

**New Mexico Transit Association
Board Meeting
December 17, 2020 at 12:00 p.m.
Conference Call**

Standing Items:

1. Call to Order
2. Roll Call

Board Members:

Joe Hardin (President), representing 5310 programs	Present / Absent / Called In
Elizabeth Carter (Vice President), Director at Large	Present / Absent / Called In
Ed Powers (Treasurer), Director at Large	Present / Absent / Called In
Stan Cooper, (Secretary) Professional Member	Present / Absent / Called In
David Harris (Ex-Officio)	Present / Absent / Called In
James Barela, Director at Large	Present / Absent / Called In
Mike Bartholomew, representing 5307 programs	Present / Absent / Called In
Mary Collins, representing 5311 programs	Present / Absent / Called In
Gary Guinn, Business Member	Present / Absent / Called In
Christy Ladd, Director at Large	Present / Absent / Called In
Anthony Mortillaro, representing Regional Transit Districts (RTD)	Present / Absent / Called In
Guests: _____	Present / Called In
_____	Present / Called In

3. Approval of the Agenda
4. Approval of Meeting minutes – September 17, 2020
5. Approval of Treasurer’s Monthly Financial Report for September, October, November 2020

Presentations:

1. Hinkle + Landers CPA – FY2020 Financial Audit

Action Items:

1. Approval of the FY2020 Financial Audit
2. Suggested use of \$600,000 allocated in NMDOT budget for Public Transportation (Tabled from June 18th meeting)
3. Discussion and Approval of draft of Bylaws adding the following Board Seats to represent: Tribal Transit, Senior Affairs, Non-Emergency Medical Transportation
4. APTA Vaccine Priority to Transit Workers Template Letter & Info

Subcommittee Updates:

- Conference, Road-eo and Training
(Liz Carter, Mary Collins and Joe Hardin)
- Legislative and Communications
(Stan Cooper, Tony Mortillaro, Christy Ladd)
- Membership and Sponsors
(Gary Guinn, Mike Bartholomew and James Barela)

Discussion Items:

1. 2021 NM Transit Road-eo, Conference and Expo

Board Member Announcements:

Next Meeting Date/Time/Location:

Thursday, January 21, 2021 at 12:00 p.m., Conference/Video Call

**New Mexico Transit Association
Board Meeting Minutes
Telephone Conference Call
September 17, 2020**

Standing Items:

1. Call to Order

Joe Harden called the meeting to order at 12:00 p.m.

2. Roll Call

- Present: Board members Joe Harden, Liz Carter, Ed Powers, Stan Cooper, Mike Bartholomew, James Barela, Gary Guinn, Christy Ladd, and Tony Mortillaro.

Excused: Mary Collins

Others Present: Kevin Olinger, Transit Division Director, New Mexico Department of Transportation; Melissa Lucero Drake, NMTA staff; Jackie from Roswell, Danny Holz, Becky Hicks

3. Approval of the agenda.

Tony Mortillaro moved to approve the agenda. Liz Carter seconded the motion. The motion carried.

- 4 Approval of the Treasurer's Report for the months of June, July and August. Treasurer Ed Powers reported the reports are within NMTA's budgets. Everything held withing budgets for these months. Ed reported a positive of \$11,783.56 Budgets for end of fiscal 2020 leaves a positive of \$11,783.56. for the end of the 2020 fiscal year, June 30, 2020. Stan Cooper moved to approve the report. It was seconded by James Barela. The motion carried.

Action Items

1. Use of \$600,000 allocated in NMDOT budget for public transportation. Tony said the advocacy subcommittee did not discuss this item. Kevin Olinger reported DOT is trying to find and equitable use of the funds and one possibility would be to allow providers to use some of the funds as local match for federally funded capital

purchases. Tony Mortillaro moved to have this item on the November meeting agenda. Ed Powers seconded the motion. Motion approved.

2. Discussion and Approval of Training Topics for the FY2021 Training Calendar.

Liz Carter reported the Conference, Road-eo and Training Subcommittee met September 16. Stress management is a high priority as are best practices and a Virtual Expo on cleaning products for vendors was discussed. Liz said the subcommittee identified three training topics for managers (be healthy, attracting and retaining employees and diversity and inclusion). She said NMTA will unlikely have a 2020 conference because of COVID-19. Liz suggested pushing the conference to 2021. Christy Ladd asked if we use NRTAP to help with training. Mike Bartholomew moved to approve the list. Gary Guinn seconded the motion which was approved.

3. Approve to extend J.D. Bullington's Professional Service Agreement for 2021 legislative session.

The Legislative and Communications Subcommittee suggested continuing J.D.'s contract. Contract was approved for \$9100 with a motion from Liz Carter, seconded by Tony Mortillaro

4. Discussion and Approval of draft Bylaws adding the following board seats:

tribal transit, senior affairs and non-emergency medical transportation. Joe Hardin said we do not need to add all three. Gary said bringing agencies such as senior affairs, tribal transit and non-emergency medical transportation could bring in more members to NMTA. Christy Ladd suggested more training for tribal transit. Stan Cooper questioned adding more members to the board because NMTA already has 11 members. Gary suggested we do not have to increase the board's size but we can change titles. Mike Bartholomew moved changing the board membership by reducing the at large seats from five to four, adding a tribal transit position and keeping the board size at 11. Tony Mortillaro seconded the motion. The motion was approved.

Subcommittee updates

Conference, Road-eo and Training. Liz Carter said the committee's report was covered earlier in the meeting.

Legislative and Communications. Tony Mortillaro reported that the subcommittee did not see a need to continue Sunny 505's contract at this time. However, the subcommittee felt Sunny 505 should be kept on standby in case of marketing needs.

Tony reported the subcommittee agreed to ask J.D. Bullington to seek introduction of the Yield to Bus legislation in the 2021 Legislature. Yield to Bus has come close to becoming law in previous legislative sessions. J.D. has legislative sponsors lined up for re-introduction.

Membership and Sponsors. Gary Guinn has nothing new to report. He will set up a meeting with subcommittee soon.

Discussion Items

- 1 **2021 NM Transit Road-ee, Conference and Expo.** Melissa will check with possible vendors for 2021. Some of the vendors are not yet back in business.
- 2 **FY2020 Financial Audit Update.** Mellissa is working with Hinkle + Landers, PC. NMTA needs the audit completed by November for NMTA Board approval. It must be submitted to the Department of Transportation by December of 2020.

Board Member Announcements. Gary Guinn said he is excited about new state contract purchasing specifications. He said they are some of the best in the nation and he commended the Department of Transportation for its work on them.

Gary Guinn moved to adjourn at 1:05 p.m. His motion was seconded by Ed Powers and it passed.

Next Meeting Date/Time/Location. A conference call meeting will be held Thursday November 19, 2020 at 12 p.m.

