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NOTICE AND AGENDA OF PUBLIC MEETING AND POSSIBLE EXECUTIVE SESSION OF THE BOARD OF DIRECTORS (BOD) OF THE NORTHERN ARIZONA INTERGOVERNMENTAL PUBLIC TRANSPORTATION AUTHORITY

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the Board of Directors (BOD) of the Northern Arizona Intergovernmental Public Transportation Authority (“NAIPTA”) and to the general public that the Board will hold a meeting on:

Wednesday, September 16, 2020

10:00am

Mountain Line Training Room

3825 N. Kaspar Dr.

Flagstaff, AZ 86004

Due to the current public health emergency related to the Coronavirus, this meeting held in the Training Room will not be open to the public. This is a WEB BASED meeting. Members of the Board of Directors may attend by telephone or internet conferencing. Members of the public may submit comments related to agenda items before 9am on the day of the meeting to transportation@naipta.az.gov and observe the meeting by following the instructions at <https://mountainline.az.gov/about-us/board-of-directors/>.

The Board of Directors may vote to hold an executive session for the purpose of obtaining legal advice from NAIPTA’s attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3). The executive session may be held at any time during the meeting. Executive sessions are not open to the public, pursuant to Arizona Open Meeting Law.

Pursuant to the Americans with Disabilities Act, persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Clerk of the Board of Directors at 928-679-8922 (TTY Service 800.367.8939). Requests should be made as early as possible to allow time to arrange the accommodation.

The agenda for the meeting is as follows:

-pages 1-4

1. CALL TO ORDER
2. ROLL CALL
3. SAFETY MINUTE

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4. APPROVAL OF MINUTES 8/19/2020 -pages 5-13

CONSENT ITEMS:

All matters under Consent Agenda are considered by the Board of Directors to be routine and will be enacted by a single motion APPROVING THE CONSENT AGENDA. If discussion is desired on any particular consent item, that item will be removed from the consent agenda and will be considered separately. All items on the Consent Agenda with financial impact have been budgeted.

There are no items on the consent agenda.

DISCUSSION / ACTION ITEMS:

5. RULES OF PROCEDURE AND CODE OF CONDUCT TRAINING
-Mitesh Patel, General Counsel for Mountain Line -pages 14-43
-Scott Holcomb, General Counsel for Mountain Line
Rules of Procedure and Code of Conduct training is recommended by our legal team for all members, designees, and alternates.
6. CONSIDER SECTION 5307/5339 APPROVAL OF APPLICATION AND EXECUTION OF CONTRACT -pages 44-46
-Estella Hollander, Mobility Planner
Staff recommends the Board of Directors: 1) Direct staff to continue with application submitted to the Arizona Department of Transportation (ADOT); and 2) Execute the contract awards for Section 5307/5339 funds from the Federal Transit Administration (FTA) through ADOT for capital purchases.
7. CONSIDER THE COVID-19 REOPENING PLAN -pages 47-56
-Kate Morley, Deputy General Manager
Staff recommends the Board of Directors approve the COVID-19 Reopening Plan, including triggers for opening the Mountain Line office and returning to fare collection practices.
8. CONSIDER AN UPDATE TO THE FINANCIAL MANAGEMENT POLICY
-Heather Dalmolin, CEO and General Manager -pages 57-73
Staff recommends the Board of Directors approve an update to the Financial Management Policy to incorporate internal control policies, fund balance requirements, and add, by reference, the City of Flagstaff Recession Plan.





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9. HUMAN TRAFFICKING AWARENESS PARTNERSHIP -pages 74-75
-Sam Short, Safety Manager
The Board may provide direction, but there is no recommendation from staff at this time.
10. CONSIDER AND OWNER'S REPRESENTATIVE FOR THE DOWNTOWN CONNECTION CENTER (DCC) -pages 76-77
-Kate Morley, Deputy General Manager
The Board may provide direction, but there is no recommendation from staff at this time.

PROGRESS REPORTS:

11. UPDATE ON GENERAL CONSULTING SERVICES CONTRACT
-Kate Morley, Deputy General Manager -pages 78-79
12. SUMMARY OF CURRENT EVENTS
-Heather Dalmolin, CEO and General Manager

ITEMS FROM COMMITTEE AND STAFF:

SCHEDULE NEXT MEETING DATE AND IDENTIFY AGENDA ITEMS

October/November Working Agenda -page 80

The Board and TAC Advance will be held on Wednesday, October 21, 2020. It will be a Zoom meeting based in Flagstaff in the Mountain Line Training Room, 3825 N. Kaspar Dr., Flagstaff, AZ 86004 at 9am. The public is invited to attend. October agenda items may include but not be limited to the Central Yavapai Metropolitan Planning Organization (CYMPO) Request for Service and Intergovernmental Agreement (IGA), Mountain Line Annual Report Discussion, Fare Capping Discussion, 5-Year Transit Plan – Tax Action Plan and Regional Transportation Plan (RTP) Update, Strategic Plan Updates with Key Performance Indicators (KPIs), Legislative Update, Public Transportation Agency Safety Plan (PTASP) Report, and Delegation of Authority Updates. The October agenda will be available for review on Mountain Line's website and at Mountain Line's public posting places (listed on the Mountain Line website) at least 24 hours prior to the meeting and should be consulted for a list of items that will come before the Board and TAC.

The next Board meeting will be November 16, 2020 and will be a WebEx meeting based in Flagstaff in the NAIPTA Training Room, 3825 N. Kaspar Dr., Flagstaff, AZ 86004 at





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10am. The public is invited to attend. November agenda items will include but not be limited to the Active Transportation Master Plan, Mountain Line Annual Report Adoption, Adopt the Amended Strategic Plan with Key Performance Indicators (KPIs), Public Transportation Agency Safety Plan (PTASP) Report Adoption, Milton Corridor Update, Budget Process Kickoff, Employee Satisfaction Survey, Grant Award Notification, and Delegation of Authority Updates. The November agenda will be available for review on Mountain Line's website and at Mountain Line's public posting places (listed on the Mountain Line website) at least 24 hours prior to the meeting and should be consulted for a list of items that will come before the Board.

20. ADJOURNMENT

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Board of Directors Minutes for Wednesday, August 19, 2020

NOTE: IN ACCORDANCE WITH PROVISIONS OF THE ARIZONA REVISED STATUTES THE SUMMARIZED MINUTES OF NAIPTA BOARD MEETINGS ARE NOT VERBATIM TRANSCRIPTS. ONLY THE ACTIONS TAKEN AND DISCUSSION APPEARING WITHIN QUOTATION MARKS ARE VERBATIM.

The Board of Directors met in Regular Session on Wednesday, August 19, 2020 at 10am in the Mountain Line Training Room, 3825 N. Kaspar Dr., Flagstaff, AZ 86004.

This was a WEB BASED meeting. Members of the Board attended by telephone or internet conferencing only. The public was invited to observe by electronic means only, due to the current public health emergency related to the Coronavirus.

BOARD MEMBERS PRESENT:

Jamie Whelan, (Chair) City Councilor, City of Flagstaff, (Zoom);
Steve Peru, (Vice Chair) Chief Development and Government Relations Officer, CCC, designee, (Zoom);
Art Babbott, Board of Supervisors, Coconino County, (Zoom), joined at approximately 10:02am.
Jim McCarthy, City Councilor, City of Flagstaff, (Zoom);
Dan Okoli, Vice President of Capital Planning and Campus Operations, NAU, designee, (Zoom)
**Three of our five Board member seats must be present to constitute a quorum.*
***The City of Flagstaff holds two seats.*

BOARD MEMBERS EXCUSED:

None.

MOUNTAIN LINE STAFF IN ATTENDANCE:

Heather Dalmolin, CEO and General Manager;
Kate Morley, Deputy General Manager;
Sam Short, Safety Manager;
Jon Matthies, IT Manager;
Danelle Knight, Human Resource Manager, (Zoom);
Heather Higgins, Purchasing and Contracts Officer/DBE Liaison Officer, (Zoom);
Rhonda Cashman, Executive Assistant and Clerk of the Board;
Scott Holcomb, Mountain Line Attorney, (Zoom);
Sam Coffman, Mountain Line Attorney, (Zoom), joined at approximately 11:07am

GUESTS PRESENT:

None.

1. CALL TO ORDER -Chair Whelan called the meeting to order at approximately 10:00am.



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2. ROLL CALL

3. SAFETY MINUTE

Mr. Short delivered the safety message on how to beat the heat with a mask during the pandemic. For safety and comfort, use a light cotton material with at least two layers. If it gets wet, it is less effective due to reduced filtration and decreased airflow. It's a good idea to keep a spare mask around, should you need to change it out. Other materials are much warmer in the high heat. Be sure to wash your face covering regularly.

4. APPROVAL OF THE MEETING MINUTES:

- a. Regular Meeting 6/17/2020
- b. Emergency Meeting 6/29/2020

Director Babbott moved to approve the June 17, 2020 Regular Board meeting minutes and the June 29th Emergency Board meeting minutes. Vice Chair Peru seconded. There was no discussion. All approved, none opposed. Motion carried.

NAME	YES VOTE	NO VOTE
Jamie Whelan	X	
Steve Peru	X	
Art Babbott	X	
Jim McCarthy	X	
Dan Okoli	X	

CONSENT ITEMS:

All matters under Consent Agenda are considered by the Board of Directors to be routine and will be enacted by a single motion APPROVING THE CONSENT AGENDA. If discussion is desired on any particular consent item, that item will be removed from the consent agenda and will be considered separately. All items on the Consent Agenda with financial impact have been budgeted.

