

**South Central RTD  
Board of Directors Meeting  
Wednesday,  
July 21, 2022 - 1:30 PM**

**MINUTES**

**MEMBERS PRESENT:**

Javier Perea, RTD Chair, City of Sunland Park  
Nora Barraza, RTD Vice Chair, Town of Mesilla  
Lynn Ellins, Doña Ana County  
Diana Murillo, City of Anthony  
Majorie Powey, Village of Williamsburg  
Yvonne Flores, City of Las Cruces

**MEMBERS ABSENT:**

Peter Atencio, Village of Hatch  
Sharon Thomas, Citizens Advisory Committee

**SCRTD STAFF:**

David Armijo, SCRTD Executive Director  
Sara Vasquez, SCRTD  
Cristina Gamboa, SCRTD  
Adam Shea, SCRTD

**OTHERS PRESENT:** Becky Baum, RC Creations, LLC, Transcriptionist

Javier Perea called the meeting to order at approximately 1:40.

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

ALL STAND FOR THE PLEDGE OF ALLEGIANCE.

**3. ROLL CALL**

A quorum was determined to be present.

**4. APPROVAL OF THE AGENDA**

Chair Perea stated they need to remove item 16. Amendment motioned by Councilor Flores, second by Nora Barraza. Passed unanimously.

**5. PUBLIC INPUT**

There was none.

**6. APPROVAL OF SCRTD MEETING MINUTES OF June 22, 2022**

There were no changes to the minutes. Motioned by Flores, seconded by Barraza. Passed unanimously.

**7. EXECUTIVE DIRECTOR'S REPORT**

David Armijo gave the Executive Director's report. The annual report is a 20 page pdf report with all the financials from the staff and other activities done. Key points include ridership, funding, fleet planning, section 5307 funds, and urban funds received which were split between Roadrunner and SCRTD. The fiscal report has two different ridership reports; SCRTD fiscal year is July to June and the federal transit database is October through September. The close of fiscal year in September was 61,393 ridership; right now they are above that level. Ridership is starting to fall this month but will hopefully still be in 8,000; school buses are coming back which will bring up ridership. Overall ridership is doing very well. SCRTD fiscal year is up roughly 45%. The DOT grant as awarded had SCRTD as number four in ridership.

The fleet is getting closer at moving on the area of electric vehicles. Since last month's meeting they received an invitation through El Paso MPO to do a call for project. The opportunity is generally for money for southern New Mexico; historically, DOT. Now that SCRTD is a grantee they qualify for some of the money; Congestion Mitigation Air Quality (CMAQ) funds. There are many discussions on the nonattainment the EPA looks at for quality in Sunland Park area. Mr. Armijo has a meeting tomorrow to defend the application; the process will take roughly two months. Due to the zero emission plans and the other electric grants he had a lot of information in pricing for these vehicles: \$1.2 million for midsize buses. Mr. Armijo will know more next month; there is a good chance to receive this one. There's another grant they have applied for which is a national grant. The current plan is to have all electric vehicles within 10 years; only conditions are funding and technical issues. The money will be coming from a number of sources; some will be infrastructure which is needed prior to additional buses. The infrastructure money is available this and next year. There was discussion on how SCRTD asks for money from legislature; they ask for money for local matches and look for grants.

This next round they will ask the state for funding as it is not limited to this small area. They do not specifically approach legislators at this time; the only group that has a viable program in the planning process is RoadRUNNER; SCRTD is not far behind them. Mr. Armijo intends to approach the governor in regards to funding. Mr. Armijo stated that he couldn't have done as well with the grants without the help of El Paso Electric Company. Staff expect paratransit will be something they

will have more discussion on as they move through the year. There is an opportunity for a 5310 grant application from El Paso. The application deadline is in September; very quick. The El Paso grant provides a small amount of operating funding; roughly \$900,000 a year for two years that covers both El Paso and SCRTD service area. Mr. Armijo is submitting a letter of interest to New Mexico for next year's grants; both 5311 and 5310 for seniors. They discussed with the state on a new bus and decided to hold off until the new fiscal year on September 1st; very few buses are being built across the country. This will be a normal gasoline bus as the company doesn't have a good reputation for electric buses; can be used as paratransit as it is a smaller bus of 14 passengers.