BUDGET TOTALS	ESTIMATED	YTD ACTUAL	DIFFERENCE
Membership Revenue	17,000.00	10,700.00	(6,300.00)
Conference/Roadeo Revenue	35,000.00	0.00	(35,000.00)
NMDOT Revenue	140,250.00	13,959.68	(126,290.32)
NMDOT Expenses	(140,250.00)	(16,909.45)	123,340.55
NMTA Expenses	(49,430.00)	(11,766.61)	37,663.39
Balance (Income minus Expenses)	2,570.00	(4,016.38)	(6,586.38)

BUDGET OVERVIEW



Bank Reconciled Balances:

B of A Checking	\$29,387.95
B of A Savings	\$48,089.78
Combined total:	\$77,477.73

INCOME	ESTIMATED	YTD ACTUAL	DIFFERENCE	VARIANCE %
Membership Revenue	17,000.00	10,700.00	(6,300.00)	-37.06%
Conference/Roadeo Revenue	35,000.00	0.00	(35,000.00)	-100.00%
NMDOT Revenue	140,250.00	13,959.68	(126,290.32)	-90.05%
Total	192,250.00	24,659.68	(167,590.32)	-87.17%

NMDOT OPERATING EXPENSES	Annual Budget	YTD ACTUAL	DIFFERENCE	VARIANCE %
Administrator	29,120.00	11,759.54	17,360.46	59.62%
Administrative Prof. Development	0.00	0.00	0.00	#DIV/0!
Employment Taxes	8,000.00	3,333.66	4,666.34	58.33%
Internet Subscription Service	0.00	0.00	0.00	#DIV/0!
Postage	200.00	3.28	196.72	98.36%
Cell Phone	1,000.00	388.97	611.03	61.10%
Audit	3,050.00	0.00	3,050.00	100.00%
Advertisement	0.00	0.00	0.00	#DIV/0!
Contract Services	3,000.00	295.27	2,704.73	90.16%
Dues and Subscriptions	1,500.00	648.73	851.27	56.75%
Equipment	0.00	0.00	0.00	#DIV/0!
Insurance	900.00	0.00	900.00	100.00%
Occupancy Costs	960.00	480.00	480.00	50.00%
Printing/Copying	2,550.00	0.00	2,550.00	100.00%
Office Supplies	720.00	0.00	720.00	100.00%
Office Furniture	0.00	0.00	0.00	#DIV/0!
Travel	4,300.00	0.00	4,300.00	100.00%
Trainings	36,000.00	0.00	36,000.00	100.00%
Roadeo and Conference	48,950.00	0.00	48,950.00	100.00%
Total Operating	140,250.00	16,909.45	123,340.55	87.94%

NMTA OPERATING EXPENSES	Annual Budget	YTD ACTUAL	DIFFERENCE	VARIANCE %
Administrator - 2	7,280.00	2,939.89	4,340.11	59.62%
Employment Taxes - 2	2,000.00	833.43	1,166.57	58.33%
Postage - 2	50.00	0.82	49.18	98.36%
Cell Phone - 2	250.00	97.20	152.80	61.12%
Audit - 2	3,050.00	0.00	3,050.00	100.00%
Contract Services - 2	3,000.00	295.27	2,704.73	90.16%
Insurance - 2	900.00	0.00	900.00	100.00%
Office Supplies - 2	180.00	0.00	180.00	100.00%
Travel - 2	1,075.00	0.00	1,075.00	100.00%
NMTA Meetings/Retreat	1,100.00	0.00	1,100.00	100.00%
Roadeo & Conference	3,500.00	0.00	3,500.00	100.00%
National Roadeo Winners Sponsorshi	7,045.00	5,000.00	2,045.00	29.03%
Legislative Services	12,000.00	2,600.00	9,400.00	78.33%
Legislative Advocacy	8,000.00	0.00	8,000.00	100.00%
Total Operating	49,430.00	11,766.61	37,663.39	76.20%

NMTA Monthly Activity Report

September 2020

Line Item	Credits	Debits	Comments
Income:			
NMTA Deposits:			
NMDOT Reimbursements	4,449.93		
Member Dues Deposits	2,800.00		
Conference/Road-eo deposits:	0.00		
Misc. Deposits			
Total Deposits:	7,249.93		
Expenses:			
NMDOT Reimbursable Expenses:			
Administrator - 1		2,144.36	
Employment Taxes - 1		578.59	
Postage - 1		3.28	
Cell Phone - 1		91.07	
Audit - 1		0.00	
Contract Services - 1		188.78	Hinkle + Landers (payroll)
Dues and Subscriptions - 1		183.76	Adobe Acrobat/P.O. Box Renewal
Insurance - 1		0.00	
Occupancy Cost		80.00	
Office Supplies - 1		0.00	
Training - 1		0.00	
Travel - 1		0.00	
Roaddeo/Conference - 1		0.00	
Total NMDOT Reimbursable Expenses:		3,269.84	
NMTA Expenses:			
Administrator - 2		536.09	
Employment Taxes - 2		143.83	
Postage - 2		0.82	
Cell Phone - 2		22.72	
Audit - 2		0.00	
Contract Services - 2		188.78	
Insurance - 2		0.00	
Office Supplies - 2		0.00	
Travel - 2		0.00	
Roaddeo/Conference - 2		0.00	
National Roaddeo Winners Sponsorship			
NMTA Meetings		0.00	
Legislative Services		0.00	
Legislative Advocacy Plan		0.00	
Total NMTA Expenses:		892.24	

NMTA Monthly Activity Report

October 2020

Line Item	Credits	Debits	Comments
Income:			
NMTA Deposits:			
NMDOT Reimbursements	3,030.46		
Member Dues Deposits	1,200.00		
Conference/Road-eo deposits:	0.00		
Misc. Deposits			
Total Deposits:	4,230.46		
Expenses:			
NMDOT Reimbursable Expenses:			
Administrator - 1		2,144.37	
Employment Taxes - 1		575.29	
Postage - 1		0.00	
Cell Phone - 1		79.88	
Audit - 1		0.00	
Contract Services - 1		67.42	Hinkle + Landers (payroll)
Dues and Subscriptions - 1		265.76	Adobe Acrobat/SWTA Annual Dues
Insurance - 1		0.00	
Occupancy Cost		80.00	
Office Supplies - 1		0.00	
Training - 1		0.00	
Travel - 1		0.00	
Roadeo/Conference - 1		0.00	
Total NMDOT Reimbursable Expenses:		3,212.72	
NMTA Expenses:			
Administrator - 2		536.09	
Employment Taxes - 2		143.83	
Postage - 2		0.00	
Cell Phone - 2		19.97	
Audit - 2		0.00	
Contract Services - 2		67.42	
Insurance - 2		0.00	
Office Supplies - 2		0.00	
Travel - 2		0.00	
Roadeo/Conference - 2		0.00	
National Roadeo Winners Sponsorship			
NMTA Meetings		0.00	
Legislative Services		1,300.00	JD Bullington
Legislative Advocacy Plan		0.00	
Total NMTA Expenses:		2,067.31	

