th>
<th>Actual Revenue % of Monthly Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>9/24/2012</td>
<td>Jul-12 $124,560</td>
<td>$176,002</td>
<td>71%</td>
</tr>
<tr>
<td>10/26/2012</td>
<td>Aug-12 $167,973</td>
<td>$154,497</td>
<td>109%</td>
</tr>
<tr>
<td>11/26/2012</td>
<td>Sep-12 $263,631</td>
<td>$336,445</td>
<td>78%</td>
</tr>
<tr>
<td>Oct-12</td>
<td>$88,794</td>
<td></td>
<td>0%</td>
</tr>
<tr>
<td>Nov-12</td>
<td>$151,722</td>
<td></td>
<td>0%</td>
</tr>
<tr>
<td>Dec-12</td>
<td>$133,190</td>
<td></td>
<td>0%</td>
</tr>
<tr>
<td>Jan-13</td>
<td>$134,479</td>
<td></td>
<td>0%</td>
</tr>
<tr>
<td>Feb-13</td>
<td>$134,677</td>
<td></td>
<td>0%</td>
</tr>
<tr>
<td>Mar-13</td>
<td>$198,398</td>
<td></td>
<td>0%</td>
</tr>
<tr>
<td>Apr-13</td>
<td>$140,028</td>
<td></td>
<td>0%</td>
</tr>
<tr>
<td>May-13</td>
<td>$184,921</td>
<td></td>
<td>0%</td>
</tr>
<tr>
<td>Jun-13</td>
<td>$148,848</td>
<td></td>
<td>0%</td>
</tr>
<tr>
<td>YTD Total</td>
<td>$556,164</td>
<td>$1,982,001</td>
<td>28%</td>
</tr>
</tbody>
</table>

11/30/2012 Unaudited financials-For Board and Management purposes/review
MONTHLY BOARD REPORT
FY2013 (July 1, 2012 to June 30, 2013)
Gross Receipts Revenue By County

RIO ARRIBA COUNTY

<table>
<thead>
<tr>
<th>Date Received</th>
<th>Actual</th>
<th>Budget</th>
<th>Actual Revenue % of Monthly Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Received</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jul-12        $51,622</td>
<td>$53,708</td>
<td>96%</td>
<td></td>
</tr>
<tr>
<td>Aug-12        $55,703</td>
<td>$54,636</td>
<td>102%</td>
<td></td>
</tr>
<tr>
<td>Sep-12        $52,600</td>
<td>$53,824</td>
<td>98%</td>
<td></td>
</tr>
<tr>
<td>Oct-12        $52,490</td>
<td>$52,490</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Nov-12        $45,878</td>
<td>$45,878</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Dec-12        $54,810</td>
<td>$54,810</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Jan-13        $41,238</td>
<td>$41,238</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Feb-13        $37,874</td>
<td>$37,874</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Mar-13        $43,674</td>
<td>$43,674</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Apr-13        $42,340</td>
<td>$42,340</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>May-13        $43,732</td>
<td>$43,732</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Jun-13        $55,796</td>
<td>$55,796</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>YTD Total     $159,924</td>
<td>$580,000</td>
<td>28%</td>
<td></td>
</tr>
</tbody>
</table>

11/30/2012 Unaudited financials-For Board and Management purposes/review
MONTHLY BOARD REPORT
FY2013 (July 1, 2012 to June 30, 2013)
Gross Receipts Revenue By County

SANTA FE COUNTY

<table>
<thead>
<tr>
<th>Date Received</th>
<th>Actual</th>
<th>Budget</th>
<th>Actual Revenue % of Monthly Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>9/25/2012</td>
<td>Jul-12  $343,976</td>
<td>$327,152</td>
<td>105%</td>
</tr>
<tr>
<td></td>
<td>Aug-11  $357,202</td>
<td>$331,996</td>
<td>108%</td>
</tr>
<tr>
<td></td>
<td>Sep-11  $337,614</td>
<td>$324,357</td>
<td>104%</td>
</tr>
<tr>
<td></td>
<td>Oct-12  - $</td>
<td>$305,913</td>
<td>0%</td>
</tr>
<tr>
<td></td>
<td>Nov-12  - $</td>
<td>$286,164</td>
<td>0%</td>
</tr>
<tr>
<td></td>
<td>Dec-12  - $</td>
<td>$363,295</td>
<td>0%</td>
</tr>
<tr>
<td></td>
<td>Jan-13  - $</td>
<td>$266,602</td>
<td>0%</td>
</tr>
<tr>
<td></td>
<td>Feb-13  - $</td>
<td>$259,150</td>
<td>0%</td>
</tr>
<tr>
<td></td>
<td>Mar-13  - $</td>
<td>$306,099</td>
<td>0%</td>
</tr>
<tr>
<td></td>
<td>Apr-13  - $</td>
<td>$290,822</td>
<td>0%</td>
</tr>
<tr>
<td></td>
<td>May-13  - $</td>
<td>$303,863</td>
<td>0%</td>
</tr>
<tr>
<td></td>
<td>Jun-13  - $</td>
<td>$360,686</td>
<td>0%</td>
</tr>
<tr>
<td></td>
<td>YTD Total $1,038,792</td>
<td>$3,726,099</td>
<td>28%</td>
</tr>
</tbody>
</table>

**Note one-half of the SF County GRT is allocated to Rio Metro**

11/30/2012 Unaudited financials-For Board and Management purposes/review
MONTHLY BOARD REPORT
FY2013 (July 1, 2012 to June 30, 2013)
Gross Receipts Revenue By County

**TAOS COUNTY**

![Bar chart showing actual vs budget revenue by month]

<table>
<thead>
<tr>
<th>Date Received</th>
<th>Actual</th>
<th>Budget</th>
<th>Actual Revenue % of Monthly Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>9/22/2012</td>
<td>Jul-12</td>
<td>$70,690</td>
<td>$67,563</td>
</tr>
<tr>
<td></td>
<td>Aug-12</td>
<td>$64,738</td>
<td>$61,467</td>
</tr>
<tr>
<td>10/22/2012</td>
<td>Sep-12</td>
<td>$64,133</td>
<td>$61,467</td>
</tr>
<tr>
<td>11/26/2012</td>
<td>Oct-12</td>
<td></td>
<td>$59,507</td>
</tr>
<tr>
<td></td>
<td>Nov-12</td>
<td></td>
<td>$53,158</td>
</tr>
<tr>
<td></td>
<td>Dec-12</td>
<td></td>
<td>$87,374</td>
</tr>
<tr>
<td></td>
<td>Jan-13</td>
<td></td>
<td>$49,892</td>
</tr>
<tr>
<td></td>
<td>Feb-13</td>
<td></td>
<td>$55,153</td>
</tr>
<tr>
<td></td>
<td>Mar-13</td>
<td></td>
<td>$60,015</td>
</tr>
<tr>
<td></td>
<td>Apr-13</td>
<td></td>
<td>$49,529</td>
</tr>
<tr>
<td></td>
<td>May-13</td>
<td></td>
<td>$53,303</td>
</tr>
<tr>
<td></td>
<td>Jun-13</td>
<td></td>
<td>$67,272</td>
</tr>
<tr>
<td><strong>YTD Total</strong></td>
<td>$199,561</td>
<td>$725,700</td>
<td>27%</td>
</tr>
</tbody>
</table>