This year they received a letter from El Paso Sun Metro to go to the regional office and receive \$221,000. That's been expanded as a full allocation of \$698,000 for the urban area in the south. There was another letter received for \$49,000 for the Mesilla Valley area in Las Cruces. This amount can be for operating which may be used for labor or fuel. The service area of Mesilla Valley was shown. The Garfield Route is the Green Route; it is through Hatch to Las Cruces. There was discussion on ridership to Garfield; Green Route shows ridership at 7,000 which is different from the Garfield ridership of 4,000.

## **CONSENT AGENDA**

**8. DISCUSSION AND APPROVAL OF REVISED RESOLUTION AUTHORIZING THE FILING OF SECTION 5307 APPLICATION WITH THE FEDERAL TRANSIT ADMINISTRATION**

**9. DISCUSSION OF FY2023 NMDOT 5311 AWARD FOR FUNDING**

Motioned by Nora Barraza, seconded by Councilor Flores. Passed unanimously.

## **AGENDA ITEMS**

**10. DISCUSSION AND RESOLUTION APPROVING THE FOURTH QUARTER DFA REPORT**

Councilor Flores moved to switch the items so they go over the Fourth Quarter report, budget amendment, and then approve the annual FY23 budget. There was no objection.

Adam Shea gave the presentation. SCRTD went through 96.6% of the budgeted expenditures, leaving roughly \$70,000. In revenue they have received roughly 69% of the overall operating revenue much of which carries over into the next fiscal year. The capital appropriations received is roughly 5% due to only acquiring a van and bus; the remaining funds of almost \$500,000 will carry over into the next fiscal year. This is good as the buses are already on order and just waiting for them to come in. Nora Barraza asked how they were able to expend 96.6% when

they've only received 69%. Mr. Shea clarified that the primary revenue for operating go from October to September and so there is still three months remaining. Federal fiscal year starts in July which is why there is the confusion with funds. The bank balance as of the end of June amounts to a total of \$35,257.70' today it's roughly \$240,000 as the state revenues just came in today. The federal funds which carried over amount to roughly \$300,000. They were able to cover all expenditures and the current balance is over \$200,000. Nora Barraza recommended that the most up to date information be provided for future quarterly reports.

Motioned by Nora Barraza, seconded by Councilor Flores. Passed unanimously.

**11. DISCUSSION AND RESOLUTION APPROVING THE BUDGET AMENDMENT #4 FY2022**

Adam Shea gave the presentation. In the amendment the first page is the expenditures. This amendment is in regards to transferring funds from one expense item over to another to balance at the end. This gives a remaining budgeted expense of \$69,559.75.

Motioned by Nora Barraza, seconded by Councilor Flores. Passed unanimously.

**12. DISCUSSION AND RESOLUTION APPROVING ANNUAL FY2023 BUDGET**

Adam Shea gave the presentation. As per the recommendations from the Board the 3.5% COLA increases the expenditures by 11.5% for a total of \$2,152,236.64 in expenditures. The personnel and wages include an increase of a data entry clerk and maintenance technician. The revenue is an increase of 4.5% operating to a total of \$2,152,237.18 which increased over FY22 budget by \$92,261.34. The operating and expenditures will give a balance of approximately \$1,627.40. Nora Barraza asked if the increase in expenditures include the capital appropriations; no it's just the operating revenue. The expenditures and revenues balance due to an expenditure balance of remaining amount of over \$70,000. The expenditure amount for FY22 doesn't include the amendments; the balance is actually \$2,016,784.09 after the amendments. That means the change will be less than the 11.5%.

This past fiscal year the SCRTD was quite aggressive in trying to pay down bills as well as purchasing new buses which created many amendments of transferring cash. The hard close on June 30th is not complete due to other variables such as expenditures and additional money coming in. Mr. Armijo and Mr. Shea are working toward a goal of having \$100,000 in the bank account. The next month's finances will be very different as well but closer to what it should be. The carryover will just have to be there until the buses come in. Nora Barraza suggested adding a column that says carryover. As far as the amounts that carryover the \$66,000 is part of the amount on the 5311. Sunland Park and Anthony are broken out from

the SCRTD due to receiving funds from Texas to help in that facility. There was discussion on the different routes; Anthony and Las Cruces were put into one grouping of routes leaving Sunland Park. Staff has been asked by NMDOT and Sun Metro to separate the two funding sources. Nora Barraza suggested changing the heading as it makes it seem that only Sunland Park and Anthony are receiving funding when it's based on north and south areas; Mr. Shea will correct it by making it total expenditures rather than split.