NMTA Monthly Activity Report

November 2020

Line Item	Credits	Debits	Comments
Income:			
NMTA Deposits:			
NMDOT Reimbursements	6,479.29		Sept. and Oct. NMDOT Reimbursement
Member Dues Deposits	400.00		
Conference/Road-eo deposits:	0.00		
Misc. Deposits			
Total Deposits:	<u>6,879.29</u>		
Expenses:			
NMDOT Reimbursable Expenses:			
Administrator - 1		2,144.36	
Employment Taxes - 1		578.75	
Postage - 1		0.00	
Cell Phone - 1		79.88	
Audit - 1		0.00	
Contract Services - 1		39.07	Hinkle + Landers (payroll)
Dues and Subscriptions - 1		27.71	Adobe Acrobat/NM Annual Reports
Insurance - 1		0.00	
Occupancy Cost		80.00	
Office Supplies - 1		0.00	
Training - 1		0.00	
Travel - 1		0.00	
Roadeo/Conference - 1		0.00	
Total NMDOT Reimbursable Expenses:		<u>2,949.77</u>	
NMTA Expenses:			
Administrator - 2		536.09	
Employment Taxes - 2		144.69	
Postage - 2		0.00	
Cell Phone - 2		19.97	
Audit - 2		0.00	
Contract Services - 2		39.07	
Insurance - 2		0.00	
Office Supplies - 2		0.00	
Travel - 2		0.00	
Roadeo/Conference - 2		0.00	
National Roadeo Winners Sponsorship			
NMTA Meetings		0.00	
Legislative Services		1,300.00	JD Bullington
Legislative Advocacy Plan		0.00	
Total NMTA Expenses:		<u>2,039.82</u>	



HINKLE + LANDERS

Certified Public Accountants + Business Consultants

NEW MEXICO
TRANSIT ASSOCIATION
INDEPENDENT AUDITOR'S REPORT AND
FINANCIAL STATEMENTS
For The Year Ended June 30, 2020, with
Comparative Totals for the Year Ended
June 30, 2019

DRAFT

**NEW MEXICO
TRANSIT ASSOCIATION**

**Financial Statements
And
Independent Auditor's Report**

For The Year Ended June 30, 2020

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**NEW MEXICO
TRANSIT ASSOCIATION
OFFICIAL ROSTER**

As of June 30, 2020

BOARD OF DIRECTORS

Joe Hardin	President
Liz Carter	Vice President
Keith Wilson	Treasurer
Ed Powers	Secretary
Mike Bartholomew	Director
Mary Collins	Director
Stan Cooper	Director
Anthony Mortillaro	Director
James Barela	Director
Gary Guinn	Business Director
David Harris	Ex-Officio

Independent Auditor's Report

Board of Directors
New Mexico Transit Association
Albuquerque, NM

Report on the Financial Statements

We have audited the accompanying financial statements of the New Mexico Transit Association (NMTA) which comprise the statement of financial position as of June 30, 2020, and the related statements of activities, functional expenses, and cash flows for the year then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes

evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of New Mexico Transit Association as of June 30, 2020, and the changes in its net assets and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Report on Summarized Comparative Information

We have previously audited New Mexico Transit Association's 2018 financial statements, and we expressed an unmodified audit opinion on those audited financial statements in our report dated December 19, 2019. In our opinion, the summarized comparative information presented herein as of and for the year ended June 30, 2019, is consistent, in all material respects, with the audited financial statements from which it has been derived.

Hinkle & Landers, P.C.

Hinkle + Landers, P.C.

Albuquerque, NM

December 7, 2020

NEW MEXICO TRANSIT ASSOCIATION
Statement of Financial Position
As of June 30, 2020, With Comparative Totals for 2019

ASSETS	<u>2020</u>	<u>2019</u>
Current Assets		
Cash and cash equivalents	\$ 66,007	58,250
Memberships receivable	475	8,719
Department of Transportation receivables	10,386	19,197
Prepaid expenses	<u>6,557</u>	<u>1,251</u>
Total current assets	<u>83,425</u>	<u>87,417</u>
Total assets	<u>\$ 83,425</u>	<u>87,417</u>
 LIABILITIES AND NET ASSETS		
Current Liabilities		
Accounts payable	\$ -	-
Deferred revenue	12,710	
Accrued liabilities	<u>2,011</u>	<u>1,823</u>
Total current liabilities	14,721	1,823
 Net Assets		
Net assets without donor restrictions	<u>68,704</u>	<u>85,594</u>
Total net assets	<u>68,704</u>	<u>85,594</u>
Total liabilities and net assets	<u>\$ 83,425</u>	<u>87,417</u>

SEE INDEPENDENT AUDITOR'S REPORT

The accompanying notes are an integral part of these financial statements

NEW MEXICO TRANSIT ASSOCIATION
Statement of Activities
For The Year Ended June 30, 2020, With Comparative Totals for 2019

	<u>2020</u>	<u>2019</u>
Revenues and Support		
Conference	\$ 4,900	56,288
Less: costs of conference	<u>(8,949)</u>	<u>(77,867)</u>
Net conference revenue	(4,049)	(21,579)
Contracts	65,465	135,949
Memberships	15,600	16,000
Miscellaneous revenue	<u>10</u>	<u>18</u>
Total revenues and support	<u>77,026</u>	<u>130,388</u>
Expenses and Losses		
Program services	71,600	101,796
General & administrative	15,254	20,541
Fundraising	<u>7,062</u>	<u>6,798</u>
Total expenses	<u>93,916</u>	<u>129,135</u>
Change in net assets	(16,890)	1,253
Net assets, beginning of period	<u>85,594</u>	<u>84,341</u>
Net assets, end of period	<u>\$ 68,704</u>	<u>85,594</u>

SEE INDEPENDENT AUDITOR'S REPORT

The accompanying notes are an integral part of these financial statements

NEW MEXICO TRANSIT ASSOCIATION
Statement of Cash Flows
For The Year Ended June 30, 2020, With Comparative Totals for 2019

	2020	2019
CASH FLOWS FROM OPERATING ACTIVITIES		
Cash received from conference	\$ 17,610	56,288
Cash received from contracts	65,465	135,949
Cash received from memberships	15,600	16,000
Cash received from miscellaneous revenues	10	18
Cash paid to and on behalf of employees	(42,310)	(41,934)
Cash paid for conference	(8,949)	(77,867)
Cash paid for operating expenses	(39,669)	(103,888)
Net cash provided (used) by operating activities	7,757	(15,434)
CASH FLOWS FROM INVESTING ACTIVITIES		
None	-	-
Net cash provided (used) by investing activities	-	-
CASH FLOWS FROM FINANCING ACTIVITIES		
None	-	-
Net cash provided (used) by financing activities	-	-
Net increase (decrease) in cash and cash equivalents	7,757	(15,434)
Cash and cash equivalents at beginning of year	58,250	73,684
Cash and cash equivalents at end of year	\$ 66,007	58,250
RECONCILIATION OF CHANGE IN NET ASSETS TO NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES		
Change in net assets	\$ (16,890)	1,253
Adjustments to reconcile changes in net assets to cash provided by operating activities:		
(Increase) Decrease in accounts receivable	17,055	(11,861)
(Increase) Decrease in prepaids	(5,306)	(112)
Increase (Decrease) in accounts payable	-	(4,852)
Increase (Decrease) in deferred revenue	12,710	
Increase (Decrease) in accrued liabilities	188	138
Net cash provided (used) by operating activities	\$ 7,757	(15,434)