11/30/2012 Unaudited financials-For Board and Management purposes/review
MONTHLY BOARD REPORT
FY2013 (July 1, 2012 to June 30, 2013)
Gross Receipts Revenue Thru November 29, 2012

Budget to Actual FY2013

($ thousands)

<table>
<thead>
<tr>
<th></th>
<th>Budget</th>
<th>Actual</th>
<th>Actual Revenue % of Monthly Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
<td>$ 624,424</td>
<td>$ 590,847</td>
<td>95%</td>
</tr>
<tr>
<td>August</td>
<td>$ 602,595</td>
<td>$ 645,616</td>
<td>107%</td>
</tr>
<tr>
<td>September</td>
<td>$ 776,092</td>
<td>$ 717,978</td>
<td>93%</td>
</tr>
<tr>
<td>October</td>
<td>$ 506,704</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>November</td>
<td>$ 536,922</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>December</td>
<td>$ 638,669</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>January</td>
<td>$ 492,211</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>February</td>
<td>$ 486,854</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>March</td>
<td>$ 608,187</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>April</td>
<td>$ 522,719</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>May</td>
<td>$ 585,819</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>June</td>
<td>$ 632,603</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$ 7,013,799</td>
<td>$ 1,954,441</td>
<td>28%</td>
</tr>
</tbody>
</table>

Prior Year vs. Current Year

($ thousands)

<table>
<thead>
<tr>
<th></th>
<th>Prior Year FY2012</th>
<th>Current Year FY2013</th>
<th>Inc/Dec from Prior Year to Current Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
<td>$ 537,428</td>
<td>$ 590,847</td>
<td>$ 53,419</td>
</tr>
<tr>
<td>August</td>
<td>$ 637,978</td>
<td>$ 645,616</td>
<td>$ 7,638</td>
</tr>
<tr>
<td>September</td>
<td>$ 890,381</td>
<td>$ 717,978</td>
<td>$(172,403)</td>
</tr>
<tr>
<td>October</td>
<td>$ 421,413</td>
<td>-</td>
<td>$(421,413)</td>
</tr>
<tr>
<td>November</td>
<td>$ 487,320</td>
<td>-</td>
<td>$(487,320)</td>
</tr>
<tr>
<td>December</td>
<td>$ 706,831</td>
<td>-</td>
<td>$(706,831)</td>
</tr>
<tr>
<td>January</td>
<td>$ 607,499</td>
<td>-</td>
<td>$(607,499)</td>
</tr>
<tr>
<td>February</td>
<td>$ 354,166</td>
<td>-</td>
<td>$(354,166)</td>
</tr>
<tr>
<td>March</td>
<td>$ 641,741</td>
<td>-</td>
<td>$(641,741)</td>
</tr>
<tr>
<td>April</td>
<td>$ 669,266</td>
<td>-</td>
<td>$(669,266)</td>
</tr>
<tr>
<td>May</td>
<td>$ 552,255</td>
<td>-</td>
<td>$(552,255)</td>
</tr>
<tr>
<td>June</td>
<td>$ 521,420</td>
<td>-</td>
<td>$(521,420)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$ 7,027,698</td>
<td>$ 1,954,441</td>
<td>$(5,073,257)</td>
</tr>
</tbody>
</table>

11/30/2012 Unaudited financials-For Board and Management purposes/review
MONTHLY BOARD REPORT
FY2013 (July 1, 2012 to June 30, 2013)
Grant Revenue

<table>
<thead>
<tr>
<th></th>
<th>Budget to Actual FY2013 ($ thousands)</th>
<th>Actual Revenue % of Monthly Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
<td>$159,823 $12,892</td>
<td>8%</td>
</tr>
<tr>
<td>August</td>
<td>$159,823 $156,324</td>
<td>98%</td>
</tr>
<tr>
<td>September</td>
<td>$159,823 $20,023</td>
<td>13%</td>
</tr>
<tr>
<td>October</td>
<td>$159,823 $98,589</td>
<td>62%</td>
</tr>
<tr>
<td>November</td>
<td>$159,823 -</td>
<td>0%</td>
</tr>
<tr>
<td>December</td>
<td>$159,823 -</td>
<td>0%</td>
</tr>
<tr>
<td>January</td>
<td>$159,823 -</td>
<td>0%</td>
</tr>
<tr>
<td>February</td>
<td>$159,823 -</td>
<td>0%</td>
</tr>
<tr>
<td>March</td>
<td>$159,823 -</td>
<td>0%</td>
</tr>
<tr>
<td>April</td>
<td>$159,823 -</td>
<td>0%</td>
</tr>
<tr>
<td>May</td>
<td>$159,823 -</td>
<td>0%</td>
</tr>
<tr>
<td>June</td>
<td>$159,823 -</td>
<td>0%</td>
</tr>
</tbody>
</table>

$1,917,879 $287,828 15%

Prior Year vs. Current Year ($ thousands)

<table>
<thead>
<tr>
<th></th>
<th>Inc/Dec from Prior Year to Current Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
<td>$117,255 $12,892 $104,363</td>
</tr>
<tr>
<td>August</td>
<td>$277,214 $156,324 $120,890</td>
</tr>
<tr>
<td>September</td>
<td>$147,307 $7,272 $140,035</td>
</tr>
<tr>
<td>October</td>
<td>$196,559 $98,589 $7,970</td>
</tr>
<tr>
<td>November</td>
<td>$ - $ - $</td>
</tr>
<tr>
<td>December</td>
<td>$78,638 $ - $78,638</td>
</tr>
<tr>
<td>January</td>
<td>$166,375 $ - $166,375</td>
</tr>
<tr>
<td>February</td>
<td>$620,114 $ - $620,114</td>
</tr>
<tr>
<td>March</td>
<td>$150,966 $ - $150,966</td>
</tr>
<tr>
<td>April</td>
<td>$315,561 $ - $315,561</td>
</tr>
<tr>
<td>May</td>
<td>$153,703 $ - $153,703</td>
</tr>
<tr>
<td>June</td>
<td>$192,660 $ - $192,660</td>
</tr>
</tbody>
</table>