5. CONSIDER SECTION 5307/5339 APPROVAL OF APPLICATION AND EXECUTION OF CONTRACT

-Estella Hollander, Mobility Manager

Staff recommends the Board of Directors: 1) Authorize staff to submit application to the Arizona Department of Transportation (ADOT); and 2) Execute the contract awards for Section 5307/5339 funds from the Federal Transit Administration (FTA) through ADOT for capital purchases.

6. CONSIDER TRANSIT 4 ALL MOBILITY ON-DEMAND (MOD) APPROVAL OF APPLICATION

-Estella Hollander, Mobility Planner

Staff recommends the Board of Directors: 1) Authorize staff to submit application to





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The Community Transportation Association of America (CTAA); and 2) Execute the contract awards for CTAA's Transit 4 All Mobility On-Demand (MOD) Grant funding through CTAA, U.S. Administration for Community Living (ACL), and Federal Transit Administration (FTA) for planning and implementing a MOD pilot.

The Board considered the consent agenda items 5 and 6 in one motion. Director Babbott moved to approve the consent agenda. Director McCarthy seconded. There was no discussion. All approved, none opposed. Motion carried.

NAME	YES VOTE	NO VOTE
Jamie Whelan	X	
Steve Peru	X	
Art Babbott	X	
Jim McCarthy	X	
Dan Okoli	X	

DISCUSSION / ACTION ITEMS:

7. CONSIDER AECOM CHANGE ORDER FOR THE DOWNTOWN CONNECTION CENTER (DCC)

-Kate Morley, Deputy General Manager

Staff recommends the Board of Directors approve a change order to the DCC Task Order with AECOM Technical Services, Inc. contract in the amount of \$799,931.

Ms. Morley reviewed a PowerPoint presentation with the Board. She stated the original grant received for the DCC was \$6.7 million. Since then, another grant for \$15 million was received. Therefore, the DCC project task order needs to be re-scoped. She provided background on what tasks AECOM has completed to date. The original programming identified needed and desired items. With the additional funds, those desired items can move into the needed items and some new items have been identified as well. The additional scope will increase the task order by approximately \$800,000 and get us through the Planning and Zoning approval process. The schedule is as follows: Final Design in 2021 and Construction in 2022-2023. The total project budget for AECOM is not to exceed \$1.5 million. She also proposed consideration of having an Owner's Rep. There were questions about the consideration of Admin facilities to be added and the public outreach touch points. Ms. Morley replied that customer service was always part of the plan; however, with more funding available it may be possible to move more of the overall administrative function, closer to our partners, and this would allow potential repurpose of the administrative building at Kaspar as current facility has reached maximum bus capacity. A Kaspar Master Plan is scheduled to kick off in the next couple months to help address these concerns and review the potential for repurposing the space. Regarding public outreach, she explained rider surveys and open houses were planned. Now staff want to increase effort with a community group committee for those interested and to address the civic space. There was support noted for more committees; it is important to hear from the west side of town as they are affected but need to hear from the east side of town as well. There was support for the Owner's Rep since we are not in the building business.



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There was no further discussion. Director McCarthy moved to approve as recommended. Director Okoli seconded. There was no discussion. All approved, none opposed. Motion carried.

NAME	YES VOTE	NO VOTE
Jamie Whelan	X	
Steve Peru	X	
Art Babbott	X	
Jim McCarthy	X	
Dan Okoli	X	

8. CONSIDER THE DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL
FEDERAL FISCAL YEAR (FFY)2021-FFY2023

-Heather Higgins, Purchasing and Contracts Officer/DBE Liaison Officer
Staff recommends the Board of Directors adopt the FFY2021-FFY2023 DBE Goal Setting Methodology and approve the updated DBE goal of 3%. The documentation and process is based on Federal Transit Administration (FTA) guidance for DBE programs and the goal setting process.

Ms. Higgins shared a PowerPoint presentation and explained the DBE Goal Setting process. There were no public comments received during the public comment period of July 1 – August 15, 2020. The DBE goal of three percent is recommended. There were questions regarding use of a template from the federal government, any concern over the previous goal being nine percent and lowering it to three percent, when did the program go into effect and request for clarification on the participation trend. Ms. Higgins responded that the goal setting is based on state guidance; the goal should be achievable, and nine percent really was not. The total in the previous triennial period was 4.08 percent. Ms. Dalmolin reported the program has been in place for more than 10 years and was triggered by the amount of federal funding Mountain Line received. The program is federally approved, and staff are required to update the goal every three years. The goal varies based on the types of contracts and DBE vendors available. Most DBE vendors reside in large metropolitan areas and do not want to travel to small urban areas for small contracts. Our participation fluctuates based on the capital projects during the three year period. Vice Chair Peru moved to approve as recommended. Director Babbott seconded. There was no discussion. All approved, none opposed. Motion carried.

NAME	YES VOTE	NO VOTE
Jamie Whelan	X	
Steve Peru	X	
Art Babbott	X	
Jim McCarthy	X	
Dan Okoli	X	

9. CONSIDER FY2021 LIABILITY INSURANCE OPTIONS

-Heather Dalmolin, CEO and General Manager



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Staff recommends that the Board of Directors 1) authorize the CEO and General Manager to engage Mountain Line's partners to revise the Master IGA regarding section 16 Insurance as a result of the changing liability insurance market and to reflect Mountain Line loss history and 2) delegate authority to the CEO and General Manager and Mountain Line legal counsel to finalize the language for executing signatures.

Ms. Dalmolin reviewed a PowerPoint presentation to follow up on the June 29th discussion. She provided background on how this situation came to be and noted a maximum of \$21 million in liability insurance has been secured. It will be an ongoing challenge to purchase more. At this point, an amendment to the Restated Master Intergovernmental Agreement (IGA) is recommended. She reviewed the current coverage for FY2021 and the gaps in coverage as required by the Restated Master IGA. She has discussed this information with the City and County Risk Managers, the language revision in the amendment, as well as Mountain Line's loss history, and they support the change. With approval from the Board, staff can reach out to each agency to approve the amendment. There was a discussion about liability limits in all areas of coverage. Ms. Dalmolin stated additional coverage options could be explored further in the future, but the insurance market is expected to remain challenging for the next 2-5 years. Mountain Line is looking to make this change effective as soon as possible. Vice Chair Peru moved to approve as recommended. Director Babbott seconded. There was further discussion regarding part two of the recommendation allowing the CEO and General Manager and legal counsel to finalize the language. Ms. Dalmolin clarified the language has been approved by the City of Flagstaff and Coconino County Risk Managers and Attorneys. It has not been reviewed by Northern Arizona University (NAU) or Coconino Community College (CCC) yet. There would only be non-substantive changes to the amendment language. Mr. Holcomb stated the language would be subject to the parameters based on the Board approval. All approved, none opposed. Motion carried.

NAME	YES VOTE	NO VOTE
Jamie Whelan	X	
Steve Peru	X	
Art Babbott	X	
Jim McCarthy	X	
Dan Okoli	X	

10. CONSIDER THE CENTRAL YAVAPAI METROPOLITAN PLANNING ORGANIZATION (CYMPO) REQUEST FOR SERVICE

-Kate Morley, Deputy General Manager

Staff has no recommendation at this time and item is for discussion only. Staff anticipate a related item for action at a future board meeting.

Ms. Morley shared a PowerPoint presentation and noted no action is required at this time. CYMPO staff are working through their approval process and this item may come back in October. CYMPO is not a direct 5307 grant recipient and they are requesting Mountain Line assistance to draw down Coronavirus Aid, Relief, and Economic



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Security (CARES) Act funds. Mountain Line would receive 10 percent of total project value for staff time. CARES Act funds are 100 percent, with no local match required. She reviewed the Regional Service Request requirements with the Board and additional considerations. This is a planning effort only. The goal is to get CYMPO to their own direct 5307 recipient status. The Board was supportive of this effort.

11. COVID-19 REOPENING PLAN

-Kate Morley, Deputy General Manager

On behalf of the Board, Chair Whelan requested discussion of this item.