SEE INDEPENDENT AUDITOR'S REPORT

The accompanying notes are an integral part of these financial statements

NEW MEXICO TRANSIT ASSOCIATION
Statement of Functional Expenses
For The Year Ended June 30, 2020, With Comparative Totals for 2019

	Program Services	General & Admin	Fundraising	2020 Total	2019 Total
Wages	\$ 27,700	5,935	5,936	39,571	38,681
Taxes	2,049	439	439	2,927	3,391
Total salaries and taxes	<u>29,749</u>	<u>6,374</u>	<u>6,375</u>	<u>42,498</u>	<u>42,072</u>
Legislative services/public relations	16,845	2,633	-	19,478	28,602
Professional service fees	13,405	-	-	13,405	12,142
Road-ee & conference	8,949	-	-	8,949	77,867
Training	6,660	1,665	-	8,325	35,120
Subscriptions, dues, & memberships	-	2,693	-	2,693	1,122
Cell phone	804	536	447	1,787	1,068
Office supplies and expenses	1,154	288	-	1,442	933
Insurance	811	540	-	1,351	2,038
Travel & lodging	1,162	61	-	1,223	2,822
Occupancy	432	288	240	960	880
Meetings and conferences	349	150	-	499	1,279
Postage and printing	229	26	-	255	1,056
Less expenses included in revenue on the statement of activities:					
Direct expenses of conference	(8,949)	-	-	(8,949)	(77,867)
Total expenses	<u>\$ 71,600</u>	<u>15,254</u>	<u>7,062</u>	<u>93,916</u>	<u>129,135</u>

SEE INDEPENDENT AUDITOR'S REPORT

The accompanying notes are an integral part of these financial statements

NEW MEXICO TRANSIT ASSOCIATION

Notes To Financial Statements

For The Year Ended June 30, 2020, With Comparative Totals for 2019

NOTE A—NATURE OF OPERATIONS

The New Mexico Passenger Transportation Association was established as a nonprofit corporation in 1987. The organization elected to change its name to the NMTA as of June 6, 2013. Since its inception, NMTA has been the collective voice for both public and private transportation providers in both rural and urban areas across New Mexico.

Under a professional services agreement with the New Mexico Department of Transportation's Public Transportation Programs Bureau, the NMTA coordinates training and provides technical support for New Mexico's rural Transit providers and sub-grantees. Training and support are directed primarily to Transit programs funded through the Federal Transit Administration's 5310 program, which serves senior and disabled populations, and 5311 program, which provides Transit for any rural area or small town. In addition, NMTA publishes quarterly newsletters, coordinates Board development and meetings, arranges training for members and non-members, and organizes the annual NMTA Conference and Van/Bus Road-eo.

Training

NMTA recognizes the value of providing training for Association members. To attain this goal, NMTA, through its partnership with Passenger Transportation Programs Bureau, funds quarterly training for drivers and management. NMTA connects communities throughout the state by sponsoring its annual conference, providing the most current safety updates, and hosting the annual bus and Van/Bus Road-eo.

Education

Education of industry members and affected stakeholders is key in developing and maintaining a strong public transportation system. NMTA develops informational literature and strong public education tools to keep members up to date on issues affecting the industry. NMTA analyzes the impacts of national and statewide agency and legislative actions, and publishes a quarterly newsletter.

Advocacy

NMTA identifies and disseminates information to our members that may be used for promoting additional funding at the federal, state and local levels. NMTA provides member training for effective grant writing, and monitors and evaluates state legislation affecting our members.

NEW MEXICO TRANSIT ASSOCIATION
Notes To Financial Statements
For The Year Ended June 30, 2020, With Comparative Totals for 2019

NOTE B—SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The significant policies followed are described below:

Accounting Method

The accompanying financial statements of NMTA have been prepared on the accrual basis of accounting and conform to accounting principles generally accepted in the United States of America as applicable to not-for-profit organizations.

Basis of Presentation

The New Mexico Transit Association is required to report information regarding its financial position and activities according to two classes of net assets: net assets without donor restrictions, and net assets with donor restrictions. Accordingly, net assets of the NMTA and changes therein are classified and reported as follows:

- **Net Assets without Donor Restrictions** – represent net assets that are not subject to donor-imposed stipulations. Net assets without donor restrictions have arisen from exchange transactions and receipt of unrestricted contributions.
- **Net Assets with Donor Restrictions** – arise from contributions whose use by the NMTA have been limited by donors. Some donor restrictions are temporary in nature; those purpose/time restrictions can be fulfilled and removed by actions of the organization pursuant to those stipulations or by the passage of time. Other donor restrictions are perpetual in nature. Contributions with donor restrictions are recorded as net assets without donor restrictions to the extent that the restrictions are satisfied in the same reporting period.
- **Net Assets with Donor Restrictions Perpetual in Nature**– represent net assets subject to donor-imposed stipulations that must be maintained permanently by the NMTA. The NMTA has no net assets with donor restrictions perpetual in nature.

Liquidity and Availability of Financial Resources

The NMTA regularly monitors liquidity to meet cash flow requirements and operating needs. The availability of financial assets is primarily affected by management designations, the nature of the underlying assets, external limitations imposed by donors or contracts with others. The NMTA is not substantially supported by restricted grants. Because a donor's restriction required resources to be used in a particular manner or in a

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future period, the NMTA must maintain sufficient resources to meet those responsibilities to its donors. These financial assets may not be available for general expenditure within one year. As part of the NMTA's liquidity management it has a policy to structure its financial assets to be available as its general expenditures, liabilities, and other obligations come due. In addition, the NMTA may invest cash in excess of daily requirements in short-term investments. Occasionally, the board designates a portion of any operating surplus to its liquidity reserve.

Liquidity is as follows:

	2020	2019
Cash and cash equivalents at year end	\$ 76,868	86,166
Less those unavailable for general expenditures with in year, due to:		
Restricted by donor with purpose restrictions	-	-
Financial assets available to meet cash needs for general expenditures within one year	\$ 76,868	86,166

Donor restricted funds are available for expenditure upon satisfaction of the restriction, the expected timing of which is not generally determinable in advance.

Income Taxes

NMTA has been established as a nonprofit corporation exempt from federal income tax under Section 501(c) (6) of the Internal Revenue Code. The Internal Revenue Service has classified NMTA as other than a private foundation.

NMTA files their Federal Form 990 tax return in the U.S. federal jurisdiction and the online charitable registration in the Office of the Attorney General for the State of New Mexico. NMTA is generally no longer subject to examination by the Internal Revenue Service and the New Mexico Taxation and Revenue Department for fiscal years before 2017. NMTA is not currently under audit nor has the organization been contacted by any of these jurisdictions. Management believes that they are operating within their tax-exempt purpose.

NMTA recognizes interest accrued related to unrecognized tax benefits in interest expenses and penalties in operating expenses, when applicable. No provision for the effects of uncertain tax positions has been recorded for the years ended June 30, 2020 or 2019.