$2,916,352 $275,077

11/30/2012 Unaudited financials—For Board and Management purposes/review
MONTHLY BOARD REPORT
FY2013 (July 1, 2012 to June 30, 2013)
NCRTD BUDGET EXPENDITURES OVERALL

Budget to Actual FY2013
($ thousands)

<table>
<thead>
<tr>
<th>Month</th>
<th>Budget</th>
<th>Actual</th>
<th>Inc/Dec of Budget vs Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
<td>$813,723</td>
<td>$311,904</td>
<td>$501,819</td>
</tr>
<tr>
<td>August</td>
<td>$813,723</td>
<td>$250,791</td>
<td>$562,932</td>
</tr>
<tr>
<td>September</td>
<td>$813,723</td>
<td>$682,868</td>
<td>$130,855</td>
</tr>
<tr>
<td>October</td>
<td>$813,723</td>
<td>$326,905</td>
<td>$486,818</td>
</tr>
<tr>
<td>November</td>
<td>$813,723</td>
<td>$638,229</td>
<td>$175,494</td>
</tr>
<tr>
<td>December</td>
<td>$813,723</td>
<td>$-</td>
<td>$813,723</td>
</tr>
<tr>
<td>January</td>
<td>$813,723</td>
<td>$-</td>
<td>$813,723</td>
</tr>
<tr>
<td>February</td>
<td>$813,723</td>
<td>$-</td>
<td>$813,723</td>
</tr>
<tr>
<td>March</td>
<td>$813,723</td>
<td>$-</td>
<td>$813,723</td>
</tr>
<tr>
<td>April</td>
<td>$813,723</td>
<td>$-</td>
<td>$813,723</td>
</tr>
<tr>
<td>May</td>
<td>$813,723</td>
<td>$-</td>
<td>$813,723</td>
</tr>
<tr>
<td>June</td>
<td>$813,723</td>
<td>$-</td>
<td>$813,723</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$9,764,680</strong></td>
<td><strong>$2,210,697</strong></td>
<td><strong>$7,553,983</strong></td>
</tr>
</tbody>
</table>

11/30/2012 Unaudited financials-For Board and Management purposes/review
MONTHLY BOARD REPORT
FY2013 (July 1, 2021 to June 30, 2013)
NCRTD Expenses by Type

As of November 29, 2012

Comparative Expenses by Type

<table>
<thead>
<tr>
<th>Classification</th>
<th>2013 BUDGET</th>
<th>2013 Expenses</th>
<th>YTD Budget Variance</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$1,903,838</td>
<td>$603,586</td>
<td></td>
<td>31.7%</td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>$696,278</td>
<td>$216,432</td>
<td></td>
<td>31.1%</td>
</tr>
<tr>
<td>Vehicle Maintenance, Repairs</td>
<td>$159,000</td>
<td>$68,228</td>
<td></td>
<td>42.9%</td>
</tr>
<tr>
<td>Utilities (phone, gas, electric, cell)</td>
<td>$65,332</td>
<td>$37,648</td>
<td></td>
<td>75.6%</td>
</tr>
<tr>
<td>Advertising</td>
<td>$61,350</td>
<td>$7,081</td>
<td></td>
<td>11.5%</td>
</tr>
<tr>
<td>Insurance (property, gen lab, vehicle, civil rights)</td>
<td>$130,000</td>
<td>$85,829</td>
<td></td>
<td>66.0%</td>
</tr>
<tr>
<td>Equipment &amp; Building Expense</td>
<td>$38,900</td>
<td>$10,593</td>
<td></td>
<td>72.2%</td>
</tr>
<tr>
<td>Office Expenses</td>
<td>$81,765</td>
<td>$13,838</td>
<td></td>
<td>16.3%</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>$37,400</td>
<td>$3,437</td>
<td></td>
<td>9.2%</td>
</tr>
<tr>
<td>Travel, meetings, lodging and per diem</td>
<td>$23,811</td>
<td>$4,282</td>
<td></td>
<td>18.0%</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>$421,300</td>
<td>$64,763</td>
<td></td>
<td>15.4%</td>
</tr>
<tr>
<td>Dues, Licenses and Fees</td>
<td>$6,600</td>
<td>$6,922</td>
<td></td>
<td>104.9%</td>
</tr>
<tr>
<td>Fuel</td>
<td>$408,600</td>
<td>$140,888</td>
<td></td>
<td>34.5%</td>
</tr>
<tr>
<td>Training &amp; Registration fees</td>
<td>$9,900</td>
<td>$650</td>
<td></td>
<td>6.6%</td>
</tr>
<tr>
<td>Railrunner, City of SF and Los Alamos</td>
<td>$4,208,280</td>
<td>$608,628</td>
<td></td>
<td>14.5%</td>
</tr>
<tr>
<td>Capital Expenses</td>
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<td>$338,393</td>
<td></td>
<td>22.4%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$9,764,680</td>
<td>$2,210,697</td>
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<td>22.6%</td>
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</table>

11/30/2012 Unaudited financials-For Board and Management purposes/review
MONTHLY BOARD REPORT
FY2013 (July 1, 2012 to June 30, 2013)
Administration Expense Summary

Year to Date Budget Variance - 41.66%

Budget to Actual FY2013
($ thousands)

<table>
<thead>
<tr>
<th></th>
<th>Budget</th>
<th>Actual</th>
<th>Inc/Dec of Budget vs Actual</th>
<th>YTD Budget Variance - 42%</th>
</tr>
</thead>
<tbody>
<tr>
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<td>$69,511</td>
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</tr>
<tr>
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<tr>
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<tr>
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<td>$59,230</td>
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<tr>
<td>December</td>
<td>$96,949</td>
<td>-</td>
<td>$96,949</td>
<td>0.0%</td>
</tr>
<tr>
<td>January</td>
<td>$96,949</td>
<td>-</td>
<td>$96,949</td>
<td>0.0%</td>
</tr>
<tr>
<td>February</td>
<td>$96,949</td>
<td>-</td>
<td>$96,949</td>
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</tr>
<tr>
<td>March</td>
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<td>-</td>
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<td>0.0%</td>
</tr>
<tr>
<td>April</td>
<td>$96,949</td>
<td>-</td>
<td>$96,949</td>
<td>0.0%</td>
</tr>
<tr>
<td>May</td>
<td>$96,949</td>
<td>-</td>
<td>$96,949</td>
<td>0.0%</td>
</tr>
<tr>
<td>June</td>
<td>$96,949</td>
<td>-</td>
<td>$96,949</td>
<td>0.0%</td>
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</table>

$1,163,388 $312,714

11/30/2012 Unaudited financials-For Board and Management purposes/review
MONTHLY BOARD REPORT
FY2013 (July 1, 2012 to June 30, 2013)
Operating Expense Summary

