



RIO METRO

REGIONAL TRANSIT DISTRICT

BOARD OF DIRECTORS MEETING

Friday, June 17, 2016

12:00 p.m.

809 Copper Ave. N.W., Albuquerque, NM 87102

AGENDA

Call to Order

(The presence of a quorum will be noted.)

Approval of the June 17, 2016 Agenda

Tab 1 **Approval of the May 20, 2016 Action Summary**

PUBLIC COMMENT

Tab 2 Anyone who wishes to address the RMRTD Board must register with the Secretary of the Board

DISCUSSION AND INFORMATION ITEMS

Tab 3 **Staff Reports:**
-ABQ RIDE
-NCRTD
-Rio Metro RTD

Tab 4 **Rio Metro Regional Transit District Staffing & Structure Discussion**

FINAL ACTION ITEMS

Tab 5 **Confirmation of Officers**

Tab 6 **Open Meetings Resolution & Establishment of the Fiscal Year 2017 Meeting Schedule**
R-16-06 RMRTD

OTHER BUSINESS AND NOTES

Next Meeting: Friday, August 19, 2016 at 12:00 p.m.

Anyone requiring special accommodations is requested to notify Barbara Thomas at (505)247-1750 at least three days prior to the meeting.



RIO METRO
REGIONAL TRANSIT DISTRICT

ACTION SUMMARY

Friday, May 20, 2016
12:00 p.m.
809 Copper Ave. N.W.
Albuquerque, NM 87102

Maggie Hart Stebbins, Chair

Diane Gibson, Vice Chair

ORGANIZATION		MEMBER		ALTERNATE
Bernalillo County		Debbie O'Malley, Commissioner	X	Richard Meadows, Clay Campbell Dan McGregor
	X	Maggie Hart Stebbins, Commissioner, <i>Vice Chair</i>		Dan McGregor Richard Meadows
		Lonnie Talbert, Commissioner	X	Nolan Bennett Richard Meadows
Sandoval County		Darryl Madalena, Commissioner		James Dominguez Phil Rios
Valencia County		Charles Eaton, Commissioner		Vacant
City of Albuquerque	X	Isaac Benton, Councilor		Diane Dolan
	X	Diane Gibson, Councilor		Chris Sylvan
		Ken Sanchez	X	Tom Menicucci
	X	Patrick Davis, Councilor		Sean Foran
		Don Harris, Councilor	X	Tom Menicucci
		Richard Berry, Mayor	X	Bruce Rizzieri
		Rob Perry		
City of Belen		Jerah Cordova, Mayor	X	Steven Tomita
City of Rio Rancho		Dawnn Robinson, Councilor		Scott Sensanbaugher
	X	Jim Owen, Councilor		Peter Wells
Town of Bernalillo	X	Jack Torres, Mayor		Ida Fierro Maria Rinaldi
Village of Bosque Farms	X	Wayne Ake, Councilor		
Village of Corrales		John Alsobrook, Councilor		Pat Clauser, Ennio Garcia Miera
Village of Los Lunas		Charles Griego, Mayor		Michael Jaramillo
Village of Los Ranchos de Albuquerque		Larry Abraham, Mayor		Kelly Ward
ASSOCIATE MEMBERS				
Isleta Pueblo		Kathy Trujillo		Vacant
NON-VOTING ADVISORY MEMBERS				
ORGANIZATION		MEMBER		ALTERNATE
NCRTD	X	Anthony Mortarillo		Jim Nagel
MRCOG STAFF PRESENT				
Terry Doyle, Barbara Thomas, Dewey Cave, Robert Gonzales, Josi Vigil, Conni Vigil, Gil Melgarejo, Grant Brodehl, Matthew Wylie, Larry Horan, Vangie Gabaldon				

AGENDA

Call to Order

The meeting was called to order at 12:10 p.m. by Chair Maggie Hart Stebbins, Bernalillo County. The presence of a quorum was noted.

Approval of Agenda

Action Taken:

Chair Hart Stebbins made a motion to:

APPROVE THE AGENDA FOR MAY 20, 2016

The motion was seconded by Bruce Rizzieri, City of Albuquerque, and passed unanimously.

Tab 1

Approval of Action Summary of February 19, 2016

Action Taken:

Ms. Hart Stebbins made a motion to:

APPROVE THE ACTION SUMMARY OF FEBRUARY 19, 2016

The motion was seconded by Dawnn Robinson, City of Rio Rancho, and passed unanimously.