Ms. Morley reviewed the COVID-19 Reopening Plan with the Board. Some staff members have been working on the plan since March: looking at what partner agencies are doing; an employee survey was done, and input from the County Public Health Department has been considered. She reviewed our current conditions, which are considered to be the most restrictive. Phase 2 started on August 9th with our return to regular service and our service changes that became effective. Students are returning to the NAU campus and this allows for greater social distancing on the buses. It is going well. Ridership has increased, but loads are about the same due to more buses in service. Phase 3 will be considered when there are declining cases in the region and include reinstitution of fare collection, opening the lobby and consideration to coincide with the City reopening. Phase 4 is essentially the end of the pandemic, when it is safe to resume normal operations. Staff do plan to continue the cleaning processes established. She asked for feedback that may be incorporated before the consideration of approval in September. Per Director McCarthy, the City Council voted 5-2 last night to move into Phase 3. Ms. Morley said that is good news and stated it will take Mountain Line a little time to get a few items in order: driver barriers installed, cash handling process initiated, and office reopening. Director Babbott asked Director McCarthy and Chair Whelan if they could help him understand the practical output of the Council's decision and then asked for Ms. Morley to explain for Mountain Line. Mr. McCarthy stated the only thing the City can do is control its property. Most restrictions are prescribed by the Governor. The sports, soccer fields, are expected to reopen soon. Chair Whelan said the Council took a look at their own criteria and after a good discussion, decided to reopen outdoor facilities and fields to teams that have their own protocols in place. The Governor has a dashboard; they will be watching the data carefully and proceeding with caution. Director Babbott said he anticipates some repercussions with NAU students' arrival and parties, etc. Chair Whelan stated we must remain flexible to change. Ms. Morley responded that it is unlikely Mountain Line can get to collecting fares before the September Board meeting. Staff need to work on installation of the Operator barriers, cash handling procedures, and secure pickup of cash. Ms. Dalmolin noted that the City's Phase 3 triggers consideration of our Phase 3. She stated it will probably take at least two weeks to provide notice to riders of the intent to start fare collection. The driver partition installation is critical for safety. It is anticipated by October 1st and necessary before fare collection begins. Chair Whelan asked about fare collection options. Ms. Dalmolin replied that our fare system is ready to go for two of the three options recommended: the online reloading and the stored



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value options. The mobile ticketing is still early in the development process and needs to be combined with trip planning and real time arrival. Chair Whelan noted employee safety is a priority. This is a whole new chapter and we should not let our guard down.

PROGRESS REPORTS:

12. 2020 STRATEGIC PLAN UPDATE
-Heather Dalmolin, CEO and General Manager
13. FY2021 OCTOBER ADANCE
-Heather Dalmolin, CEO and General Manager
14. FY2020 ANNUAL CYBERSECURITY REPORT
-Jon Matthies, IT Manager
15. ANNUAL SAFETY REPORT
-Samuel Short, Safety Manager
16. PUBLIC TRANSPORTATION AGENCY SAFETY PLAN (PTASP) UPDATE
-Samuel Short, Safety Manager
17. EMERGENCY MANAGEMENT UPDATE
-Samuel Short, Safety Manager
18. FY2020 ANNUAL FLEET MAINTENANCE
-James Wagner, Operations Director
19. DELEGATIONS OF AUTHORITY
-Heather Dalmolin, CEO and General Manager
20. SUMMARY OF CURRENT EVENTS
-Heather Dalmolin, CEO and General Manager

Ms. Dalmolin noted the progress reports are for Board member review and consideration for placement on a future agenda if discussion is desired. She called their attention to exciting news in the current events memo.

Announcements:

- 1) Wade Forrest, Facilities Manager, has resigned effective September 4th. He has been with Mountain Line for 14 years and started as a Bus Operator. Please wish him well if you see him out in the community.
- 2) She will be sending an email to the Board regarding the Rules of Procedure changes adopted earlier this year related to members, encouraging a timely response. This is important for September training, so all appropriate members and alternates are in attendance. Mr. Holcomb asked for Board members to send any concerns or issues to target in this training to Ms. Dalmolin or Ms. Cashman to make sure it is included.





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- 3) The Downtown Business Alliance has some Downtown Vision events planned. Staff will send Board invitations and an email with more information in case they can attend.
- 4) She will be doing a CNN interview regarding the effects of COVID-19 on funding. She previously participated in an American Public Transportation Association (APTA) national press conference regarding the same topic. She agreed to share the talking points with Board members.

Vice Chair Peru made a motion to move into executive session at approximately 11:14am. Director Babbott seconded. Director McCarthy suggested waiting on the training until January. Ms. Dalmolin understood the reasoning; however, it has been decided it is best to proceed with the training for all current members and alternates and then new members will go through training individually. All approved, none opposed. Motion carried.

NAME	YES VOTE	NO VOTE
Jamie Whelan	X	
Steve Peru	X	
Art Babbott	X	
Jim McCarthy	X	
Dan Okoli	X	

Chair Whelan called for a brief break and requested the executive session begin at 11:22am. Director Babbott stated he would need to excuse himself from the rest of the meeting due to another commitment.

EXECUTIVE SESSION

Executive sessions are closed to the public.

The Board considered a motion to convene an executive session pursuant to A.R.S. § 38-431.03(A), (3) and (4) for the following purpose:

1. Discussion and consultation with Mountain Line's attorney for legal advice and with Mountain Line's attorney and designated representatives, regarding a potential claim by a terminated employee. ARS § 38-431.03(A)(3) and (4).
2. Discussion and consultation with Mountain Line's attorney for legal advice and with Mountain Line's attorney and designated representatives, regarding the Papanastasopoulos v. NAIPTA litigations. ARS § 38-431.03(A)(3) and (4).
3. Discussion and consultation with Mountain Line's attorney for legal advice and with Mountain Line's attorney and designated representatives, regarding the Mountain Line CEO and General Manager contract. A.R.S. § 38-431.03(A)(1), (3) and (4).

Following the conclusion of the Executive Session, the Board reconvened the public meeting at approximately 12:24pm.

DISCUSSION / ACTION ITEMS:



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21. CONSIDER THE CEO AND GENERAL MANAGER CONTRACT

The Board of Directors may consider taking action on the CEO and General Manager Contract.

Director McCarthy moved to approve the CEO and General Manager contract terms as discussed in the executive session, with the effective date of August 21, 2020. Director Okoli seconded. Vice Chair Peru stated how much he appreciated the work of Chair Whelan, Ms. Knight's involvement from the Human Resource perspective, and Mr. Holcomb's efforts related to legal as the Board worked through this process. He also commented on the importance of Ms. Dalmolin being with the organization for so long. Ms. Dalmolin thanked the Board for their support. Chair Whelan stated her confidence in Ms. Dalmolin, and her appreciation for what Ms. Dalmolin brings to the organization. All approved, none opposed. Motion carried.

NAME	YES VOTE	NO VOTE
Jamie Whelan	X	
Steve Peru	X	
Jim McCarthy	X	
Dan Okoli	X	

ITEMS FROM COMMITTEE AND STAFF:

SCHEDULE NEXT MEETING DATE AND IDENTIFY AGENDA ITEMS

September/October Working Agenda

The next Board meeting will be September 16, 2020 and it will be a Zoom meeting based in Flagstaff in the NAIPTA Training Room, 3825 N. Kaspar Dr., Flagstaff, AZ 86004 at 10am. The public is invited to attend. September agenda items will include but not be limited to the Rules of Procedure and Code of Conduct Training, COVID-19 Reopening Plan, Financial Management Plan, Human Trafficking Awareness Campaign, Downtown Connection Center (DCC) Owner's Rep, AECOM Quarterly Update, and Delegation Authority Update. The September agenda will be available for review on NAIPTA's website and at NAIPTA's public posting places (listed on the NAIPTA website) at least 24 hours prior to the meeting and should be consulted for a list of items that will come before the Board.

22. ADJOURNMENT

-Chair Whelan adjourned the meeting at approximately 12:28pm.

Jamie Whelan, Chair of the Mountain Line Board of Directors

ATTEST:

Rhonda Cashman, Executive Assistant and Clerk of the Board



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DATE PREPARED: September 8, 2020

MEETING DATE: September 16, 2020

TO: Honorable Chair and Members of the Board

FROM: Mitesh Patel and Scott Holcomb, General Counsel for Mountain Line

SUBJECT: Rules of Procedure and Code of Conduct Training

RECOMMENDATION:

Rules of Procedure and Code of Conduct training is recommended by our legal team for all members, designees, and alternates.

RELATED STRATEGIC PLAN GOAL & OBJECTIVE

- ❖ Goal: Community Engagement
- ❖ Objectives:
 - Ensure active participation from a supportive network of stakeholders.
 - Increase the community's awareness of Mountain Line's value to the community.

BACKGROUND:

The recently updated Mountain Line Rules of Procedure (the "Rules") were adopted on March 25, 2020. There are a number of factors that impact the effectiveness of Mountain Line's Rules, including changes in how Mountain Line operates, changes in state law, and advances in technology. Staff worked closely with Mountain Line's General Counsel to revise the governing document: reviewed numerous transportation agencies documents from across the country, and identified best practices to incorporate in the Rules, while at the same time maintaining compliance with the Restated Master IGA, Mountain Line's controlling charter document. For example, the Rules were updated to align with Mountain Line's practice in how the Board and the TAC are governed, while clarifying how Board members are appointed, the length of Board and TAC officer's terms, and the role and participation expectations of alternative members of the Board and TAC.

In addition to updating the Rules, a Code of Conduct was created to provide guidance on a number of key areas, including public records laws, conflicts of interest, and the use of social media. State law on public records has developed with the proliferation of mobile devices, new messaging mediums, and social media. Adopting a clear Code of Conduct is recommended to counsel Mountain Line, its Board members, TAC members, and employees to comply with the current expectations under the law, minimize inadvertent violations of such laws, and foster effective professional communications and interactions.

TAC DISCUSSION:

Transit Advisory Committee members were appreciative of the content reviewed in this presentation.

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FISCAL IMPACT:

There is no fiscal impact associated with implementation of these documents.