Year to Date Budget Variance - 41.66%

Budget to Actual FY2013
($ thousands)

<table>
<thead>
<tr>
<th>Month</th>
<th>Budget</th>
<th>Actual</th>
<th>Inc/Dec of Budget vs Actual</th>
<th>YTD Budget Variance - 42%</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
<tr>
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<td>$590,747</td>
<td>-</td>
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<td>0.0%</td>
</tr>
<tr>
<td>January</td>
<td>$590,747</td>
<td>-</td>
<td>$590,747</td>
<td>0.0%</td>
</tr>
<tr>
<td>February</td>
<td>$590,747</td>
<td>-</td>
<td>$590,747</td>
<td>0.0%</td>
</tr>
<tr>
<td>March</td>
<td>$590,747</td>
<td>-</td>
<td>$590,747</td>
<td>0.0%</td>
</tr>
<tr>
<td>April</td>
<td>$590,747</td>
<td>-</td>
<td>$590,747</td>
<td>0.0%</td>
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<tr>
<td>May</td>
<td>$590,747</td>
<td>-</td>
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</tr>
<tr>
<td>June</td>
<td>$590,747</td>
<td>-</td>
<td>$590,747</td>
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<tr>
<td></td>
<td>$7,088,966</td>
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11/30/2012 Unaudited financials-For Board and Management purposes/review
MONTLY BOARD REPORT
FY2013 (July 1, 2012 to June 30, 2013)
Capital Expense Summary

Year to Date Budget Variance - 41.66%

![Chart showing budget vs actual expenses for each month.]

<table>
<thead>
<tr>
<th>Month</th>
<th>Budget</th>
<th>Actual</th>
<th>Inc/Dec of Budget vs Actual</th>
<th>YTD Budget Variance - 42%</th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
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<td>- $</td>
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<tr>
<td>August</td>
<td>$126,027</td>
<td>$27,315</td>
<td>$98,712</td>
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<tr>
<td>September</td>
<td>$126,027</td>
<td>$255,984</td>
<td>$(129,957)</td>
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<td>$126,027</td>
<td>$32,697</td>
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</tr>
<tr>
<td>November</td>
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<td>$20,069</td>
<td>$105,958</td>
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</tr>
<tr>
<td>December</td>
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<td>February</td>
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<tr>
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</tr>
<tr>
<td>June</td>
<td>$126,027</td>
<td>- $</td>
<td>$126,027</td>
<td>0%</td>
</tr>
</tbody>
</table>

Total: $1,512,326 | $336,065 | 22.2%

11/30/2012 Unaudited financials-For Board and Management purposes/review
Finance Subcommittee

Meeting October 26, 2012,

9:00 a.m.

Present: Anthony Mortillaro, Tim Vigil, Geoff Rodgers (by telephone), Kathy Holian, Dayna Duran, Tomas Campos, Mike Kelly, Gus Martinez, Pat Lopez

Absent: Barney Trujillo

Minutes taken by: Barb Mascarenas

Tony: Introduced Hinkle & Landers auditors by conference call. Farley Venner___? introduced his staff and comments.

Farley: Present here at Hinkle & Landers are Farley, Eric Robinson, Kaitlin Constantine. We’re here to talk about the status of FY12 audit. We are selecting information to prepare the audit and still need to get them in the correct order on schedule of federal awards. Talked to Tony about that and may discuss here at this meeting. Also want to discuss any concerns of this committee. Or anything they have for Hinkle that may be different from the past and move focus from where we’ve been in the past. I’ll open that up to the committee.

Tony: Are there any questions you have about audit process or any areas you would like auditors to look at in terms of their review of FY 2012?

Tim: Comments? None. Geoff?

Geoff: Not at this time.

Tony: Farley, maybe you can touch on areas you are emphasizing this year as you go through our books.

Farley: Standard items we need to do. Request list of approximately 50 items and the difficult thing is the expenditure of federal awards. Something in the past that has been more challenging. This has gotten better in last year or so. Still need to focus on this to get clear presentation of federal awards at this point. Working on this with staff. We do have question about the travel policy.

Eric: We’ve been on site one day so far. Next week going back to your offices. We’ve taken a preliminary look at the new travel policy. Looks like it is being followed which is a definite step in the right direction. The requirements are a little more liberal than the state policy. Want to make sure that this is within realm of where it needs to be. When first read, not the same as policies done in the past. Making sure all is kosher at this point.

Tony: We’re not required, as we are our own separate governmental entity, to mimic state guidelines.
Eric: Yes, I wondered if this had to be the same. Do you get specific funds from state and then have to use that as guideline? Open to talking about this and get better understanding of this. Typical is pretty close to state or federal policy.

Tim: Use the word liberal – can you define more?

Eric: What is allowed on a daily basis? State policy is $45, NCRTD is $60. Looser in terms of dollar amounts allowed.

Tony: Tomas Campos is here. Dayna representing Taos here as well. Both staff can speak to their policies too. Confusion sometimes about whether we have to be in line with the state. Procurement policies can be set by the state model or our own. A number of entities usually tend to adopt their own policies/regulations. So long as we are not counter to anti-donation clause and best practices. Believe this is the same with travel policy. May want to talk about their own town processes.

Tomas: Ours is considered as $85. We have certain cities that we consider special rates.

Tony: Our $60 is for out-of-state travel and doesn’t include lodging.

Eric: My only concern is not an issue – you do have freedom to go above beyond state rate if necessary?

Dayna: Taos county is $85 in-state, special areas $135. Meals in-state $35, $45 out-of-state.

Eric: Federal rate varies. If it goes above federal rate it could pose a problem, but if not, no problem. Just to make sure you don’t run into any problems.

Tony: Not speaking for Los Alamos, but rates are very similar. Eric when you’re here we’ll go through the statute with you help answer this question.

Eric: Great. You are abiding by statute, but want to be clear on how they are used.

Pat: Looking at our travel policy, I think Tomas and Dayna mentioned per diem, but our policy pays directly for lodging, meals, so it is two separate items.

Eric: We’ll check the rules on this. First thought is that if we are beyond federal amount the federal amount would be the cap.

Tomas: We have direct pay on lodging and that leaves meals at a regular rate. In some instances the expenses (like Washington D.C.) are too expensive.

Eric: Sure, just communicating with you on this to make sure we get this right.

Tomas: Rio Arriba and Taos are not home-ruled. DFA was fine.

Dayna: We adopted ours (Taos) separate from state.

Tony: Federal rate for mileage?
Pat: We use the IRS rate.

Eric: Other than travel – we can talk about findings from prior year and follow up on those. Have findings of last year and most have been resolved from two years ago. 5 findings outstanding from last year to see what status is.

Tony: Those weren’t from 2011 – those were continuing findings right?