PUBLIC COMMENT AND REPORTS

Tab 2

Mr. Donald Gallegos requested to address the Board regarding the FRA proposed rule requiring two-person crews on trains. Mr. Gallegos asked for the support of the Board.

Terry Doyle, Director of the Rio Metro Regional Transit District, said that the New Mexico Rail Runner Express has two-person crews and asked Mr. Gallegos if he know of any other train operating in New Mexico that do not. Mr. Gallegos said he did not and a brief discussion followed.

At this point in the agenda, two crew members from Rail Runner, Karissa Offutt (conductor) and Chevy Bridges (security), were recognized with a certificate for saving a life on the train.

Robert Gonzales, Rail Runner Express Operations Manager, noted that the Rail Runner crews are certified every two years in CPR.

FINAL ACTION ITEMS

Tab 3

Election of Vice Chair

Chair Hart Stebbins explained that when the election for new officers was held, Lonnie Clayton was nominated for the position of vice chair. Mr. Clayton respectfully requested that the decision be postponed until after the elections in the City of Rio Ranch. Subsequently, Mr. Clayton did not win the seat and therefore will not be on the RMRTD Board. Mr. Hart Stebbins asked for nominations.

Bruce Rizzieri nominated Mayor Wayne Ake (Village of Bosque Farms) and Isaac Benton nominated Councilor Diane Gibson (City of Albuquerque).

On a vote of seven (7) to six (6), Councilor Gibson was elected as vice chair.

Tab 4

R-16-03 RMRTD

Approval of City of Rio Communities Request for Membership on the RMRTD Board

Mr. Doyle presented the request from the City of Rio Communities and noted that their own resolution and their letter of request were included in the agenda packet. Discussion followed regarding regionalism and membership requirements. Board members spoke in favor of the request.

Action Taken:

Ms. Hart Stebbins made a motion to:

APPROVE THE CITY OF RIO COMMUNITIES AS A VOTING MEMBER OF THE RIO METRO REGIONAL TRANSIT DISTRICT BOARD

The motion was seconded by Debbie O'Malley, Bernalillo County, and passed unanimously.

Mr. Bob Skerry of the City of Rio Communities, was welcomed to the table.

Tab 5
R-16-04 RMRTD

Approval of the RMRTD Short Range Plan Update 2017-2023

Mr. Doyle presented the RMRTD Short Range Plan Update for approval.

Mr. Doyle explained that Section 5 of the RMRTD by-laws states that the annual budget must be prepared based on a five (5) year financial plan; that the FAST (current federal transportation bill) requires transit agencies to track service performance and transit assets; that the RMRTD Short Range Plan includes a minimum five (5) year financial plan for the District, annual service performance measures for the District, and a capital and asset plan for the District.

He also said that the RMRTD Short Range Plan will be updated annually to continue and/or amend the goals and objectives of the District; to update the financial plan for the District consistent with projected revenues and grants; to update District performance measures consistent with federal and state requirements; to update the District capital and asset plan consistent with federal asset management system requirements.

Mr. Doyle said that the Update is the fourth annual update of the Short Range Plan. This update is in the form of an addendum to the plan that includes changes to the financial plan and to the RMRTD capital needs, and provides the basis for approving the RMRTD FY 2017 Budget.

Mr. Doyle presented information on revenues and expenditures for operations as well as the issue of positive train control (PTC); projects and progress of the vision plan and the financial outlook for the Rail Runner. He noted that the Budget and Finance Committee had reviewed the budget at a meeting earlier in the week and had recommended approval.

Mr. Doyle stood for questions and thanked the staff who have worked on the budget.

Action Taken:

Ms. Hart Stebbins made a motion to:

APPROVE THE RMRTD SHORT RANGE PLAN UPDATE FOR 2017-2023

The motion was seconded by Mr. Rizzieri and passed unanimously.

Tab 6
R-15-05 RMRTD

Approval of the RMRTD FY 2017 Budget

Mr. Doyle presented the 2017 RMRTD Budget. An analysis of the budgets for the New Mexico Rail Runner Express and for RMRTD Operations were summarized. Mr. Doyle said that each program in the budget is described separately and the budget includes a table illustrating expenditures by program element for both the bus and rail operations. The budgets also include tables illustrating total projected revenues and projected balances for bus and rail.