Fair Value Measurements

FASB ASC 820-10 and subsections establish a framework for measuring fair value. That framework provides a fair value hierarchy that prioritizes the inputs to valuation

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techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (level 1 measurement) and the lowest priority to unobservable inputs (level 3 measurements). (The inputs and methodology used for valuing NMTA's financial assets and liabilities are not indicators of the risks associated with those instruments.) The three levels of the fair value hierarchy under FASB ASC 820-10 are as follows:

Level 1 – Valuations for assets and liabilities traded in active exchange markets, such as the New York Stock Exchange. Level 1 also includes U.S. Treasury and federal agency securities and federal agency mortgage-backed securities, which are traded by dealers of brokers in active markets. Valuations are obtained from readily available pricing sources for market transactions involving identical assets or liabilities.

Level 2 – Valuations for assets and liabilities traded in less active dealer or broker markets. Valuations are obtained from third-party pricing services for identical or similar assets or liabilities. There were no assets and liabilities to be disclosed for this category.

Level 3 – Valuations for assets and liabilities that are derived from other valuation methodologies, including option pricing models, discounted cash flow models and similar techniques, and not based on market exchange, dealer, or broker traded transactions. Level 3 valuations incorporate certain assumptions and projections in determining the fair value assigned to such assets or liabilities.

There are no assets or liabilities that require disclosure in the hierarchy as the carrying amounts of cash and cash equivalents, receivables, payables, accrued expenses and other liabilities approximate fair value due to the short maturity periods of these instruments.

Use of Estimates in Preparing Financial Statements

The preparation of financial statements in conformity with U.S. generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Cash and Cash Equivalents

Cash and cash equivalents consist of cash held in checking and money market accounts, with maturities of less than 90 days. As of June 30, 2020, NMTA had deposits with one

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depository institution, which is insured by the Federal Deposit Insurance Corporation with a \$250,000 limit.

Grants

NMTA has adopted FASB ASC 958-605, Not-for-Profit Entities; Revenue Recognition. All contributions are considered available for the NMTA's general programs unless specifically restricted by the grantor. Amounts received that are designated for future periods or restricted by the grantor are reported as net assets with donor restrictions and increase the respective class of net assets. Contributions received with time and purpose restrictions that are met in the same reporting period are reported as revenue without donor restrictions and increase net assets without donor restrictions. When a donor restriction expires, net assets are reclassified to net assets without donor restrictions and reported in the statement of activities as net assets released from restrictions.

Accounts Receivable

Accounts receivable is stated at unpaid balances, less and allowance for doubtful accounts. Management estimates the adequacy of the allowance for uncollectible receivables based on historical collections, specific impaired receivables, and other situations that may affect the collection of the receivable. Receivables are charged off in the period in which management determines the receivable to be uncollectible. As of June 30, 2020 and 2019, management estimates all receivables to be fully collectible; therefore, no provision for an allowance for uncollectible receivables has been recorded.

Revenue Recognition

In accordance with accounting principles generally accepted in the United States of America, revenue is recorded when earned rather than received. The following summarizes the revenue recognition policies for major classifications of revenue:

- Conference/Road-ee Registration – Registration fees for exhibitors and attendees are typically recorded as revenue upon receipt of the conference registration packet.
- Membership – Current NMTA member renewals are typically invoiced in July or August for the July 1 to June 30 renewal period (fiscal year). Transit agencies not currently members are encouraged to register at any time, with the same renewal periods as current members. Occasionally, renewal periods may include remaining current year and next fiscal year to encourage registrations. Registration fees and membership dues are recognized when invoiced.

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- Grants – Grant revenue is typically recorded as restricted revenue based on either a purpose (program) restriction and/or a time restriction based on when the grantor has notified.
- Contracts – Contract revenue is generally recognized as funds are spent in accordance with contractual provisions. Contracts are generally considered to be exchange transactions.

Property, Equipment, and Depreciation

NMTA defines equipment as nonexpendable personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more. Property and equipment is provided on the straight-line method over the estimated useful life of the asset. Maintenance, repairs and renewals which neither materially add to the value of the property nor appreciably prolong its life are charged to expenses as incurred. Gains or losses on dispositions of property and equipment are included in revenue. As of June 30, 2020, NMTA had no property or equipment.

Functional Classification of Expenses

Costs of providing the NMTA's programs and other activities has been presented in the Statement of Functional Expenses. Costs are allocated among program and support services by a method that best measures the relative degree of benefit. These expenses require allocation on a reasonable basis that is consistently applied.

Prior Year Comparative Totals

The financial statements include certain prior-year summarized comparative information in total but not in each net asset class. Such information does not include sufficient detail to constitute a presentation in conformity with accounting principles generally accepted in the United States of America. Accordingly, such information should be read in conjunction with NMTA's financial statements for the year ended June 30, 2019.

Reclassifications

Certain reclassifications may have been made to the 2019 summarized financial statement information to conform to the current year presentation.

NOTE C – 2020 ROAD-EO CONFERENCE AND EXPO

During March 2020, in response to the COVID-19 pandemic and subsequent public health orders issued by the State of New Mexico, NMTA postponed the 2020 Road-EO

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Conference and Expo. Registration fees for vendors and attendees have been classified as deferred revenue. The deposit paid to the venue has been classified as a prepaid expense.

NOTE D—CASH AND CASH EQUIVALENTS

Cash and cash equivalents consisted of the following at June 30:

<u>Cash & Cash Equivalents</u>	<u>2020</u>	<u>2019</u>
Bank of America	\$ <u>66,007</u>	<u>58,250</u>

NOTE E—RECEIVABLES

Receivables consisted of the following at June 30:

<u>Receivables</u>	<u>2020</u>	<u>2019</u>
Accounts receivable	\$ 475	8,719
DOT receivables	10,386	19,197
	\$ <u>10,861</u>	<u>27,916</u>

NOTE F – PREPAID EXPENSES

Prepaid expenses consisted of the following at June 30:

	<u>2020</u>
Insurance	\$ 1,252
Payroll tax	305
Road-ee Conference and Expo	5,000
	\$ <u>6,557</u>

NOTE G—LIABILITIES

Liabilities consisted of the following at June 30:

<u>Liabilities</u>	<u>2020</u>	<u>2019</u>
Deferred revenue	\$ 12,710	-
Payroll liabilities	2,011	1,823
	\$ <u>14,721</u>	<u>1,823</u>

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NOTE H—CONTINGENCY AND CONCENTRATION

NMTA receives monies from grants and contracts for specific purposes that are subject to review and audit by the funding agencies. Such audits could result in a request for reimbursement by the funding agencies for expenditures disallowed under the terms and conditions of the appropriate agency. As of June 30, 2020, there were no disallowed expenditures identified.

A significant portion of NMTA's revenues are from a government contract. Please see the concentration of revenue as follows:

<u>Revenue Concentration</u>	<u>2020</u>	<u>2019</u>
% of revenue from DOT \$	<u>76%</u>	<u>61%</u>

NOTE I—EVALUATION OF SUBSEQUENT EVENTS

Subsequent events are events or transactions that occur after the statement of financial position date but before the financial statements are issued. NMTA recognizes in the financial statements the effects of all subsequent events that provide additional evidence about conditions that existed at the date of the statement of financial position, including the estimates inherent in the process of preparing the financial statements. NMTA's financial statements do not recognize subsequent events that provide evidence about conditions that did not exist at the date of the statement of financial position but arose after the statement of financial position date and before financial statements are available to be issued. NMTA has evaluated subsequent events through December 7, 2020, which is the date the financial statements were available to be issued.