Eric: Yes. Timing issues only. Audits are caught up. Talking about controls over the general ledger, debit card, etc. limits

Eric: We will look into the per diem policy in general, whether you are missing any appropriate signatures on disbursements, the cell phone policy which you have corrected as well. We are to be professionally skeptical and check it out, but we understanding the issues are most likely going to go away. One day of field work with planning. It’s our obligation to ask if any concerns or whether anyone knows about any irregularities or fraud. Need to leave that question out there to the committee members here. If you have any concerns, you can contact us. Other than that, we are just going to run on track to meet deadline of 12/1/12. Want to make sure on the SEFA.

Tony: Original one submitted was redone by Kelly and don’t know if there are still issues. Rather than spend time here this morning, when you are here we will talk about this to modify.

Pat: Just a comment – as you’re aware we have had a lot of turnover. Our Finance staff consists of 3. It’s difficult to segregate duties with this small staff. Would that be a finding while still processing documents? Specialist hired a couple of weeks ago, but in the meantime almost impossible to segregate.

Eric: We take a look at internal controls, less people makes risk go up, handling cash and general ledger. But there is only so much you can do. If you have those risks involved, it’s our duty to inform District that there is not enough segregation and risk goes up for errors or misappropriations can occur.

Tony: Do you look at that perspective for 2012? Or current?

Eric: Period of the audit but can be subsequent when time was cut off after June 2012. Viable to address because you’d have to wait another year before dealing with this. Discussion between us whether this should go in finding report. We’ll discuss this.

Tomas: How long has it been?

Pat: End of June.

Tony: One stayed on Part-time, then we had temps to plug vacancies, there have been a few gaps, but not for extended periods. Pat indicated we now have Shannon as a permanent employee. New finance manager starts on 11/5. Kelly behind the scenes supporting us. There has been struggle with 3 people to have complete segregation, but we find ways to comply with that now that we’re consolidated and we have more people in one place to accomplish that.
Tomas: How would we check reconciliations?

Pat: Sometimes I have to do everything, payroll, checks, there was about a month were I was by myself.

Tony: We can talk more about this when you are here.

Eric: We understand the organization has gone through a lot of growth and still making some changes and getting your home base. We also understand it’s very successful. Our perspective is to find any risks in financial area.

Tony: Ok. I guess that’s it, unless the committee has specific questions.

Geoff: What is the schedule of when we next hear from auditors?

Farley: We plan to be there 11/2. Would like to get a good feel on SEFA before we continue.

Tony: If you call Pat or me or both of us, we can conference regarding the last SEFA to address any issues you have so we make best use of your time on 11/29. When is audit done? Exit conference with this committee as well?

Eric: Barring problems, a week or a few days before that. Don’t foresee any problems so long as info and could schedule that conference and still get it submitted.

Geoff: That is my question. Is there any action the board must take before this can be submitted? Don’t want to be late.

Eric: The exit conference with one board member and upper management to go over required items, is the only required item on the side of the board.

Tony: I think we were scheduled to have a subcommittee meeting on 11/30. Cutting it too close Farley?

Farley: A little close. We only need one board member so it’s up to you how to handle.

Eric: Maybe we exit with 1 board and full finance subcommittee meeting to follow. Open to that?

Geoff: I just assume that whatever date is decided upon for the exit interview you will notify the committee and you will staff it from there?

Tony: Yes. Eric’s idea that we have exit conference solely on that topic a week prior and place it back on agenda for 11/30 meeting.

Geoff: We’ve done such good work to this point, don’t want to be late.

Dayna: If due 12/1 and that falls on a Saturday, then audit due 11/30? Audit due 11/30?

Eric: Due the Monday 12/3. We will keep management apprised of progress. If any issue, we’ll let you know. Do not foresee that.
Pat: Going back to signed audit act. Eric and Kaitlin indicated more in-depth on 5311 and 5316 grant. Going back 1-2 years ago, we didn’t have a lot of documentation. We’ve made tremendous strides in last 6 months. Now able to provide documentations as they request it.

Eric: Yes, it’s a very good improvement and give you credit on that. Looks like started in 2011, but you have made definite strides in those areas.

Tony: Thank you very much and we look forward to exit conference in another 30 days. Geoff please stay on line as Farley exits.

Geoff: I’m still here.

Tomas: What was wrong with the cell phone policy?

Tony: Finding that in 2007 some of staff and the executive director weren’t following policy in terms of reimbursement. When I got here I changed this. Reimbursement was at $100 and able to use for personal calls. Two choices when I got here – can have cell if required for District duties. And you can have to have your own phone too. Or receive an allowance where District gives $52 for any way you want but the phone must be available for business. Decreased amount we paid and put in further controls.

Pat: Rates were inconsistent with employees.

Tim: Questions or comments?

Geoff: On travel policy – how do we compare with local entities around us?

Tony: When I worked on it I thought we were bringing it up to comparability. Some entities mix hotel into per diem as the state does. But as pointed out by Tomas, some rates are so high, that can’t work. Ours is in line very similar to Los Alamos County. Two rates (1) for instate and (1) for out of state. Out is $60 day/ for meals. Example: Conference includes a real lunch – not a sandwich – as part of the event, this is then deducted from employee per diem so they get breakfast/dinner coverage, but not lunch.

Tomas: Same way whether they eat it or not.

Geoff: Want to make sure that we aren’t so far out there. Making sure we are on solid ground. Don’t want black eye on how we do our travel.

Tim: Any other questions? Moving on then to petty cash policy.

Tony: Bringing this back to you. In old 2007 policy, we had the ability to establish petty cash fund. Included section on page 4. When I drafted the new policy, I took that out of there. I don’t think that belongs in procurement policy and wanted to bring this back to board to approve and authorize. What you see is draft resolution that would create and authorize use of petty cash fund. Also attached is the implementation procedures drafted in 2011 for petty cash fund which was required to have as accompanying document whenever establishing petty cash use. Under the old policy, $50 petty cash
fund was established with allowance to increase by executive director. [Read....]. Witten now to establish max at $100 for incidental and small value purchasing. Not to exceed $75 without department manager approval. Say you were purchasing cleaning supplies – you had to obtain 3 verbal quotes which did not make sense. Trying to clarify best value and common sense. 20-12-23 is the policy. Procedures are already adopted and we’ll modify if board approves to align with new policy directive. Pat has been used to this.

Pat: We also have a pcard. This is used for emergency purchase. $50 limit was insufficient. Threshold of $100 is more in line.

Tim: Questions?

Kathy: I move that we recommend to board that they adopt policy of petty cash fund as embodied in the resolution.

Tomas: I second.

Motion carried.

Tim: Creation of property disposal committee.