SUBMITTED BY:

Mitesh Patel and Scott Holcomb
General Counsel for Mountain Line

APPROVED BY:

Heather Dalmolin
CEO and General Manager

ATTACHMENTS:

- | | |
|--|--------------|
| 1. Rules of Procedure | -pages 16-30 |
| 2. Code of Conduct | -pages 31-37 |
| 3. Annual Conflict of Interest Statement | -page 38 |
| 4. 2019.05.15 Memo to NAIPTA Board | -pages 39-43 |





RULES OF PROCEDURE

OF

**NORTHERN ARIZONA INTERGOVERNMENTAL
PUBLIC TRANSPORTATION AUTHORITY
("MOUNTAIN LINE")**

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RULES OF PROCEDURE
OF
NORTHERN ARIZONA INTERGOVERNMENTAL
PUBLIC TRANSPORTATION AUTHORITY (“MOUNTAIN LINE”)
(A corporate body and political subdivision
Of the State of Arizona)

ARTICLE I - STATEMENT OF PURPOSE

SECTION 1.1 *General Purposes.* The Authority is a corporate body and political subdivision of the State of Arizona, established pursuant to state law for the purpose of designing, operating, and maintaining a public transportation system in the geographic boundaries of the Authority. The Authority was created pursuant to Arizona Revised Statutes Title 28, Chapter 26 (the “Act”) and is an intergovernmental public transportation authority organized under the laws of the State of Arizona. The Authority, comprised of a Board of Directors, officers, management and employees, is a political subdivision of the State of Arizona, with those powers specifically granted by the Act and with implied powers necessary to carry out the objectives and purposes of a public transportation authority.

SECTION 1.2 *Conflict with Law.* In the event that these Rules of Procedure should now or at any time in the future be in conflict with the Act, as amended, then and in such event those statutory provisions shall supersede these Rules of Procedure.

ARTICLE II - DEFINITIONS

Administrative Committee. Administrative Committee means a committee formed by the CEO and General Manager to review, study, and carry out tasks as directed by the CEO and General Manager.

Agency. Agency means each active party to the Master IGA, which includes, as of the date of adoption of these Rules of Procedure, Coconino County, the City of Flagstaff, the Arizona Board of Regents acting for and on behalf of Northern Arizona University (“Northern Arizona University”) and the Coconino County Community College District.

Authority. Authority means the Northern Arizona Intergovernmental Public Transportation Authority, also known as “NAIPTA” and doing business as “Mountain Line.”

Board Committee. Board Committee means a committee of Board Members formed to review, study, and make recommendations to the Board concerning planning, operation, and management of the Authority.

Board Member. Each Agency’s representative on the Board, or its designee.

Board of Directors. Board of Directors or Board means the Board of Directors of the Authority, consisting of representatives of member Agencies, appointed by the Agency's governing body.

CEO and General Manager. CEO and General Manager means the Chief Executive Officer and General Manager of Mountain Line.

Code of Conduct. Code of Conduct means the policy adopted by the Board, and attached hereto as Addendum A, and as amended from time to time as provided in these Rules of Procedure.

Presiding Officer. Presiding Officer means the Chair of the Board, TAC, or Board Committee, or the leader of a committee as otherwise provided for in the committee's organizational structure.

Transit Advisory Committee. Transit Advisory Committee or TAC means the Committee consisting of the administrative head of each member agency, or the administrator's designee.

ARTICLE III - POWERS AND DUTIES OF THE BOARD OF DIRECTORS

The powers and duties of the Board include, but are not limited to:

- (a) The powers set forth in A.R.S. § 28-9122 (the "Statutory Powers"), and those powers necessary to implement the Statutory Powers.
- (b) Determine all questions of Authority policy, establishing the location of the Authority's principal place of business, and the times of meetings of the Board and any committees.
- (c) Conduct a periodic survey of public transportation needs in the Authority and determine an appropriate transportation system to meet those needs and the means to finance the system and produce a five-year public transportation program that is consistent with the regional transportation plan approved by the regional council(s) of governments.
- (d) Coordinate and implement the establishment and development of the public transportation system (including ancillary facilities) within the Authority and among the participating governmental entities.
- (e) Adopt rules that are proper and necessary to regulate the use, operation and maintenance of the public transportation systems, property, facilities and services.
- (f) Employ a CEO and General Manager, and other employees and agents as may be necessary and prescribe the duties, terms, and conditions of employment.

- (g) Delegate to the Authority's officers, CEO and General Manager, and employees such powers as necessary to carry out the policies and business of the Authority;
- (h) Appoint an Authority treasurer or enter into an intergovernmental agreement with the Coconino County Treasurer to provide financial services for the Authority.
- (i) Manage, set policy, and conduct the business of the Authority.
- (j) Determine the Authority's organizational and procedural structure; adopt, amend, and repeal bylaws and rules consistent with the requirements of state law, and prescribe an accounting system for the Authority.
- (k) Create and appoint standing or ad hoc Board Committees. Possible Board Committee subject areas may include, without limitation, financial, personnel, and customer service matters.
- (l) Exercise all powers and perform all functions in the operation of the Authority as are ordinarily exercised by the governing body of a political subdivision of the State of Arizona and as are necessary to accomplish the purposes of the Authority.
- (m) Provide for payment of all debts and appropriate claims from the appropriate funds.
- (n) Contract for or employ professionals to perform work or services on behalf of the Authority.
- (o) Through counsel, prosecute or defend the Authority in all court actions or other proceedings in which the Authority is a party or is otherwise involved.
- (p) Issue an annual report on or before December 1 of each year, containing a full account of its transactions, activities and finances for the preceding fiscal year and other facts and recommendations, and transmit copies of the report to each member municipality, university and county, to the Secretary of State, to the Arizona State Library, Archives and Public Records, and, on request, to any member of the public.
- (q) Cause an annual audit to be conducted of the public transportation authority fund by an independent certified public accountant within 120 days after the end of the fiscal year.

ARTICLE IV – BOARD OF DIRECTOR MEMBERS

SECTION 4.1 Agencies and Board of Directors. The Agencies comprising the Authority are Coconino County, the City of Flagstaff, the Arizona Board of Regents acting for and on behalf of Northern Arizona University ("Northern Arizona University") and the Coconino County

Community College District. Coconino County, Northern Arizona University and Coconino County Community College District each have one representative on the Board, appointed by its governing body; the City of Flagstaff has two representatives on the Board, appointed by its governing body. In the event that additional municipalities join the Authority, the number of directors on the Board may be increased (to a maximum of nine (9) directors) by a vote of the Board.

SECTION 4.2 New Member Agencies. Incorporated cities and towns within Coconino County may join the Authority by petitioning the Board of Supervisors and entering into the Restated Master IGA by and between the Agencies effective July 1, 2013, as the same may be amended (the "Restated Master IGA"), provided that Board membership is to be apportioned among the participating municipalities according to their respective populations.

SECTION 4.3 Dues, Fees, and Assessments. Each Agency must pay, within the time and on the conditions approved by the Board, the dues, fees, and assessments in amounts to be fixed from time to time by a majority of the Board.

SECTION 4.4 Resignation of Agency. In the event that one or more Agencies resigns from the Authority, the resigning Agency shall no longer be represented on the Board. New Agencies may be invited to fill any vacancies as provided in Section 4.2 above.

ARTICLE V - OFFICERS

SECTION 5.1 Officers of the Authority. The Officers of the Authority, who must also be Board Members, shall be a Chair and a Vice Chair.

- (a) A person may only hold one office at a time.
- (b) In the event of a vacancy in an office, a new officer shall be appointed as provided in Section 5.3 of these Rules.

SECTION 5.2 Duties of Officers.

- (a) *Chair.* The Chair shall: 1) act as Presiding Officer at all meetings of the Board; 2) sign all documents on behalf of the Authority; 3) be an ex-officio member of all committees.
- (b) *Vice Chair.* The Vice Chair shall have all the powers and assume all of the duties of the Chair in the Chair's absence.
- (c) *Duties Generally.* The Officers of the Authority shall act in the best interest of the Authority and in accordance with the constitutions and laws of the United States of America and the State of Arizona, and with all policies adopted by the Board.

SECTION 5.3 Election and Re-election of Officers.

- (a) *Terms.* The term of the Chair and Vice Chair positions shall be for a period of one (1) year, commencing on July 1 and ending on the following June 30, unless otherwise directed by the Board as provided in Section 5.3(e). In the event of an unexpected mid-term vacancy, the replacement Officer, determined in accordance with this Section 5.3, shall serve the remainder of the term.
- (b) *Order of Ascension.* Subject to Section 5.3(e), elected Officers shall serve for two (2) consecutive terms: first as the Vice Chair, and then as the Chair. The Vice Chair shall be elected before July 1 of each fiscal year and take office effective July 1.
- (c) *Vacancies.* At the completion of a full term, or in the event of a vacancy in the position of Chair, the Vice Chair shall ascend to the position of Chair. In the event of a vacancy in the position of Vice Chair, the Board shall entertain nominations from the Board Members to fill any such vacancies for the term or the remainder of the term, as may be appropriate. It is recommended, but not required, that Board Members having served 12 or more months be considered for nomination. If two or more Board Members are nominated for the office, the vote shall be by secret ballot. In the case of a single nominee, the vote may be by voice. In the event both the Chair and Vice Chair positions become vacant simultaneously, both positions shall be filled by the Board pursuant to the nomination and election provisions of this section; provided, however, that the Board Member elected to the Chair position shall only serve out the remainder of the term, and not be entitled to serve as both Chair and Vice Chair without being separately elected to the Vice Chair position in a different election cycle.
- (d) *Limitations.* No one person may serve in successive positions of Chair to Vice Chair. No Agency may hold the position of Chair and Vice Chair simultaneously.
- (e) *Continuity Extension.* The Board, acting in its sole discretion, may extend the term of the Chair for a subsequent year, provided, however, that no Chair shall serve more than two (2) full sequential terms. In the event of such an extension, the Board has the discretion to retain the Vice Chair during such extended term or appoint a new Vice Chair pursuant to the provisions of Section 5.2(c).