Mr. Doyle stood for questions.

Action Taken:

Ms. Hart Stebbins made a motion to:

APPROVE THE RMRTD FY 2017 BUDGET AS PRESENTED

The motion was seconded by Steven Tomita, City of Belen, and passed unanimously.

DISCUSSION AND INFORMATION ITEMS

Tab 7 **FTA 2015 Triennial Review Findings Resolution Update**

Mr. Doyle presented information on the letter received by the FTA informing the RMRTD that all findings in the FY 2015 Triennial Review have been resolved. The Review was an exhaustive examination of the requirements to receive federal monies. In March, Mr. Doyle said, all findings have been closed out. Mr. Doyle thanked the RMRTD staff.

Chair Hart Stebbins thanked Mr. Doyle and the staff for their work.

Tab 8 **Follow Up on the Rio Metro Regional Transit District Report to the Board of Directors on Staffing and Structure – February 2012**

Ms. Hart Stebbins opened the presentation with a short history of the creation of the RMRTD and continued with discussion of the structure and association with the MRCOG. Mr. Dewey Cave is the Executive Director of the MRCOG and Chief Executive Officer of the RMRTD; Mr. Doyle is the Director of the RMRTD. Staffing for the RMRTD is provided through the MRCOG and this arrangement has been in place since the Transit District was established in 2005 and has provided for effective leadership and structure. Ms. Hart Stebbins said she would like for the relationship to be examined and to ascertain if there are conflicts and what the costs would be should the two organizations separate.

Discussion followed, primarily concerning funding and finance issues. Mr. Cave said it would be beneficial to do a study on the impacts, financial and structural and suggested further discussion at the next Board meeting.

REPORTS

Tab 9 **Reports:**

- ABQ Ride – Bruce Rizzieri presented information on the ART project noting that utility relocation is now proceeding at the cost of the City of Albuquerque and would continue even if the ART project does not go forward. He also said that there are currently two lawsuits pending.
- North Central RTD – Anthony Mortarillo said a merger with the Santa Fe Trails Bus Company is under consideration and an agreement for transit services with the Jicarilla Apache Nation is under way.
- Rio Metro RTD – Mr. Doyle noted that Jay Faught has left the RMRTD and Allyne Clark has been appointed to the position of marketing director. He again thanked staff for their work on the budget and the short range plan.

- Mr. Cave welcomed Mayor Wayne (Village of Bosque Farms), Councilor Jim Owen (City of Rio Rancho) and Councilor Pat Davis (City of Albuquerque) to the Board.

The meeting was adjourned at 1:25 p.m.

Maggie Hart Stebbins, Chair
Rio Metro Regional Transportation Board

ATTEST:

Dewey V. Cave, Executive Director



Tab 5

STAFF ANALYSIS OF
Confirmation of Board Chair and Vice-Chair for FY17

The current RMRTD Chair was elected by the Board at their February 2016 meeting; the current RMRTD Vice-Chair was elected by the Board at their May 2016 Meeting. These elections were the result of the past Chair not running for re-election in City of Albuquerque Council District 6 and stepping down as an RMRTD Board Member in December 2015.

RMRTD routinely holds elections of officers during its June meeting. Since the Chair and Vice-Chair were elected during the last two RMRTD Board meetings, and both the Chair and Vice Chair are willing to continue in their capacities as RMRTD officers. It would be appropriate for the RMRTD Board to vote to confirm their positions for FY17.



Tab 6

STAFF ANALYSIS OF R-16-06 RMRTD

Requested Action

Approve R-16-06 RMRTD: OPEN MEETINGS RESOLUTION & ESTABLISHMENT OF MEETING SCHEDULE FOR RIO METRO REGIONAL TRANSIT DISTRICT BOARD OF DIRECTORS FOR FY17

Reason for Request

- The New Mexico Open Meetings Act, Sections 10-15-1 et seq. NMSA 1978 establishes requirements for meetings conducted by public bodies. All meetings that consist of a quorum of the members of the public body, held for the formation of public policy are required to be public meetings unless the meeting fits within limited exceptions contained in the Act.
- By statute, the Board is required to annually adopt a policy regarding open meetings. Resolution R-16-06 fulfills the Board's duty to adopt a policy regarding open meetings.
- The RMRTD bylaws require the Board to annually schedule and announce the regularly scheduled board meetings for the upcoming fiscal year. Resolution R-16-06 RMRTD fulfills the Board's duty to schedule upcoming meetings.