Tony: Came across this while at Rio Metro board. We learn from each other. I didn’t realize we had to have committee to govern disposition of obsolete materials. Hadn’t really had a need since we were all over the place. The only things we have disposed of are a number of vehicles under board approval and use of electronic auction and that turned out to be beneficial. District gained $65k from that auction. More than we would have through normal auction process. That money comes back to us for reuse of new vehicles – not to the general fund. What this resolution does is provide for creation of a committee. Specifically to review items that we have determined are obsolete. That list is then brought to board to approve resolution for disposal of those materials. Then send same to DFA for their review. We are then free to dispose. Also free to give away to political subdivision. Bunch of old furniture in our light maintenance bay that we found from our move that is not useable and some that may have value to someone. That is the purpose here.

Kathy: The proceeds go to the general fund?

Tony: Yes, back to general revenues.

Tim: If a van is bought with specific funding, the tribes are going to ask if funding came from tribal federal funds. How are those inquiries handled?

Tony: Well, you may not like this answer. They come back to the NCRTD. Although the Tribe applied, they conveyed the funds to the District for equipment to use for services to Tribes.

Tim: Make sure documentation on this because the board will be asking. I want to be prepared for that.
Tomas: I give a similar warning. They conflict a bit in that it has to be a negotiated sale and they request that they donate it. You just donate - you don't sell. If that is in mind, you can get it donated. Giving a heads-up on that.

Tony: In the scenario that Tim posed, the vans that were used in tribal service or from tribal funds – they are on the list and if they were ready for auction, the right thing to do would be to ask the tribes for first choice. First right of refusal. Would they want them though? The have high mileage or maintenance problems. We could certainly still do that.

Dayna: Similar in Taos. Auction vehicles by Ancianos and DFA said so long as money goes back to original grant’s intended use. Just need to make sure it’s for the same use.

Tomas: We depreciate. So long as fully depreciated. They didn’t actually care. We also buy vehicle out of general funds too.

Pat: I don’t recall purchase of anything from travel funds. We have used GRT.

Gus: We did use from Pojoaque and Santa Clara for 3 buses.

Tony: Vans might service tribes – 20% match.

Tim: Just telling the committee that this is going to come up and want you to be aware. Be prepared for that. What are wishes of committee?

Kathy: Move that we recommended approval of establishment of property disposal committee.

Tomas: I second.

Motion carried.

Tomas: Tony doe the online auction vs. in person generate more money?

Gus: Our first go-round we went through state auction (Bentleys) and last year in via publicsurplus.com. That avenue gave us a 25% increase and no cost to transport the items. They come to location and pick up. Very easy. We use the same one that 20 other entities use.

Dayna: Public surplus is a big success.

Mike: Bidding goes up at the end of auction.

Gus: We are charged no commission. If sold for $20k, you get $20k. Buyer pays all fees.

Dayna: Folks have come from out of state.

Gus: We had someone from North Carolina too. They do all administrative work and send us the check.

Tim: Comments?
Pat: [Letter from DOT passed out.] Approval for 5316 grant increased from $182k to $232k. $50k additional which we have to match with GRT. Budget increase ...[read.]

Tony: Chama route increased to include Wednesday due to enough requests and the board authorized that. When we got JARC funding, we moved funds to free GRT to make match on this and benefit Chama route. We didn’t have to ask for additional GRT money.

Pat: Award has been made 10/1/12 so we go to local government division for budget approval. If our board approves, then we increase with DFA.

Tim: Wishes of committee?

Tomas: Move we accept this resolution as set forth.

Kathy: I second that motion.

Tony: You would be recommending resolution to board for adoption.

Tim: All in favor?

Motion carried.

Tim: Item E.

Tony: Chairman and committee – since the District has been getting funding in 5311 and 5316, it has been required to report certain performance measures to DOT but only in relation to those funds. Since we fund many more routes that are mixed funding, we thought that those measures we send that are required don’t see the light of day other than the DOT. So why not look at developing performance measures to give to our board and constituencies. New Mexican reporter wrote some time back on my interview about costs per mile, every time I gave numbers I reminded reporter they didn’t have context to measure against. Between city/rural/fixed/commuter routes you can say that $60/mile is outside norm for services we run. I wanted to bring to the board some data and indicators that give system performance or at least some benchmarks from similar entities. But they would have to be deemed with best practices and I don’t know of any yet. We threw one in here (Valencia) and that was the best in state, but might not be the best for our purposes. My starting point to get this developed is here with the finance subcommittee. May not be mature enough after our discussion to take to the board for adoption. Once we do so, however, we would report quarterly to the board and constituents so they can see how we are operating (effectively, and maintaining fleet). We’ll go through these work pages and stop after each one to discuss.

1. Tracking of ridership. Includes everything except rail runner. Last July 26% ridership increase for all funded routes.

Kathy: Why is the number for Sandoval Valencia the same in all?
Tony: Had to straight-line them. If they start to report month by month, it would change, but as a starting point it was the best number we could get now.

Kathy: How many square miles do they cover?

Tony: They are not as large as us. Don't have a lot of routes. Can be real confusing: Rio Metro is a shell. The entity that operates and handles all administrative parts for them is MRCOG. COG shares some employees to operate. Example: Terry Doyle is the transportation director and employee of COG. Board is having discussions now who is their executive director? Thought we could use Valencia as this is the best we could find in the state. Maybe we don't use a benchmark; I'd like everyone's thoughts on this.

Ridership tracking: we operate along with demand response. Provided with graphs you see every month.


Operating costs for vehicle per mile: Sandoval/Valencia we took their report and 12 month straight-line.

Kathy: Why did it vary so much?

Tony: Can vary due to variance in miles with ridership. How much you expend in that month will then change too. You may spend more some months on fuel or maintenance and this is reflected there. If we have vacancies and have to use OT situations can also affect variance. Variety factors that influence report here.

Pat: Other costs in August might be that we pay annual premiums for coverage. True real figure is annual cost.

Mike: If we have some items purchased toward the end of the budget year and our end of tire budget is upon us, we might wait until July to use budget to order tires to pay for them. Additional costs could be at end of year.

Tony: Yes, like fluctuating gas.

Pat: Could be 3 pay periods in one month.

Tony: Any other questions? Operating costs per trip per passenger? Again will do the same thing because of differences in monthly costs. Decrease in ridership can increase costs. We have a large bus on that route and it may be more costly to operate.

Mike: Overall expenses vs. cost per trip. One 28 passenger bus may only haul 10 passengers consistently, and this is the same with distances being varied for different buses. It costs so much to run a certain type of vehicle.
Tony: Could also look on per-route basis. This year’s analysis is the Las Trampas route shows our concerns about low ridership. Allows us to have conversation about that to continue or make recommendations.

Tony: Number of vehicles on hand: not sure we should continue this page. Not going to change appreciably unless we have to buy. May spike up or down. Not sure if you think this is useful.