SECTION 5.4 Absence or Disability of Chair. In the absence or disability of the Chair, (1) the Vice Chair of the Board, and then (2) the Board Members in order of their tenure as Board Members of the Board, shall perform all duties of the Presiding Officer. When so acting, the Vice Chair or Board Member shall have all powers of, and be subject to all restrictions on, the Presiding

Officer. The said Vice Chair or Board Member shall have such other powers and perform such other duties as the Board Members, or the bylaws may prescribe.

Officer positions are personal to the Board Members elected to such position. In the absence of the Chair or Vice Chair, an Agency's alternate may vote in a meeting, but does not serve in the role of an Officer.

SECTION 5.5 Indemnification. Each Officer of the Authority shall be defended by the Authority against any action, suit or proceeding arising from an act or omission alleged to have been committed by such officer within the scope of the individual's official capacity with the Authority to the full extent allowed by applicable law.

SECTION 5.6 Compensation. Board Members shall be allowed such necessary travel and other expenses incurred in the performance of their duties as authorized by the Board.

SECTION 5.7 Other Officers and Employees. The CEO and General Manager, and Treasurer shall be appointed by the Board. All other officers and employees shall be appointed by, and serve at the pleasure of, the CEO and General Manager. All instructions, demands, or direction to Authority employees shall be made by the Board to the CEO and General Manager. Nothing cited in either the law or these Rules of Procedure shall be deemed to provide for or contain any language authorizing an individual Board Member to instruct, direct, or make demands, specifically or by innuendo, of any person employed by the Authority.

ARTICLE VI - MEETINGS OF THE BOARD

SECTION 6.1 Regular Meetings of Board. Regular meetings of the Board shall be held at least monthly, or as otherwise directed by the Board. Meetings shall be held at a place and time designated by the Board in the notice of meeting.

SECTION 6.2 Special Meetings. The Presiding Officer of the body may call a special meeting of the Board for any lawful purpose at any time.

SECTION 6.3 Notice Requirements for Meetings. Notice of meetings and an agenda of the items to be discussed shall be provided to the members of the body and the public as provided in the Arizona Open Meeting Law, A.R.S. §38-431 et seq. Additional notice may be provided as the Board deems advisable. At least twenty-four hours before each meeting, the clerk shall cause the final agenda for the meeting to be posted in accordance with the Arizona Open Meeting Laws and distributed to each member and member of the public requesting the agenda in writing.

SECTION 6.4 Agenda Items. Only those items listed on the agenda, as posted pursuant to Section 6.3, may be considered and acted upon at the meeting.

SECTION 6.5 Quorum. A majority of Board Members entitled to vote shall constitute a quorum for the transaction of business at any meeting.

SECTION 6.6 Attendance. The effectiveness of the Board is directly related to the regular participation of each Board representative in each and all regular and special meetings. Board Members are expected to be present at all regularly scheduled meetings and be prepared to discuss

and consider the items on the agenda. As a courtesy to other members, Board Members shall notify the clerk at the earliest possible time if they will be unable to attend any meeting, indicating the reason(s) for their non-attendance at such meeting. In the event that a Board Member has a pattern of absences (3 or more in a calendar year), the Presiding Officer may contact the respective Agency to make them aware of the situation.

SECTION 6.7 Attendance by Technological Means. Board Members, including an Agency's alternative representatives, may participate in a meeting by technological means, provided that the member can hear and participate in all discussions and the public can hear all statements made by the member so participating.

SECTION 6.8 Order of Business. The order of business for all meetings will be established by the CEO and General Manager in consultation with the Presiding Officer. The order of business, as set forth in the agenda, may be subject to change. Members of the Board may submit to the CEO and General Manager, at least ten (10) days before the date of any regularly scheduled meeting, and forty-eight (48) hours before the date of any special meeting, requests for items to be placed on the agenda.

SECTION 6.9 Minutes of Meetings. Minutes of meetings will record only formal actions taken by the Board, a summary of important reports and discussions, and all other information required by Arizona's Open Meeting Law, A.R.S. §38-431 et seq. Members may request that specific comments be included in the minutes. The clerk shall furnish the prior meeting's minutes to Board for review prior to the next meeting. Minutes of each meeting shall be approved by the Board Members at the next regularly scheduled meeting.

SECTION 6.10 Conduct of Meetings. In all matters not addressed by these Rules of Procedure or Arizona law, meetings of the Board may be governed by Robert's Rules of Order.

ARTICLE VII - VOTING PROCEDURES FOR THE BOARD

SECTION 7.1 Manner of Casting Votes. Voting may be by voice or ballot at the discretion of the Presiding Officer.

SECTION 7.2 Voting Rights of Agencies. Each Board Member appointed pursuant to Article 4 of these Rules (including the Chair) shall be entitled to cast one vote on each matter submitted to a vote of the Board, respectively. Other elected officials, staff members, and citizens may attend public meetings and participate as provided by law but shall not be permitted to vote.

SECTION 7.3 Approval by Majority Vote. If a quorum is present, the affirmative vote of the majority of the voting power represented at the meeting, entitled to vote and voting on any matter shall be the act of the body, unless the vote of a greater number is required by Arizona law or these Rules of Procedure.

SECTION 7.4 Alternate Members of Board. Alternate representatives to the Board shall be appointed as provided herein and shall be authorized to attend Board meetings. Alternate Members shall vote on all issues coming before the Board in the event that the regular representative is unable to attend a meeting or has a declared conflict of interest as provided in the

Code of Conduct. Each Agency shall appoint a single Board alternate, and such alternate may be changed from time to time with prior written notice to Board and clerk.

ARTICLE VIII – EXECUTIVE SESSIONS

SECTION 8.1 Scheduling. The Board, upon a majority vote, may hold closed executive sessions during a regular, special, or emergency meeting after the presiding officer has identified the authorization under A.R.S. § 38-431.03 for holding such executive session.

SECTION 8.2 Notice. The subject of the executive session must be noticed on the agenda.

SECTION 8.3 Minutes of Meetings. Minutes of executive sessions shall be kept in the same manner as minutes of regular meetings, except that content and materials, the disclosure of which is inconsistent with the purpose for which an executive session is authorized to be held, may be excluded from the recorded minutes.

SECTION 8.4 Alternative Representatives. An Agency's alternative representative to the Board shall be permitted to attend all executive sessions.

ARTICLE IX - TRANSIT ADVISORY COMMITTEE

SECTION 9.1 Members. The Transit Advisory Committee ("TAC") shall consist of the Coconino County Manager or designee; a Coconino County citizen appointed by the Board of Supervisors; Flagstaff City Manager or designee; a Flagstaff citizen appointed by the City Council; Northern Arizona University Vice-President or designee; the Manager of the Flagstaff Metropolitan Planning Organization; the Student Senate President from Northern Arizona University or designee; the Student Senate President from Coconino County Community College or designee; and at the discretion of the Board, a representative of a business or economic development association. The corporate boundaries of each of the Agency municipalities and counties constitutes a Service Area for the purpose of this Section 9.1. Additional guest members from surrounding communities may be invited by the TAC Chair as needed to hold meaningful regional discussions. Such invitations are intended to be for a temporary period as necessary for the particular topic. The Student Senate Presidents and guest members shall be ex-officio, non-voting members.¹

SECTION 9.2 Terms of Office of Citizen Members; Business or Economic Development Representative. Citizen members, and the representative of a business or economic development organization, shall serve for terms of three years each.

¹ Section 11.1 of the Restated Master IGA dated July 1, 2013 (the "Master IGA"), provides that the Student Senate President of each Member university or college shall be ex-officio, non-voting members of the Transit Advisory Committee ("TAC"). The intent of the parties to the Master IGA was to provide a non-voting seat on the TAC to the head of the student organization at each Member university or college. Since the Master IGA was signed, it has come to NAIPTA's attention that at Northern Arizona University, the equivalent position to Student Senate President is the Associated Students of NAU ("ASNAU") President, and at Coconino County Community College is the Student Body President. Accordingly, the students occupying these positions will fill the positions accorded to the president of the student senate.

SECTION 9.3 Responsibilities. The TAC shall have the duties and responsibilities provided in the Restated Master IGA and in such position descriptions and policy handbooks as are reviewed by the TAC and approved by the Board.

SECTION 9.4 Officers. The officers of the TAC shall consist of a Chair and Vice Chair. The Chair and Vice Chair must be voting members of the TAC.

SECTION 9.5 Duties of Officers.

- (a) *Chair.* The Chair shall: 1) act as Presiding Officer at all meetings of the TAC; 2) sign such documents as may be necessary on behalf of the TAC.
- (b) *Vice Chair.* The Vice Chair shall have all the powers and assume all of the duties of the Chair in the Chair's absence.

SECTION 9.6 Election and Re-election of Officers.