Review / Analysis

Adopt the Open Meeting Policy for the RMRTD and announce the regularly scheduled board meetings for the upcoming fiscal year.



RESOLUTION: R-16-06 RMRTD

**OPEN MEETINGS RESOLUTION & ESTABLISHMENT OF THE FISCAL YEAR 2016 -
2017 MEETING SCHEDULE FOR THE RIO METRO REGIONAL TRANSIT DISTRICT
BOARD OF DIRECTORS**

1 **WHEREAS**, Section 10-15-1(B) of the Open Meetings Act (Sections 10-15-1 through
2 10-15-4 NMSA 1978) states that all meetings of a quorum of members of any board,
3 commission, administrative adjudicatory body, or other policy making body of any state
4 agency, any agency or authority of any county, municipality, district, or any political
5 subdivision, held for the purpose of formulating public policy, including the development of
6 personnel policy, rules, regulations or ordinances, discussing public business or for the
7 purpose of taking any action within the authority of or the delegated authority of any board,
8 commission or other policymaking body are declared to be public meetings open to the
9 public at all times, except as otherwise provided in the constitution of the State of New
10 Mexico or the Open Meetings Act. No public meeting, once convened, that is otherwise
11 required to be open pursuant to the Open Meetings Act shall be closed or dissolved into
12 small groups or committees for the purpose of permitting the closing of the meeting;

13 **WHEREAS**, Section 10-15-1 (C) allows a public body to provide members of a
14 public body to participate in a meeting of the public body by means of a conference
15 telephone or other similar communicating equipment when it is otherwise difficult or
16 impossible for the member to attend the meeting in person, provided that each member
17 participating, by conference telephone can be identified when speaking, all participants are

18 able to hear each other at the same time and members of the public attending the meeting
19 are able to hear any member of the public body who speaks during the meeting;

20 **WHEREAS**, Section 10-15-1(D) of the Open Meetings Act requires the Board of
21 Directors of the Rio Metro Regional Transit District (“RMRTD”) of New Mexico to determine
22 annually what constitutes reasonable notice of its public meetings; and

23 **WHEREAS**, Section 10-15-4 of the Open Meetings Act provides that all provisions of
24 the Open Meetings Act shall be enforced by the attorney general or by the district attorney
25 in the county of jurisdiction. However, nothing in that act shall prevent an individual from
26 independently applying for enforcement through the district courts, provided that the
27 individual first provides written notice of the claimed violation to the public body and that the
28 public body has denied or not acted on the claim within fifteen days of receiving it. A public
29 meeting held to address a claimed violation of the Open Meetings Act shall include a
30 summary of comments made at the meeting at which the claimed violation occurred; and

31 **WHEREAS**, Section 10-15-4(c) of the Open Meetings Act provides that the district
32 courts of the state shall have jurisdiction, upon the application of any person to enforce the
33 purpose of the Open Meetings Act, by injunction, mandamus or other appropriate order.
34 The court shall award costs and reasonable attorney fees to any person who is successful
35 in bringing a court action to enforce the provisions of the *Open Meetings Act*. *If the*
36 *prevailing party in a legal action brought under this section is a public body defendant*, it
37 shall be awarded court costs. A public body defendant that prevails in court action brought
38 under this section shall be awarded its reasonable attorney fees from the plaintiff if the
39 plaintiff brought the action without sufficient information and belief that good grounds
40 supported it; and

41 **WHEREAS**, the RMRTD bylaws state the Board annually shall adopt a regular
42 schedule of monthly meetings for the upcoming fiscal year including the date, time and
43 location of the regularly scheduled monthly meeting,