During July 2020, in response to the ongoing COVID-19 related public health orders, the venue for the 2020 Road-ee Conference and Expo cancelled the event, refunding NMTA the deposited amount.

BY-LAWS

NEW MEXICO TRANSIT ASSOCIATION

ARTICLE I. OFFICES

The principal address of the New Mexico Transit Association (NMTA) in the State of New Mexico is PO Box 15272, Rio Rancho 87174. The Association may have offices, within the State of New Mexico, as the Board of Directors may determine or as the affairs of the Association may require from time to time.

The Association shall have and continuously maintain in the State of New Mexico a registered agent whose address is identical with such registered office, as required by the New Mexico Non-Profit Corporation Act. The registered address may be, but not need be, identical with the principal office in the State of New Mexico, and the address of the registered office may be changed from time to time by the Board of Directors.

ARTICLE II. MEMBERS

SECTION 1. Qualifications. Any person, firm, corporation, Indian tribal, pueblo, municipality or other governmental agency operating or providing, directly or indirectly, transportation services, or allied thereto, may become a member of this corporation. An individual may be eligible for more than one class of membership; however, an individual may be a member of only one class.

SECTION 2. Classes of Members. Members shall be classified as follows:

1. Regular members shall consist of a person(s) representing a public or private organization identified under "Categories of Members" in Section 9. Regular members in good standing (current on paid dues) shall have the privileges and services of this Association as prescribed from time to time by the Board of Directors and shall be entitled to vote. The publicly funded transit providers may be represented by more than one person, but shall be limited to one vote per grantee.
2. Associate members shall consist of people affiliated with those private or public organizations which have designated a representative to NMTA as an Associate Member; "Categories of Members" found in Section 9. Associate members shall not be entitled to vote or hold any office in the organization. Associate members in good standing (current on paid dues) can, however, serve on committees.
3. A parent organization who joins the NMTA as a member does not entitle each sub unit membership status. I.e. Area Agency on Aging as a member does not entitle sub grantees membership status.
4. The Board of Directors may create additional classes of membership by specifying the qualifications and rights (other than voting rights) of, and limitations upon, the members of such class.

SECTION 3. **Applicants.** Any qualified applicant may become a member, without vote of the Board of Directors or the membership, in form prescribed by the Secretary, and upon paying the first year's dues.

SECTION 4. **Voting Rights.** All members in good standing shall be eligible to vote on matters coming before the association. Each member has one vote, and a majority of votes cast by members present at any regular or special meeting shall be required to determine matters coming before the association, unless further requirements are imposed by these bylaws

SECTION 5. **Termination of Membership.** The Board of Directors, by affirmative vote of a majority of the members of the Board, may suspend or expel a member for cause after an appropriate hearing, and may, by a majority vote of those present at any regularly constituted meeting, terminate the membership of any member who becomes ineligible for membership.

SECTION 6. **Resignation.** Any member may resign by submitting a letter of resignation to the Secretary, but such resignation shall not relieve the member so resigning of the obligation to pay any dues, assessments, or other charges theretofore accrued and unpaid.

SECTION 7. **Reinstatement.** Upon written request signed by a former member and filed with the Secretary, the Board of Directors may, by the affirmative vote of a majority of the members of the Board, reinstate such former member to membership upon such terms as the Board of Directors may deem appropriate.

SECTION 8. **Transfer of Membership.** Membership in this corporation is not transferable or assignable.

SECTION 9. **Categories of Members**

The following are defined as Regular Members:

1. Regional Transit District (RTD)
2. New Mexico Department of Transportation
3. Public Transit
 - a. Rural Transit Programs (5311 Programs)
 - b. Enhanced Mobility for Seniors and Individuals with Disabilities (5310 Programs)
 - c. Tribal Agencies
 - d. Large Urban
 - e. Small Urban
4. State, County, Municipal Agency (non-transit), including Metropolitan Planning Organizations not affiliated with Regional Planning Organizations
5. Professional Consultant, Vendor, or Contractor

The following are defined as an Associate Member:

6. Area Agencies on Aging or similar types of Agencies

7. Educational Institution
8. Non-Profit /Individual/Small Business
9. Community Supporter: (Non Transit)
10. Exhibitor
11. Affiliate

ARTICLE III. MEMBERSHIP MEETINGS

SECTION 1. Annual Meeting. An annual meeting shall be held at the same time as the annual New Mexico Transit Association Conference, at a time determined by the Board of Directors, for the purpose of electing Directors and for the transaction of such other business as decided by the board. If the election of Directors shall not be held on the day designated, the Board of Directors shall cause the election to be held at a special meeting of the members as soon thereafter as convenient.

SECTION 2. Special Meetings. The President, the Board of Directors, or not less than one-tenth of the members having voting rights may call special meetings.

SECTION 3. Place of Meeting. The annual meeting shall be held in the same city or general location as the annual transportation conference with the exact location determined by the Board of Directors. The Board of Directors may designate any place in the State of New Mexico, as the place of meeting for any special meeting called by the Board of Directors. If no designation is made or if a special meeting be otherwise called, the place of meeting shall be the registered office of the corporation in the State of New Mexico; but if all of the members shall meet at any time and place, either within or without the State of New Mexico, and consent to the holding of a meeting, such meeting shall be valid without call or notice, and at such meeting any corporate action may be taken.

SECTION 4. Notice of Meeting. Written notice stating the place, day, and hour of any meeting of members shall be delivered, either personally, by fax, U.S. mail, or E-mail, to each member entitled to vote at such meeting, not less than ten nor more than fifty days before the date of such meeting, by or at the direction of the President, or the Secretary, or the officers or persons calling the meeting. In case of a special meeting or when required by statute or by these by-laws, the purpose or purposes for which the meeting is called shall be stated in the notice. If mailed, the notice of the meeting shall be deemed delivered when deposited in the United States and addressed to the member at his address as it appears on the records of the corporation, with postage thereon prepaid.

SECTION 5. Informal Action by Members. Any action required by law or deemed necessary to be taken at a meeting, may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the members entitled to vote with respect to the matter thereof.

SECTION 6. Quorum. The members holding one-tenth of the votes which may be cast at any meeting shall constitute a quorum at such meeting. If a quorum is not present at any meeting of members, a majority of the members present may adjourn the meeting without further notice.

SECTION 7. Manner of Acting. A majority of the votes present at a meeting at which a quorum is reached

shall be necessary for the adoption thereof unless a greater proportion is required by law or by these by-laws.

SECTION 8. Voting by Mail/Email. Where Directors or officers are to be elected by members or any class or classes of members, such election may be conducted by mail/ **Email** in such manner, as the Board of Directors shall determine.

ARTICLE IV. BOARD OF DIRECTORS

SECTION 1. General Powers. The affairs of the corporation shall be managed by its Board of Directors, and they need not be residents of the State of New Mexico, but must be members of the corporation.