- (a) *Terms.* The term of the Chair and Vice Chair positions shall be for a period of one (1) year, commencing on July 1 and ending on the following June 30. In the event of an unexpected mid-term vacancy, the replacement Officer, determined in accordance with this Section 9.6, shall serve the remainder of the term.
- (b) *Order of Ascension.* Elected Officers shall serve for two (2) consecutive terms: first as the Vice Chair, and then as the Chair. The Vice Chair shall be elected before July 1 of each fiscal year and take office effective July 1.
- (c) *Vacancies.* At the completion of a full term, or in the event of a vacancy in the position of Chair, the Vice Chair shall ascend to the position of Chair. In the event of a vacancy in the position of Vice Chair, the TAC shall entertain nominations from the TAC Members to fill any such vacancies for the term or the remainder of the term, as may be appropriate. It is recommended, but not required, that TAC Members having served 12 or more months be considered for nomination. If two or more TAC Members are nominated for the office, the vote shall be by secret ballot. In the case of a single nominee, the vote may be by voice. In the event both the Chair and Vice Chair positions become vacant simultaneously, both positions shall be filled by the TAC pursuant to the nomination and election provisions of this section; provided, however, that the TAC Member elected to the Chair position shall only serve out the remainder of the term, and not be entitled to serve as both Chair and Vice Chair without being separately elected to the Vice Chair position in a different election cycle.
- (d) *Limitations.* No one person may serve in successive positions of Chair to Vice Chair. No Agency may hold the position of Chair and Vice Chair simultaneously.

SECTION 9.7 Regular Meetings. Regular meetings of the TAC shall be held at least monthly, or as otherwise determined by the TAC. TAC meetings shall be held at a place and time designated by the TAC in the notice of meeting.

SECTION 9.8 Alternate Members of the TAC. Alternate representatives to the TAC shall be appointed as provided herein and shall be authorized to attend TAC meetings. Alternate TAC representatives shall vote on all issues coming before the body in the event that the regular representative is unable to attend a meeting or has a declared conflict of interest as provided in the Code of Conduct. Each Agency shall appoint a single TAC alternate, and such alternate may be changed from time to time with prior written notice to the TAC and clerk.

ARTICLE X – MEMBER CONDUCT

Members of the Board and TAC shall be governed by a Code of Conduct adopted by the Board and attached hereto as Addendum A. The Code of Conduct may be amended or repealed by the approval of a majority of the Board Members.

ARTICLE XI - AMENDMENTS

New bylaws may be adopted or these bylaws may be amended or repealed by the approval of a majority of all the Board Members, provided, however, that any provision of these bylaws that requires the vote of a larger proportion of the Board Members than otherwise is required by law may not be altered, amended, or repealed except by vote of that greater number. No amendment may extend a director's term beyond that for which the director was elected.

DATED this 25th, day of March, 2020.

ADDENDUM A

**NORTHERN ARIZONA INTERGOVERNMENTAL PUBLIC TRANSPORTATION
AUTHORITY (“NAIPTA”) CODE OF CONDUCT**

[See following pages]

ADDENDUM A

NORTHERN ARIZONA INTERGOVERNMENTAL PUBLIC TRANSPORTATION AUTHORITY (“MOUNTAIN LINE”) CODE OF CONDUCT

This Mountain Line Code of Conduct is an addendum to the Mountain Line Rules of Procedure and shall be considered incorporated into such Rules of Procedure and the Mountain Line Personnel Policy Manual, as they may be amended from time to time. Capitalized terms not expressly defined herein shall have the same meaning ascribed to such terms as in the Rules of Procedure, unless the context clearly indicates otherwise.

Article I Public Records

Section 1 - Statement on Public Records

As a public body, Mountain Line is subject to Arizona’s public records law and must make available for public inspection public records, including but not limited to meeting agendas, minutes, e-mails, and other documents reflecting the official business of Mountain Line. Mountain Line, and each Board Member, Officer, TAC member, or employee of Mountain Line may have independent obligations to maintain and preserve any and all public records that are in the possession of that individual. Nothing in this Code of Conduct should be construed to create any obligation on Mountain Line greater than that imposed by law.

Section 2 - Roles

1. Mountain Line

Mountain Line as a public body recognizes the public’s right to inspect its public records, and through its staff maintain systems that facilitate access to public records. Mountain Line through its staff will respond to public records requests by gathering responsive records that are under Mountain Line’s control. Mountain Line will work to coordinate gathering records, not under Mountain Line’s control, from other custodians including Mountain Line’s Board Members, Officers, TAC members, and employees.

2. Individual Board Members, Officers, TAC Members, and Employees of Mountain Line

Mountain Line’s Board Members, Officers, TAC members and employees should be aware that:

- A. the public has a right to inspect public records;
- B. public records can be created on virtually any medium, including personal cell phone messages, e-mails, social media;
- C. Mountain Line’s Board Members, Officers, TAC members, and employees have an independent duty under the law to maintain and preserve public records in their custody.

In light of these realities, Mountain Line recommends its Board Members, Officers, TAC members, and employees

A. avoid using personal accounts (including personal cell phones, e-mail accounts, and social media accounts) for official or public business. By using official accounts only, public records are centralized in fewer locations which enhances the public's ability to access records and minimizes the burden on individual record custodians.

B. cooperate with Mountain Line staff in gathering and providing responsive records stored in personal accounts.

Article II Social Media

Section 1 - Policy of Social Media

Mountain Line recognizes that social media has become a ubiquitous feature of contemporary life and Mountain Line supports the use of social media to facilitate communications with constituents and engage in the community. To address the fast-changing landscape of the internet and the way residents communicate and obtain information online, Mountain Line and its officials may consider using social media tools to reach a broader audience. Mountain Line encourages the use of constructive social media to advance and further Mountain Line's goals and mission, where appropriate.

Mountain Line has an overriding interest and expectation in deciding what is "spoken" on its behalf on social media sites, however, and designates its CEO and General Manager or his or her designee to have exclusive authority to manage Mountain Line's official social media presence.

Section 2 - Individual Responsibility

1. Board Members, Officers, TAC members, and employees who choose to use social media to discuss Mountain Line business must take care in that usage. Board Members, Officers, TAC members, and employees should adhere to the following requirements:
 - All social media posting should clearly delineate between posts in a Board Member's, Officer's, TAC member's, or employee's personal capacity and in a public capacity. Mountain Line strongly recommends using separate accounts for personal and public posting.
 - Board Members, Officers, TAC members, and employees must avoid implying that their individual views are the official views of Mountain Line. If a Board Member, Officer, TAC member, or employee is using social media in his or her official capacity, they should include disclaimers when and if appropriate, such as: "The postings on this site are my own and do not reflect or represent the opinions of Mountain Line."
 - Posts made in a Board Member's, Officer's, TAC member's, or employee's official capacity should be preserved pursuant to Arizona's public records law.
 - If a Board Member, Officer, TAC member, or employee chooses to use social media for public purposes, that individual must take care not to block critics or individuals expressing differing points of view and should not delete comments or responses of either themselves, or of others.

- Board Members and TAC members must take care to avoid creating a quorum in a nontraditional forum (such as joining the same group on a networking site or other technology enabled forum).

Section 3 - Social Media Usage During Meetings

It is the policy of Mountain Line to prohibit the usage of social media by Board Members, Officers, TAC members, or employees of Mountain Line during duly noticed and agendized meetings and work sessions. The purpose of this policy is to ensure that consideration and deliberation of Mountain Line business occurs in a public meeting and that public input relating to matters under Mountain Line's consideration is publicly received by all members on equal terms.

Article III Conflicts of Interest

Section 1 - Definitions

1. **Financial Interest.** A person has a financial interest if the person enters or proposes to enter into a transaction with Mountain Line, or such person has, directly or indirectly, through business, investment or family:

A. an ownership or investment interest in any entity with which Mountain Line has a transaction or arrangement, or

B. a compensation arrangement (which shall include any employment or independent contractor arrangement) with Mountain Line, or any entity or individual with which Mountain Line has a transaction or compensation arrangement, or

C. a potential ownership or investment interest in, or compensation arrangement with, Mountain Line or with any entity or individual with which Mountain Line is negotiating a transaction or compensation arrangement.

A compensation arrangement includes any arrangement pursuant to which any direct and indirect remuneration passes to or from Mountain Line.

2. **Interested Person.** Any Board Member, Officer, or representative of a committee with voting powers, who has a direct or indirect "financial interest", as defined above, is an "interested person".

Section 2 - Procedures

1. Approval Requirement

All transactions or compensation arrangements in which an interested person has a financial interest shall be disclosed and subject to the approval of the Board; provided, however, that no such disclosure or approval is required for (1) contributions, donations or other support given to Mountain Line in support of its mission for no consideration (except recognition, acknowledgment and other courtesies routinely extended to similarly situated donors), or (2) the purchase of goods or services from Mountain Line on the same terms and conditions as are made available by Mountain Line to the general public, or (3) any transaction or compensation arrangement that would, if the interested person

were a "public officer" and Mountain Line were a "public agency", constitute a "remote interest", as each such term is defined in A.R.S. § 38-502 (governing conflicts of interest of public officers).

2. Duty to Disclose

In connection with any transactions or compensation arrangements which are or may be subject to disclosure and approval as required herein, an interested person must disclose in writing the existence and nature of his or her financial interest to the Presiding Officer of the Board or committee, who shall then bring the matter before the Board and General Counsel. The existence and nature of the financial interest of the interested person shall be disclosed to the Board or committee considering the proposed transaction or compensation arrangement.