44 **NOW THEREFORE BE IT RESOLVED BY THE RIO METRO REGIONAL**
45 **TRANSIT DISTRICT BOARD OF DIRECTORS THAT:**

- 46 1. Regular meetings of the Board of Directors shall ordinarily be held as established by
47 the board for the fiscal year. For the purposes of regular meetings, notice
48 requirements are met if notice of the date, time, place, and information on how the
49 public may obtain an agenda, is placed as a legal notice in newspapers of general
50 circulation in the state at least seven (7) days in advance of the meeting date.
51 Written notice shall also be mailed by U.S mail or Facsimile or electronic mail notice
52 to those broadcast stations licensed by the Federal Communications Commission
53 and newspapers of general circulation which have made a written request of the
54 RMRTD for notice of public meetings. A proposed agenda will be posted in the
55 offices of the RMRTD seven (7) days before the meeting, located at 809 Copper
56 Ave. NW, Albuquerque, New Mexico; and will be available on the RMRTD website
57 at www.riometro.org seven (7) days before the meeting; and
- 58 2. The final agenda will be posted in the offices of the RMRTD not less than seventy-
59 two (72) hours prior to the meeting; and will be available on the RMRTD website at
60 www.riometro.org not less than seventy-two (72) hours before the meeting; and
- 61 3. In the event that it is difficult or impossible for a Board Member to attend a Board
62 Meeting in person, the Board Member may participate by teleconference in any
63 meetings provided that the Board member notifies the Executive Director of RMRTD
64 of the Board Member's desire to attend the meeting via teleconference at least forty-
65 eight (48) hours prior to the meeting; and

66 4. Special meetings of the Board of Directors may be called by the Chair or a majority
67 of the members upon three (3) days' notice. For the purposes of special meetings,
68 notice requirements shall be met by posting notices in the offices of the RMRTD.
69 Facsimile or electronic mail notice of such meetings shall be provided to those
70 broadcast stations licensed by the Federal Communications Commission and
71 newspapers of general circulation that have made a written request of the RMRTD
72 for notice of public meetings; and

73 5. Emergency meetings of the Board of Directors are meetings called under circum-
74 stances which demand immediate action by that board. Although the Board will
75 avoid emergency meetings whenever possible, such circumstances may occasion-
76 ally arise. Emergency meetings of the Board may be called by the Chairman or a
77 majority of the members upon twenty-four (24) hours' notice. For the purposes of
78 emergency meetings, notice requirements shall be met by posting notices in the
79 offices of the RMRTD and on the Rio Metro website. Facsimile or electronic mail
80 notice of such meetings shall be provided to those broadcast stations licensed by
81 the Federal Communications Commission and newspapers of general circulation
82 that have made a written request of the RMRTD for notice of public meetings; and

83 6. Pursuant to Section 10-15-1(H)(I) NMSA 1978, the Board of Directors may close a
84 meeting to the public if the subject matter of such discussion or action is included in
85 Subsection I of the Open Meetings Act, Section 10-15-1 NMSA 1978. If any such
86 board meeting is closed pursuant to Section 10-15-1(H)(I) NMSA 1978, such
87 closure:

88 (a) if made in an open meeting, shall be approved by a majority vote of a
89 quorum of the members of such board and authority for the closure
90 and subject to be discussed shall be stated in the motion calling for the

91 vote on a closed meeting. The vote on a closed meeting shall be
92 taken in an open meeting and the vote of each individual member is to
93 be recorded in the minutes. Only those subjects announced or voted
94 upon prior to closure by such board may be discussed in a closed
95 meeting; and

96 (b) if called for when such boards are not in an open meeting, the closed
97 meeting shall not be held until public notice, appropriate under the
98 circumstances, stating the specific provision of law authorizing the
99 closed meeting and subject matter is given to the members and to the
100 general public; and

101 7. Notwithstanding any provision, the Chair may establish such additional notice as
102 may be deemed advisable.

103

104 **AND BE IT FURTHER RESOLVED BY THE RIO METRO REGIONAL TRANSIT**

105 **DISTRICT BOARD OF DIRECTORS THAT:**

106 The schedule of regular meeting of the Board of Directors of the Rio Metro RTD for Fiscal
107 Year 2017 will occur on the third Friday of the month at 12:00 p.m. in the Mid-Region
108 Council of Governments Board Room located at 809 Copper Avenue NW, Albuquerque,
109 New Mexico. For Fiscal Year 2017 this meeting schedule corresponds to the following
110 dates:

111

112	August 19, 2016	September 16, 2016	
113	October 21, 2016	November 18, 2016	December 16, 2016
114	January 20, 2017	February 17, 2017	March 17, 2017
115	April 21, 2017	May 19, 2017	June 16, 2017

116 **PASSED, ADOPTED, AND APPROVED** this 17th day of June 2016 by the Board of
117 Directors of the Rio Metro Regional Transit District.

Maggie Hart-Stebbins
Chair
RMRTD Board of Directors

ATTEST:

Dewey Cave
Chief Executive Officer