SECTION 2. Number, Tenure and Qualifications. The Board of Directors shall be comprised of no more than (11) eleven voting members. Directors must be members in good standing of the Association, and conduct Business within the State of New Mexico. Three directors shall be representatives of federally classified transit programs; one representing a Section 5311 (rural) program, one representing a Section 5310 (elderly & disabled) program, one representing a Section 5307 (urban) program, one representing regional transit districts, one representing professional members, one representing a Tribal Transit Program, one representing business member, The remaining Four directors shall be at-large members.

No more than one director can be from the same member agency or business. Directors are elected for three-year consecutive terms expiring three years after the date they were first elected. In addition to the twelve official directors, a representative from the New Mexico Department of Transportation is reserved an ex officio position on the board, this representative does not have any voting powers or rights therein.

SECTION 3. Regular Meetings. A regular annual meeting of the Board of Directors shall be held without other notice than this by-law, at the same place as the annual meeting of members. The Board of Directors may, by mutual agreement set, the time and place, either within or without the State of New Mexico, for the holding of additional regular meetings of the Board without other notice. Board members are encouraged to attend meetings in person. If unable to attend in person, they may attend telephonically. It is the Board member's responsibility to notify the President or the Administrative Coordinator, of their absence from a scheduled meeting. Board member attendance problems will be governed by NMTA Board Policy.

SECTION 4. Special Meetings. Special meetings of the Board of Directors may be called by or at the request of the President or any two Directors. The person or persons authorized to call special meetings of the Board may fix any place in the State of New Mexico, as the place for holding any special meeting of the Board called by them.

SECTION 5. Notice. Notice of any special meeting of the Board of Directors shall be given at least two days previously thereto by written notice delivered personally or sent by email, mail, or facsimile transmission to each Director at the address as shown by the records of the corporation. If mailed, such notice shall be deemed to be delivered two days following being deposited in the United States mail in a sealed envelope so addressed with postage thereon prepaid. If notice is given by facsimile transmission, such notice shall be deemed delivered when transmission is confirmed, either by phone or otherwise. Any Director may waive notice of any meeting. The attendance of a Director at any meeting shall constitute a

waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the Board need be specified in the notice or waiver of notice of such meeting, unless specifically required by law or by these by-laws.

SECTION 6. Quorum. A majority of the current board of directors either present or by phone shall constitute a quorum for the transaction of business at any meeting of the Board; but if less than a majority of the Directors are present at said meeting, a majority of the Directors present may adjourn the meeting without further notice.

SECTION 7. Manner of Acting. The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or by these by-laws.

SECTION 8. Vacancies. Any vacancy occurring in the Board of Directors and any directorship to be filled by reason of an increase of the number of directors, death, resignation, removal, disqualification, or otherwise may be filled by the affirmative vote of a majority of the remaining directors, though less than a quorum of the Board of Directors. A Director elected to fill a vacancy shall be elected for the unexpired term of his or her predecessor in office.

SECTION 9. Compensation. Directors shall not receive any stated salaries or compensation for their services.'

SECTION 10. Informal Action by Directors. Any action required by law or deemed necessary to be taken at a meeting of directors, may be taken without a meeting if consent in writing, setting forth the action so taken, shall be signed by all of the Directors.

SECTION 11. Telephonic Meetings. Directors may participate in a meeting through use of a conference telephone or similar communications equipment, so long as all Directors participating in such meetings can hear one another. Participation in a meeting pursuant to this paragraph constitutes presence in person at such meeting. As in all meetings of the Board, detailed minutes must be transcribed and delivered to Board members for review before the next scheduled Board meeting.

ARTICLE V. OFFICERS

SECTION 1. Officers. The officers of the corporation shall be a President, one Vice President who would be next in line for the position of President (if the position is vacant), a Secretary, a Treasurer and such other officers as may be elected in accordance with the provisions of this Article. The Board of Directors may elect or appoint such other officers, including one or more Assistant Secretaries and one or more Assistant Treasurers, as it shall deem desirable, such officers to have the authority and perform the duties prescribed, from time to time, by the Board of Directors.

SECTION 2. Election and Term of Office. The officers of the corporation shall be elected annually by the Board of Directors at the regular annual meeting of the Board of Directors. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently possible. New offices may be created and filled at any meeting of the Board of Directors. Each officer shall hold office until his successor shall have been duly elected.

SECTION 3. Removal. Any officer elected or appointed by the Board of Directors may be removed by a 2/3 majority vote of the Board of Directors whenever in its judgment the best interest of the corporation would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the officer so removed.

SECTION 4. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification, or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.

SECTION 5. President. The President shall be the principal executive officer of the corporation and shall in general supervise and control all of the business and affairs of the corporation. He/she shall preside at all meetings of the members and of the Board of Directors. He/she may sign, with the Secretary or any other proper officer of the corporation authorized by the Board of Directors, any deeds, mortgages, bonds, contracts, or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these by-laws or by statute to some other officer or agent of the corporation; and in general he/she shall perform all duties as may be prescribed by the Board of Directors from time to time.

SECTION 6. Vice President. In the absence of the President or in event of their inability or refusal to act, the Vice President shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President. Any Vice President shall perform such other duties as from time to time may be assigned to him/her by the President or by the Board of Directors who would be next in line for the position of President (if the position is vacant)

SECTION 7. Treasurer. If required by the Board of Directors, the Treasurer shall give a bond for the faithful discharge of his duties in such sum and with such surety or sureties as the Board of Directors shall determine. He/she shall have charge and be responsible for all funds and securities of the corporation. He/she shall approve the monthly and annual financial statements, he/she shall review the annual roadeo and conference budget. He/she shall in general perform all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

SECTION 8. Secretary. The Secretary shall keep the minutes of the meetings of the members and of the Board of Directors in one or more books provided for that purpose; see that all notices are duly given in accordance with the provisions of these by-laws or as required by law; be custodian of the corporate records and of the seal of the corporation and see that the seal of the corporation is affixed to all documents, the execution of which on behalf of the corporation under its seal is duly authorized in accordance with the provisions of these by-laws; keep a register of the post-office address of each member which shall be furnished to the Secretary by such member; and in general perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

SECTION 9. Assistant Treasurers and Assistant Secretaries. If required by the Board of Directors, the Assistant Treasurers shall give bonds for the faithful discharge of their duties in such sums and with such sureties as the Board of Directors shall determine. The Assistant Treasurers and Assistant Secretaries, in general, shall perform such duties as shall be assigned to them by the Treasurer or the Secretary or by the President or the Board of Directors.

ARTICLE VI. COMMITTEES

SECTION 1. Committees of Directors. For the purpose of defining a “committee”, any and all committee (s) shall act only in an advisory capacity to the Board of Directors. The Board of Directors, by resolution adopted by a majority of the Directors in office, may designate and appoint one or more committees, each of which shall consist of two or more Directors, which committees, to the extent provided in said resolution, shall have and exercise the authority of the Board of Directors in the management of the corporation, except that no such committee shall have the authority of the Board of Directors in reference to amending, altering, or repealing the by-laws; electing, appointing, or removing any member of any such committee or any Director or officer of the corporation; amending the articles of Director or officer of the corporation; amending the articles of incorporation; restating articles of incorporation; adopting a plan of merger or adopting a plan of consolidation with another corporation; authorizing the sale, lease, exchange, or mortgage of all or substantially all of the property and assets of the corporation; authorizing the voluntary dissolution of the Corporation or revoking proceedings there for; adopting a plan for the distribution of the assets of the corporation; or amending, altering, or repealing any resolution of the Board of Directors which by its terms provides that it shall not be amended, altered, or repealed by such committee. The designation and appointment of any such committee and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual Director, of any responsibility imposed upon it or him by law.