Motioned by Nora Barraza, seconded by Councilor Flores. Passed unanimously.

**13. DISCUSSION AND RESOLUTION APPROVING THE DISTRICT'S INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN**

Adam Shea gave the presentation. There are five projects moving forward and it has been updated in the system. A resolution needs to be provided to the state that these are the projects moving forward. The first deals with transit vehicles and bus shelters; second is the Sunland Park Transit Facility purchase; third is improvements to the bus facility in Anthony; fourth is a van pool project; fifth is a separate one for bus shelters. Nora Barraza asked if they're requesting funding for bus facility; not for that specific one because the transit facility is included in the transit vehicles and bus purchase. It will be closed out. This will go to the DFA for the upcoming legislation. The bus facility line shows that they've gained the funds but haven't finished the project.

There was discussion on the ICIP and whether they close lines out or not, sometimes yes and sometimes no. Mr. Armijo stated they may receive more funding for this line item which is why it's left on the list. The funding source can vary but this list is for the state priority project list. Some funds will come through DFA and others from NMDOT; there are other grants to look into but no other funding sources that are secured.

Motioned by Nora Barraza, seconded by Councilor Flores. Passed unanimously.

**14. DISCUSSION AND RESOLUTION APPROVING HUMAN RESOURCES MANUAL 2022**

Sara Vasquez gave the presentation. In the first portion staff added a section on uniforms and appropriate work attire. The maintenance department has a contract with UniFirst for their uniforms. It is page 11 in the handbook; the fact sheet has the actual wording in the handbook. Under section four in compensation they explained in detail the overtime compensation pay; holiday pay and physical work hours over 40. Section five added the work hours, paid bi-weekly, and direct deposit is available. In section seven a definition of conflict of interest was added. In section nine on discrimination, harassment, and retaliation prohibited, more was added such as harassing phone calls, e-mails, and etcetera. In section 11 the use of SCRTD property had a name change from vehicle property to general SCRTD

property. It also discusses more detail on vehicles; use SCRTD property for district purposes only and not for profit or private use.

Nora Barraza stated that she's concerned of the language that says, "employees must request for approval to have immediate family members ride along in SCRTD vehicles from their supervisor". There is liability if there's an accident and she doesn't believe family members should be allowed to ride along. Chair Perea stated that it's not supposed to be allowed; seems to be a contradiction in the handbook. Ms. Vasquez stated they can remove the line about requesting for approval; it was supposed to be emergency only. There was discussion on if it needs to stay for humanitarian reasons but that could open the door for liability issues. Chair Perea suggested changing the language to something akin to "transporting family, friends, or others who are not traveling for the purpose of SCRTD business or humanitarian reasons in SCRTD vehicles is prohibited"; there was agreement.

Motioned as being presented at this meeting by Nora Barraza, seconded by Councilor Flores.

Amendment as recommended by Chair Perea on section 11 language motioned by Nora Barraza, seconded by Councilor Flores. Passed unanimously.

Ms. Vasquez continued the presentation. A new section on use of electronic devices was included. A cell phone allowance policy was added as well. Nora Barraza asked if there is a note that employees cannot use electronic devices while driving; yes there is. They replaced the cell phones with radios for this purpose. Drivers also have opportunities to pull over if they need to answer a phone. There have been instances with family members trying to contact drivers. The biggest concern is an accident happening while the driver is on the phone. Councilor Flores asked if there was any requirement to have something consistent with Title VII or Title IX discriminations: yes and they're moving forward. There are issues for discrimination titles on the website and there is a process where people can form and respond to a complaint. With some national efforts they may have to relook at the website and documents to modify during the audit; many modifications happening nationally. They do education on discrimination with the employees in pre-employment as well as annual training. Ms. Vasquez will look into the Title VII and Title IX discriminations.