Spare vehicle ratio: FTA spare vehicle ratio is 20%. Fine if you have the same size fleet. But we put in the type of fleets we have and the spare in each of those types of vehicles. Are we meeting the 20% spare ratio when you look at this specially at type of vehicle? If one goes down, where is replacement? That is how we looked at this. Gus or Mike?

Mike: Have so many routes that we are running 8-14 passengers with on demand service which requires smaller vehicle. Roads are different - could be county or small roads. Have to have that ratio per each vehicle. Santa Fe at peak times uses the big bus, if that goes down, we replace the route with a smaller bus, but then may not be able to service same customers. Want to be careful to have good back up plan.

Tim: Based on your explanations: when we are looking at purchasing buses, Would it be wiser to get 2 28s and increase the number of trips?

Mikes: Where feasible we could do that. I hear what you’re saying. Where we have manpower to do so we would do that. If you have vehicle strength that would be fine. Two types of vehicles – if 40 not available then we would use 28 and 18 or 28 and 14. Given whether we have manpower to do that. Duplicate service could be necessary. Espanola proper is ok due to short bursts of time. For longer routes, that may a bigger challenge. Having enough staff to operate is difficult as well, but it could be done.

Gus: When you’re buying your next batch of vehicles, you take ridership in consideration. Tailor purchase to the route/ridership with 20% ratio. You have to look at all of that.

Tony: Like Gus says we do look at that. You’ll see measures here that measure seats used and specific times they are used. AM and PM could tell what type bus you have on that time. As Operations says, if you have 40 in morning that is full, that is what you must size for. Same way they do roads. Sized for am and pm peak times. Service level is a policy decision we make to dictate waiting time, etc. I was taking some of that concept to this determination of what size bus we have on that route. We can’t then change it for smaller. Then you need additional financed available fleet.

Total fleet vs. available monthly: Out of 35, how many are being repaired or unavailable? Interesting? Maybe we don’t need this here? Not hearing we should keep this...[all chuckle]

Average fleet age – there is an FTA guideline for this but criteria also has you look at # of miles, replacement, frequency, and cost of repairs. Not just average fleet age.

Tim: When you say a large heavy duty is good for 12 years, is that based on so many miles per year?
Gus: Yes, there is a mileage criteria also. In our case, being rural, you’ll hit 12k before that time. In one year they’re pushing 50k already.

Tim: Would chart be more accurate as miles than years?

Gus: Yes, it’s more relevant to use. Some routes average 300 miles a day. Those buses are serviced every month.

Tony: We can convert this to miles.

Tim: That would be better in the long run if presenting to the board. But also the public will look at this and start asking why we are buying more when life of it isn’t completed? If we look at miles in this area?

Mike: The year is based on metro FTA standards. In our case as rural, we should focus on mileage. The 10-5-12 year bus, depending on size and weight, but in reality it’s wise to do so to convert to miles.

Tony: We’ll change it.

Percent of completed inspections:

Gus: FTA recommends 87% and we’re above that at 96-94%. We need a fleet management software program, since now we do it all manually and hope that drivers will help out. I do have a spreadsheet to let me know when they have to be set up, but eventually we will have to look at a fleet management system.

Tony: There is some difference of opinion on this between state and FTA. In FTA/FMO review they indicate we weren’t meeting FTA standard. We argued that since we get our funds from NMDOT we only had to comply with that standard and we met or exceeded that. We decided now in this item to use the FTA standard. The state one is a certain percentage within manufacture’s measure for that vehicle.

Gus: We use the 5k service miles interval. FTA wants to use manufacture intervals based on clean fuels and clean oils, but with as many miles as we put in, we have to keep it safe. We end up penalizing ourselves, but it’s prudent.

Tim: Recommendation that if we use this chart – add line that we have opted to inspect more frequently than manufacture recommendations for the safety of our ridership and protect investment of fleet. Want them to know that we are looking at safety and also the fiscal dollars.

Gus: We’re going to do our own system of bulk fuel here at the building soon so we can use our own equipment and have better controls. System would be connected to onboard diagnostics. Good for scheduling and services and so forth. Eliminates driver data entry errors.

Tony: We’ll be sure to add that footnote.

Tony: Complaints per month: We don’t get a lot and we show this against total ridership to show some type of context. Complaints/riders.
Kathy: I notice that most complaints have to do with driver performance. Is this for 1-2 drivers they target or is it random?

Mike: I get those directly from supervisor or customer. May be issue with that driver one month. Several people may be involved in same incident. Would you like more detail in generic terms?

Kathy: a bit more would be good and then what was done to correct it.

Tony: Customer incidents – Mike?

Mike: Those are between riders a lot of the time. Non-traffic accident type incidents. They would be like an incident between driver and passenger. Or driver might have an issue with passenger who is acting out of line in some way. We document that. Incidents between riders where they may be arguing, or even about another passenger. We have to log all of these occurrences and the driver has to deal with each.

Tim: On incidents between driver/passenger, do you find that if driver logs incident like this, within so many weeks there would be a complaint against driver by passenger?

Mike: It’s actually simultaneous. Might find that there is a particular issue. We coach driver that he give very best service and be non-confrontational. If passenger feels they have not been heard or judiciously handled, there may be further interaction with the passenger. Not many repeat reporters. On-demand riders still look at the District as a taxi service and that concept brings in complaints.

Tony: On page 32 – number of accidents per 1000 miles. This doesn’t get to the severity of the accident. Could be as simple as backing up a bus and hitting a light pole. Driver error.

Tony: Mike assesses whose fault and how to insure retraining or enhance awareness of safe driving. Must be reporting this and we do want to track them. These statistics are sometimes at 100k miles, but maybe do not fit here. This is actual accidents. Any questions?

Tim: If this is going to be released, and it should be, when you first see it, the huge spike is what they will see as first impression. Wonder if we can drop the blue line totally?

Tony: Don’t show miles, just accidents?

Mike: We could internally still track miles, but eliminate the miles from the chart.

Tim: Eliminate that and it eliminates questions from public who are not aware of details.

Mike: Could also delineate with major/minor...

Tomas: If it’s major, Tony would advise board anyway.

Tony: If it involved injuries. Try to call you and notify you before news report. Most of these are buses traveling and someone hits them.
Dayna: People will jump to conclusions.

Tony: Ok – moving on. Monthly seats available and % filled. Total monthly seats. Changes based on days of service. Varies whether 28 or 31 day month. Even though our ridership is going up, and routes added as well.

Tim: I’d like to comment on this also. If I hear that the NCRTD is going to buy additional buses for additional routes, tell me why you need more when in September you were only 20% full?