3. Determining Whether a Conflict of Interest Exists

After written disclosure of the financial interest, Mountain Line's General Counsel shall make a determination of whether a conflict of interest exists and report the determination to the CEO and Presiding Officer of the Board or committee prior to any discussion or action on the transaction or compensation arrangement by the body. In the event of a disclosure of a financial interest during a meeting, Mountain Line's General Counsel shall determine whether a conflict of interest exists prior to the discussion or action of the transaction or compensation agreement. In the event a conflict of interest is found, the conflicted Board Member or committee member shall refrain from discussing or voting on the transaction or compensation agreement.

4. Procedures for Addressing the Conflict of Interest

If a conflict of interest is determined to exist, the Board or committee shall, after consideration of whether there are alternatives to the proposed transaction or compensation arrangement and whether Mountain Line can obtain a more advantageous transaction or compensation arrangement with reasonable efforts from a person or entity that would not give rise to a conflict of interest, determine by a majority vote of the disinterested Board Members or committee members present and voting at the meeting (including the alternative representative for the interested party, if applicable) whether the transaction or compensation arrangement is in Mountain Line's best interest and for its own benefit, whether the transaction or project is fair and reasonable to Mountain Line, and the Board or committee shall make its decision as to whether to enter into the transaction or compensation arrangement in conformity with such determination.

Section 3 - Records of Proceedings

The minutes of Board, Board Committee, or TAC meetings, as applicable, shall contain:

1. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, and the General Counsel's determination of whether a conflict of interest exists.

2. The names of the persons who were present for discussions and votes relating to the transaction or compensation agreement, the content of the discussion, including any alternatives to the proposed transaction or compensation arrangement or opportunity project, and a record of any votes taken in connection therewith.

Section 4 - Annual Statements

Each Board Member, Officer and TAC member shall annually, no later than July 1 of each new fiscal year, sign a statement which affirms that such person:

1. has received a copy of the conflicts of interest policy;
2. has read and understands the policy;
3. has agreed to comply with the policy.

Article IV Representing Mountain Line

Section 1 – Code of Conduct

It is expected that every Board and TAC member will aspire to develop a culture of excellence and adhere to the following code of conduct:

1. Recognize the worth of fellow Board or committee members and appreciate their individual perspectives, backgrounds, and contributions;
2. Uphold the strategic goals and priorities of Mountain Line, and help the Authority develop a culture of risk-taking and innovation;
3. Understand and work towards what is in the best interest of the greater Authority region, even when the regional interest must sometimes be balanced with local considerations;
4. Treat fellow Board Members, TAC members, Mountain Line staff, and members of the public with respect and professionalism even when legitimate disagreements over policy and process might arise;
5. Conduct public affairs with honesty, integrity, fairness, and respect for others;
6. Represent the adopted positions of Mountain Line when communicating on behalf of Mountain Line;
7. Communicate any real or perceived conflicts of interest to the Presiding Officer and Mountain Line's CEO and General Manager;
8. Make attendance at all meetings of the Board or TAC, and any applicable committees, a high priority. Come to Mountain Line meetings prepared to discuss the issues and business on the agenda.
9. Recognize that every Board Member, TAC member, and staff member represents the diversity of the region and has the right to freedom from all forms of discrimination and harassment in their association with Mountain Line;
10. Avoid and discourage conduct that is divisive or harmful to Mountain Line and the region.

11. Always consider that as a Board or TAC member, your actions and communications will reflect upon Mountain Line, whether at Mountain Line meetings and events, or when engaging the community professionally and privately.

12. Clearly delineate between Mountain Line's messages to the public and personal views and opinions. When sharing opinions or materials with members of the public, Board and committee members should consider expressing orally or inserting a disclaimer in written communications to the effect that their opinions, posts, communications, etc., reflect only their own personal beliefs and do not reflect the opinion of Mountain Line.

Article V Mountain Line Meeting Decorum and Order

Section 1 – Decorum and Order

The Presiding Officer shall preserve decorum and decide all questions of order, subject to appeal to the body, as follows:

1. During public meetings, Board Members and TAC members (for the purposes of this Article V, each shall be referred to as a "Member") shall preserve order and decorum and shall not delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or the Rules of Procedure. Every Member desiring to speak shall address the Presiding Officer, and upon recognition by the Presiding Officer shall confine all comments to the question under debate and shall avoid all personalities and indecorous language. Once recognized, a Member shall not be interrupted while speaking unless called to order by the Presiding Officer or unless a point of order is raised by another Member. If a Member is called to order while speaking, the Member shall immediately cease speaking until the question of order is determined. If ruled to be not in order, the Member shall remain silent or shall alter all remarks so as to comply with the Rules of Procedure. If the Presiding Officer fails to act, any Member may move to require the Presiding Officer to enforce the rules, and the affirmative vote of the majority of the body shall require the Presiding Officer to act.

2. The Presiding Officer shall have the authority to preserve decorum in meetings. Any remarks shall be addressed to the Presiding Officer and to any or all Members. Without permission from the Presiding Officer, no staff member, other than the staff member who has the floor, shall enter into any discussion, either directly or indirectly.

3. All persons attending meetings shall observe the same rules of propriety, decorum, and good conduct applicable to Members. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous while addressing the body or while attending the meeting, shall be removed from the room if so directed by the Presiding Officer. Unauthorized remarks from the audience, stomping of feet, whistles, yells, or similar demonstrations shall not be permitted by the Presiding Officer, who shall direct the removal of such offenders from the room. Should the Presiding Officer fail to act, any member of the body may move to require the Presiding Officer to enforce the rules, and the affirmative vote of the majority of the body shall require the Presiding Officer to act. Any members of the public desiring to address the body shall be recognized by the Presiding Officer, shall state their name and city of residence in an audible tone for the record, and shall limit their remarks to the questions under discussion. Any remarks shall be addressed to the Presiding Officer and to any or all Members.

4. Any Member may appeal a ruling of the Presiding Officer to the body. If the appeal is seconded, the Member making the appeal may briefly state the reason for the same, and the Presiding Officer may briefly explain the ruling, but there shall be no debate on the appeal, and no other Member shall participate in the discussion. The Presiding Officer shall then ask the question, "Shall the decision of the Chair be sustained?" If the majority of the body present vote "Aye," the ruling of the Presiding Officer is sustained; otherwise, it is overruled.

5. Without permission of the Presiding Officer, no Member of the body or member of the public shall be allowed to speak more than once upon any one subject until all Members have had an opportunity to speak, nor for a longer time than five (5) minutes. Citizen groups shall be represented in presentation to the body by one of the group's members.



ANNUAL CONFLICT OF INTEREST STATEMENT

Pursuant to the Rules of Procedure of Northern Arizona Intergovernmental Public Transportation Authority ("Mountain Line"), I hereby certify that I:

- (a) have received the Mountain Line Conflict of Interest Policy ("Policy"); and
- (b) have read and understand the Policy; and
- (c) agree to fully comply with its terms and conditions at all times during my service as a Mountain Line Board Member.

Board Member Signature

Board Member Printed Name

Date

M E M O R A N D U M

To: NAIPTA Board
cc: Erika Mazza; Heather Dalmolin
From: Dickinson Wright
Date: May 15, 2019
Re: Board Member Responsibilities and Decorum In and Outside of Board Meetings

I. Introduction

The purpose of this memorandum is to serve as a brief reminder of your duties and responsibilities as a NAIPTA Board Member in regard to public image and perception and the open meeting law. This memorandum is not designed nor meant to be all inclusive, but rather, is meant to serve as a starting point.

II. Public Image and Perception

A. Overview

As soon as you joined the Board, you became a representative of NAIPTA. Because of your public role, everything you do, even in the most non-public aspects of your life that remain visible to the public, will affect the public's perception of NAIPTA.

B. During Open Meetings

You were appointed to be a member of the Board of Directors. As a member, you are to participate in all Board meetings and to be fully engaged and present. You should strive to be a good public role model. Barring an emergency, this means you should refrain from using any device during the meeting unless needed to view a document pertaining to the issues before the Board that day. There should be no need for you to be on your cell phone, tablet, iPad, personal computer, etc. for any reason other than viewing a document or listening to a recording pertinent to the board meeting. It goes without saying that posting to social media, sending e-mails, or communicating in any way with others during a board meeting is a betrayal of the trust placed in you when you were appointed to represent your agency and the public as a Board member. As a public official, you owe the public your full attention during any official function.

C. Everywhere Else

As long as you remain a public official, remember that you are in a metaphorical fish bowl, and any action you take and any words you communicate could become the subject of the public eye. Even in your personal time—the time during which you are not acting in your official capacity, whether in person, on the phone, on Facebook, e-mails, text messages, or other social media—your actions and communications will reflect upon NAIPTA.

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D. Public Role Versus Personal Opinion

To minimize confusing NAIPTA's messages to the public with Board Members' personal opinions, when sharing personal opinions with the media or non-Board Members, Board Members should consider expressing orally or inserting a disclaimer into their written communications, as appropriate, to the effect that their opinions, posts, communications, etc. reflect only their own personal beliefs and do not reflect the opinion of NAIPTA. In this manner, Board Members will be performing their duty to the public to keep them accurately informed and avoid potential confusion.

III. Open Meeting Law

A. Decision-Making

Remember that decisions are to be made at the Board of Director meetings and not beforehand.