SECTION 2. Other Committees. Other committees not having and exercising the authority of the Board of Directors in the management of the corporation may be appointed in such manner as may be designated by a resolution adopted by a majority of the Directors present at a meeting at which a quorum is present. Except as otherwise in such resolution, members of each such committee shall be members of the corporation, and the President of the corporation shall appoint the members thereof. Any member thereof may be removed by the person or persons authorized to appoint such member whenever in their judgment the best interests of the corporation shall be served by such removal.

SECTION 3. Term of Office. Each member of a committee shall continue as such until the next annual meeting of the members of the corporation and until his successor is appointed, unless the committee shall be sooner terminated, or unless such member be removed from such committee, or unless such member cease to qualify as a member thereof.

SECTION 4. Chairmen. The person or persons authorized to appoint the committee members thereof shall appoint one member of each committee as the chair.

SECTION 5. Vacancies. Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

SECTION 6. Quorum. Unless otherwise provided in the resolution of the Board of Directors designated a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

SECTION 7. Rules. Each committee may adopt rules for its own government not inconsistent with these by-laws or with rules adopted by the Board of Directors.

ARTICLE VII. CONTRACTS, CHECKS, DEPOSITS, AND FUNDS

SECTION 1. **Contracts.** The Board of Directors may authorize any officer or officers, agent or agents of the corporation, in addition to the officers so authorized by these by-laws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances.

SECTION 2. **Checks and Drafts.** All checks, drafts, or orders for the payment of money, notes or other evidence of indebtedness issued in the name of the corporation, shall be signed by such officer or officers, agent or agents of the corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors. In the absence of such determination by the Board of Directors, such instruments shall be signed by the Treasurer or an assistant Treasurer or by the President in the absence of the Treasurer or by the Vice President of the corporation in the absence of the Treasurer and President.

Section 3. **NMTA Administrative Coordinator.** The NMTA Administrative Coordinator is authorized to receive and give receipts for moneys due and payable to the corporation from any source whatsoever, and deposit all such moneys in the name of the corporation in such banks, trust companies, or other depositories as approved by the Board. The NMTA Administrative Coordinator, shall be able to utilize the NMTA debit card for daily routine business expenses in an amount not to exceed \$750, however this amount may be exceeded if necessary with the emailed or written permission from the Treasurer and in the absence of the Treasurer the President.

SECTION 4. **Deposits.** All funds of the corporation shall be deposited by the Administrative Coordinator or the Treasurer from time to time to the credit of the corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

SECTION 5. **Gifts.** The Board of Directors may accept, on behalf of the corporation, any contribution, gift, bequest, or devise for the general purposes or for any special purpose of the corporation.

ARTICLE VIII. BOOKS AND RECORDS

The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, Board of Directors, and committees having any of the authority of the Board of Directors, and shall keep at its registered or principal office and in a virtual site available by permission of the board of directors a record giving the names and addresses of the members entitled to vote. Any member, or his agent or attorney may inspect all books and records of the corporation, for any proper purpose at any reasonable time.

ARTICLE IX. THE FISCAL YEAR

The fiscal year of the corporation shall begin on the first day of July and end on the last day of June of the following year.

ARTICLE X. DUES

SECTION 1. **Annual Dues.** The Board of Directors may determine from time to time the amount of the membership fees, if any, and annual dues payable to the corporation by members of each class through

the adoption of a Board Resolution setting such annual dues.

SECTION 2. Payment of Dues. Annual dues shall be payable before the first day of July in each fiscal year. Dues may be pro-rated for partial year memberships.

SECTION 3. Default and Termination of Membership. When any member of any class shall be in default in the payment of dues for a period of twelve (12) months from the beginning of the fiscal year or period for which such dues became payable, the membership may thereupon be terminated by the Board of Directors in the manner provide in Article III of these by-laws.

ARTICLE XI. WAIVER OF NOTICE

Whenever any notice is required to be given under the provisions of the New Mexico Non- Profit Corporation Act or under the provisions of the articles of incorporation or the by-laws of the corporation, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE XII. AMENDMENTS TO BY-LAWS

These by-laws may be altered, amended, or repealed and new by-laws may be adopted by a majority of the Directors present at any regular meeting or any special meeting, if at least two days' written notice is given of intention to alter, amend, repeal, or to adopt new by-laws at such meeting.

NMTA Definitions of Board Position Categories

5310 Board Position: Open to any employee of a 5310 Federally Classified Agency

5311 Board Position: Open to any employee of a 5311 Federally Classified Agency

5307 Board Position: Open to any employee of a 5307 Federally Classified Agency

Regional Transit District Position: Open to any employee of a recognized Regional Transit District or RTD

Professional Member Position: Open to any Employee of a Business that connects people to, offers alternative, and/or Creates positive awareness to Public Transportation not limited to Vendors of or on behalf of Public Transportation.

Tribal Transit Board Position: Open to any TTP (Tribal Transit Program) subgrantee employee or volunteer that belongs to any Federally Recognized Tribe who operates a fixed or demand response transit agency.

Business Member: Open to any employee of a For-Profit, Non-Profit, Business that provides Parts, Sales, or Service to Transportation Providers.

At Large Board Member: Open to any employee or volunteer of any category listed as an Official Board position.

Template Letter to State and Local Elected Officials and Public Health Officials

Dear _____:

On behalf of the {transit system}, thank you for all your efforts to help contain the coronavirus and keep our residents safe and healthy. We are heartened by the news of a vaccine and urge you to include public transportation workers in phase one of {state or city's} vaccine distribution plan.

Since the early days of the pandemic, public transportation has played a critical role in transporting essential frontline workers to their jobs in health care, education, utilities and at grocery stores. At { Transit system name} our employees have been heroes moving heroes. Public transit workers have worked throughout the pandemic to move our community and to help our economy recover.

The American Public Transportation Association has worked with national health and safety organizations and public transit workers have been designated as essential workers at the national level. {link to APTA website} On December 3, the advisory group for the Centers for Disease Control recommended that essential workers be included in the second priority group after health care workers. In addition, transit workers have been designated by the Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (DHS/CISA) as Essential Critical Infrastructure Workers, whose performance of critical functions places them at higher risk of exposure to COVID-19 infection.

Public transit service will be even more critical to the recovery of our {communities } as people return to work and the lives they desire. Public transit is essential for our community to survive and thrive.

We also want you to know that {transit system} is here to help in any way to facilitate the vaccine distribution and get residents to vaccination sites if possible.

If you have any questions, please contact me at {email and phone}

Thank you again for all your efforts,