Tony: This is overall for the month, not per route basis. Maybe bus we’re replacing is on a route where monthly seats available is 70%. They don’t see that here in this chart. This is just a one shot glance. I’m not sure how much higher we could get these numbers.

Tim: May not be able to because cities run at night.

Tony: In every system, you’ll find empty running. Commuter routes, won’t get a lot in middle of day. Access to own vehicles during the day,

Kathy: Compare this to something that is comparable? So we can show we’re not that far out of line?

Tim: If some other part of the country that had rural bus/miles, then we could show we’re not that far out of line.

Tony: Those are the questions and issues that I struggled with on our article a year ago. [Discussion]. One route more used than another, but the social value is still there for rural areas. We can’t put dollar value on medical appointments, work, degree seekers, or the dollar value to the community. Can’t quantify it, but it is valuable. If we can find benchmark for those routes, they may not even want to look at those numbers. It begs dialogue.

Mike: When our routes run the first run as the full commuter, then lighter they can shut down at midday, then start picking back up and end of day. Fairly well targeting service for being a rural service area.

Tony: Somewhere routes are split. Folks may draw conclusions from this but they don’t have anything to compare it to. It’s a number we need to be aware of to measure our efforts to increasing ridership. If not adding routes, and we keep promoting ridership, we should start to see numbers rise each year. There is a point where have to see what is the right number on gross basis.

AM/PM peak hours chart: If chart showed each route with am/pm peak they would show some highs.

Tomas: This looks skewed since you have the upper tip of graph.

Tony: Seat numbers are. Look at morning and evening seat available vs. monthly basis.

Tomas: A couple of hundred different makes it look...

Tony: Yes, but am/pm peak roadways would show that as well.
Mike: If we ran 7 days per week, the graphs would be more consistent. Calendar now throws it off with holidays, etc.

Tony: That covers that piece. I want to take this to board, but in light of comments, we’ll come back in December with revisions and then may be put on board meeting agenda in December.

Tim: Does committee have any additional questions? Comments? Changes? If so, forward them to Tony. He will make committee aware of changes.

Kathy: How will this info be presented in the board packet each month?

Tony: It may be quarterly rather than monthly since much doesn’t change. Would be part of the board packet. I think every month some won’t change. We will still include our ridership report monthly as we presently do.

Tony: FTA/FMO – Interested in keeping you informed on our reply. As you can see the input that for the most part we have addressed a lot. Minor implementation things that we need to do. Don’t want same person in AP also receiving the billing in mail. Opening, logging, and input to system to pay. That’s exactly what we used to do when separate. Now that we are in the same building, mail comes to Barb, and she distributes to AP. We’re still working on these things, but no qualms about being able to comply to the extent our staff allows us.

This was sent in Sept. I didn’t want to reply until board acted on procurement rules. When passed and we could then report. Could have been a little later but it was a review, not audit. Help us modify practices align more with FTA requirements.

Tomas: Does FTA send someone to look into this?

Tony: Yes, a contractor comes out on behalf of FTA to do review. SF Trails had same issues. Could depend on interpretation of FTA requirements. People question why we even got a review, but we don’t get direct operating review, they pass through state. The state received an FMO review as well.

Pat: We have separate line codes for each office. We had single line item entries and they wanted us to do line variance on each one. Looked like we were overspending at line codes, but this fiscal year we categorized them.

Tony: That’s it Mr. Chair.

Tim: any other questions or comments?

Kathy: I will be gone on 11/30/12.

Tony: We can certainly move up the next meeting date if need be. I will further discuss with Tim. Otherwise, all items will be on this month’s board agenda, except performance measures.

Adjourned 11:30 a.m. – Barb Mascarenas
EXECUTIVE REPORT  
For December 2012

EXECUTIVE

- NCRTD hosted the monthly New Mexico Passenger Transit Authority Board meeting.
- Presented legislative change to Transit GRT distribution at the Legislature's Revenue Stabilization and Tax Policy Committee.
- Met with Auditors to discuss audit and final draft.
- Provided orientation to new Finance Manager, Glenda Aragon.
- Closed out building construction issues with Builder.
- Continued negotiations with Teamsters Union, drafted and exchanged proposals regarding non-economic and economic issues.
- Issued RFP for Transit Service Plan Update.
- Reviewed RFP replies for Legal Services.
- Continued review and refinement of performance measures for NCRTD.
- Met weekly with Board Chair Barrone on various issues.
- Continued revision and creation of various NCRTD policies.
- Created and put together materials for the November Finance Subcommittee meeting and December Board meeting.
- Maintained continuous communication with board members, subcommittee members, and Chairman.
- Attendance at various NCRTD staff and subcommittee meetings, including Board, Finance and Tribal subcommittee.
- Addressed a variety of employee human resources issues and prepared memorandums to document NCRTD actions.
- Met weekly with key NCRTD staff.

Operations

- Participated with Executive Director in continued Teamster's Union negotiations.
- Attended the Northern Pueblos Regional Planning Organization for Grants presentation.
- Continued progress utilizing Federal grant funds with Los Alamos County regarding the joint procurement of dispatch software with AVL components.
- Participated in interviews for open Driver positions.
- Developed and drafted NCRTD Facility Usage and Rental Policy.
- Developing performance measures and ridership maintenance reports.
- Working with Fleet Manager to finalize and roll-out bus bid process.
- Developing RFP for fuel station facility for the Jim West Transit Center.
Marketing/Public Information Office

- KDCE – 950 AM radio in Espanola, :30 sec radio spot and sponsorship of the 7:30 AM news ran 17 days in November, excluding Saturdays and Sundays.
- KSWV 810-AM in Santa Fe, :30 sec spot ran 20 times in November as well as 30 :20 second promos announcing RTD sponsorship of the NM Trivia question of the day during the 7:30 AM half hour.
- Green Fire Times ¼ page ad ran in November issue.
- Chama Valley Times ¼ page ad ran in November issue.
- Drafted “Quick Facts” overview of NCRTD to use as handouts and to post on www.ncrtd.org at the request of NMDOT.
- Developed, wrote and implemented the NCRTD Crisis Communication Plan.
- Received 250 completed/printed 2012 Annual Reports.
- Met with LyAnn Vigil, advertising representative for Rio Grande Sun to discuss advertising program for the paper.
- Met with Louis Codone, Taos News about developing an advertising program for the paper.
- Met with New Mexico Works, Espanola office about NCRTD service.
- Met with representatives of MRCOG, NMDOT, Santa Fe Trails and New Mexico Department of Veteran Affairs, to discuss joint marketing efforts promoting transportation services to Veterans in support of the Veterans Transportation and Community Living Initiative.
- Met with Big Brothers/Big Sisters of Northern New Mexico to discuss their doing a presentation at NCRTD in December.
- Prepared remarks and presentation for NCRTD presentation to the Taos County Board of Commissioners.