Councilor Flores stated that under number five under section nine she believes it's too vague, who is the person that decides something is judged offensive. Staff will look that over to eliminate vagueness from the handbook. Nora Barraza asked what happens if it's the Executive Director that the employee has an issue with, who would they complain to. Chair Perea stated that he believes it would go to the Chairman. It needs to be worded that way but in a certain way that allows the Executive Director to be able to handle the situations. There are other sections that discuss these items as well. Nora Barraza asked if they could look at other

handbooks to see what language they use. The bylaws also lay out what needs to happen if there is a challenge that goes beyond the Executive Director; it goes to the officers and Chair. Mr. Armijo believes that should be added to the handbook which would solve issues. When the audit is done later this year there will be more additions. Mr. Armijo recommended going through the bylaws again as well. Nora Barraza added that as they are insured through New Mexico Municipal League they can call them for training and resources available. SCRTD can send them the handbook who will send it back with recommendations.

Nora Barraza wants to stress that once they give employees an allowance for a cell phone if there is any type of investigation the phone will be confiscated and all information on that cell phone can be reviewed. If the public wishes to see records they need to do a nipper request and the phone and records must be turned in for inspection. Cell phones would only be given to those who need to be reached beyond normal business hours as they are open weekends and late at night; should be three or four. There is a new section under cybersecurity; attended a webinar by DFA who recommended expressing the cybersecurity policy. The confidential data definition is from several different handbooks, the counties, Las Cruces, Anthony, and etcetera. Chair Perea stated they are limited to what the state defines as confidential; if certain information is withheld then that violates the Sunshine Law. Ms. Vasquez will double check that information.

There was discussion on number five, page six of the fact sheet it states that if a cell phone is lost, stolen, or damaged the employee would be provided \$100 to replace it. Nora Barraza stated that she doesn't believe it's up to SCRTD to replace their personal phone. It would be once every two years which Chair Perea doesn't believe it is an issue. The Board doesn't believe it is an issue. In section 13 on leave procedures staff explained a little bit more under the bereavement procedures and who is considered immediate family. There was a suggestion to specify in-laws as being the current in-laws and only the mother-in-law and father-in-law. There was discussion on how many family members should be considered immediate to help mitigate costs. Employees are allowed three days of bereavement. The proof requested is an obituary to have on file that show they attended the bereavement. Majorie Powey added that they need to be careful with language because there are a lot of co-parenting. Chair Perea stated that bereavement pay is what they're trying to decide upon. Mr. Armijo stated that the employees have a decent leave bank which helps. They even have a donated leave bank if others wish to donate leave time for people.

Nora Barraza stated that she would just change language to say "immediate family members are" rather than the additional wording. There is the personal time off procedure under section 13 which addresses the bereavement leave. Nora Barraza suggested simply adding what constitutes an immediate family member as well as proof of relationship to the supervisor within three days of the bereavement leave. Additional language could include stepfamily and in-laws as well as immediate family members such as parents, siblings, and grandparents;

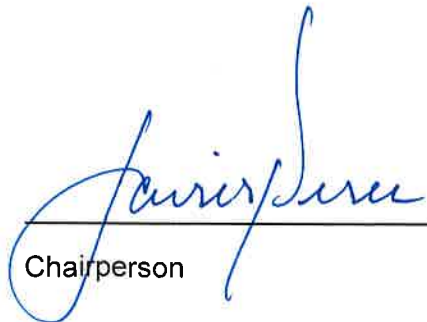
language could include stepfamily and in-laws as well as immediate family members such as parents, siblings, and grandparents; cousins and aunts or uncles aren't considered. Councilor Flores asked if there's a limit on the number of bereavement leave; there isn't a limitation. There could be a definition page in the handbook which lists the immediate family members in detail. Chair Perea asked if they can adopt this today and come back with amendments; yes, they can. Nora Barraza stated that they can go through the League for help; that's what they did. Mr. Armijo will bring it back in the fall with more amendments to the language in the other areas.

The main motion to approve the manual with the one amendment passed unanimously.

**15. BOARD COMMENT**

Nora Barraza thanked Mr. Armijo and the RTD for providing service to the summer recreation program at the Town of Mesilla; Loretta Gallegos managed that. It was done with existing routes as well. Councilor Flores thanked Mr. Shea, Mr. Armijo, and Ms. Vasquez for all their work.

**16. ADJOURNMENT – Time of Adjournment 3:51 PM. Next meeting August 24, 2022.**

  
Chairperson