B. Emails, Private Messages, Text Messages, Facebook Messages (or Messenger), Skype, and Social Media Posts, etc. Can Constitute a "Meeting" – Even If They Are One-Way Communications

Even if communications on a particular subject between members of a public body do not take place at the same time or place, the communications can nonetheless constitute a "meeting," and can implicate the Open Meeting Law (OML). *See* Ariz. Att'y Gen. Ops. I08-008; I05-004.

a. Two-way communications

There are risks whenever Board Members send e-mails¹ (or otherwise communicate) to a quorum of other Board Members. Even if the first e-mail does not violate the open meeting law, if enough Board Members to constitute a quorum respond to the e-mail, there may be a violation of the OML. In addition, a quorum of the members might independently e-mail other Board Members on the same subject, without knowing that fellow Board Members are also doing so. This exchange of e-mails might result in discussion or deliberations by a quorum that could violate the OML. Because of these potential problems, the Attorney General strongly recommends that Board Members communicate with a quorum about board business at open meetings, and not through e-mails (or text messages, etc.). *See* Ariz. Att'y Gen. Op. I05-004 (July 25, 2005).

b. One-way communications

An e-mail from a Board Member to enough other members to constitute a quorum that *proposes* legal action would be a meeting within the OML, even if there is only a one-way communication, and no other Board Members reply to the e-mail. The AG opinion explains that the statement, "Councilperson Smith was admitted to the hospital last night" is not a proposal, but

¹ As used in this memorandum, "e-mail" refers to any kind of written communication: letter, text message, social media posts, etc.

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“We should install a crosswalk at First and Main” is a proposal, and would violate the OML. Ariz. Att’y Gen. Op. I05-004 (July 25, 2005).

c. Discussions on topics that foreseeably can come before the NAIPTA Board in the future

Please also note that an exchange of facts, as well as opinion, among a quorum of members of the NAIPTA Board constitutes a meeting within the OML, if it is reasonably foreseeable that the topic may come before the NAIPTA Board for action in the future. *See* Ariz. Att’y Gen. Op. I05-004 (July 25, 2005).

However, regarding speaking to the news media, “[t]he OML does not prohibit a member of a public body from speaking to the media regarding matters that may come before the public body.” Ariz. Att’y Gen. Op. I07-013 (Monday, December 24, 2007). This is because a “meeting subject to the OML requires a gathering of a quorum of members of the public body, and a gathering does not occur when members merely hear or read a comment, including a proposal for legal action, made by another member in the media.” *Id.*

d. Passive receipt of information from staff to Board Members does not violate the OML

On the other hand, passive receipt of information from a member of NAIPTA’s staff, with nothing more, does not violate the OML. *See* Ariz. Att’y Gen. Op. I05-004 (July 25, 2005) (citing *Roberts v. City of Palmdale*, 5 Cal. 4th 363, 377, 853 P.2d 496, 503 (1993) (receipt of a legal opinion by members of a public body does not result in a meeting); *Frazer v. Dixon Unified Sch. Dist.*, 18 Cal. App. 4th 781, 797, 22 Cal. Rptr. 2d 641, 653 (1993) (passive receipt by board members of information from school district staff is not a violation of the open meeting law)).

e. Suggestions to prevent unintentional meetings

To help prevent unintentional meetings, the Attorney General recommended that (while not legally required) members of public bodies (such as NAIPTA) who send e-mails to each other should consider writing the following language at the bottom of their e-mails to colleagues as a reminder: “To ensure compliance with the Open Meeting Law, recipients of this message should not forward it to other board (council) members and board (council) members should not reply to this message.”

C. Reminder That Communications Between Board Members, and Between Board Members and Staff, Are Public Record.

Communications between Board Members implicate the public records law, as well as the OML. E-mails that Board Members or staff generate pertaining to the business of NAIPTA are public records. *See Star Pub. Co. v. Pima County Attorney’s Office*, 181 Ariz. 432, 433-34, 891 P.2d 899, 900-01 (App. 1994); *see also Arizona Agency Handbook* § 6.2.1.1 (Ariz. Att’y Gen. 2001). Therefore, written communications or audio recordings between Board Members and staff

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must be preserved according to a records retention program and generally be made available for public inspection. A.R.S. §§ 39-121, 41-151.12.

D. Executive Sessions

Remember that all conversations and information discussed in executive sessions except for what was described in the notice of the executive session are strictly confidential. A.R.S. § 38-431.03(B), (E); *see also* Ariz. Att’y Gen. Op. I96-012 (recognizing executive sessions are exception to openness requirement).

IV. Scenarios Illustrating OML Compliance and Non-Compliance

Below are examples of OML applications to specific factual scenarios, as written in Ariz. Att’y Gen. Op. I05-004 (July 25, 2005). These hypotheticals assume that the e-mails (or any kind of messaging, social media posts, etc.) are not sent by Board Members or at a Board Member’s direction with the purpose of circumventing the OML, and that any unilateral communications do not propose legal action (either of which would violate the OML). *See* Ariz. Att’y Gen. Op. I05-004, at 9-10.

- a. E-mail discussions between less than a quorum of the members that are forwarded to a quorum by a Board Member or at the direction of a Board Member would violate the OML.
- b. If a staff member or a member of the public e-mails a quorum of members of the public body, and there are no further e-mails among Board Members, there is no OML violation.
- c. Board Member A on a five-member board may not e-mail Board Members B and C on a particular subject within the scope of the board’s responsibilities and include what other Board Members D and E have previously communicated to Board Member A. This e-mail would be part of a chain of improper serial communications between a quorum on a subject for potential legal action.
- d. A Board Member may e-mail staff and a quorum of the board proposing that a matter be placed on a future agenda. Proposing that the board have the opportunity to consider a subject at a future public meeting, without more, does not propose legal action, and, therefore, would not violate the OML.
- e. An e-mail from the superintendent of the school district to a quorum of the Board Members would not violate the OML. However, if Board Members reply to the superintendent, they must not send copies to enough other members to constitute a quorum. Similarly, the superintendent must not forward replies to the other Board Members.
- f. One Board Member on a three-member board may e-mail a unilateral communication to another Board Member concerning facts or opinions relating to

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board business, but Board Members may not respond to the e-mail because an exchange between two members would be a discussion by a quorum.

- g. A Board Member may copy other Board Members on an e-mailed response to a constituent inquiry without violating the OML because this unilateral communication would not constitute discussions, deliberations or taking legal action by a quorum of the Board Members.
- h. An e-mail request by a Board Member to staff for specific information does not violate the OML, even if the other Board Members are copied on the e-mail. The superintendent may reply to all without violating the OML as long as that response does not communicate opinions of other Board Members. However, if Board Members reply in a communication that includes a quorum, that would constitute a discussion or deliberation and therefore violate the OML.
- i. A Board Member may use e-mail to send an article, report or other factual information to the other Board Members or to the superintendent or staff member with a request to include this type of document in the board's agenda packet. The agenda packet may be distributed to Board Members via e-mail. Board Members may not discuss the factual information with a quorum of the board through email.

Ariz. Att'y Gen. Op. I05-004, at 9-10.

V. Conclusion

As a public official, you have taken on many duties, and now have the responsibility to adhere to additional laws, such as the Open Meeting Law, and to be a representative of the governmental body, NAIPTA. Remember that during meetings with the public, you owe your full attention to the matters at hand for which you have been appointed, as part of your duty to serve the public. Because the public associates you with NAIPTA whether or not you are acting in your official capacity, it may become important to affirmatively distinguish your personal opinions from those of NAIPTA to avoid confusion. You are also responsible for ensuring that discussions and proposals concerning matters upon which the NAIPTA Board may vote are conducted in the public eye. Finally, remember that any communication between Board Members also implicates the public records law, and that any communications that Board Members or staff generate pertaining to the business of NAIPTA are public records, and must be preserved as such.

:EAM
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Mountain Line

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DATE PREPARED: September 3, 2020

MEETING DATE: September 16, 2020

TO: Honorable Chair and Members of the Board

FROM: Estella Hollander, Mobility Planner

SUBJECT: Consider Section 5307/5339 Approval of Application and Execution of Contract

RECOMMENDATION:

Staff recommends the Board of Directors: 1) Direct staff to continue with application submitted to the Arizona Department of Transportation (ADOT); and 2) Execute the contract awards for Section 5307/5339 funds from the Federal Transit Administration (FTA) through ADOT for capital purchases.

RELATED STRATEGIC WORKPLAN OBJECTIVE

- ❖ Goal: Service Excellence
- ❖ Objectives:
 - Invest in capital to improve efficiencies and infrastructure to enhance customer-first service delivery.
 - Develop and improve community partnerships and interagency relationships to enhance transit and improve our ability to meet community needs and deliver public transit services.

BACKGROUND:

ADOT issues competitive capital applications under their 5307/5339 grant program and released a Notice of Funding Availability on July 16, 2020. These funds are accumulated from: 1) reapportioned Section 5307 transit funds from communities that do not have eligible public transit programs; and 2) the state's annual allocation of Section 5339 - Bus and Bus Facilities capital funds. ADOT has authority and responsibility to appropriate \$15,729,656 in this funding round. Transit agencies that fall into the small urban category, such as Mountain Line, can make application for up to three projects. Rural agencies are also allowed to submit for the portion of funds under the Section 5339 allocation. Applications were due August 28, 2020.

Mountain Line came to the Board of Directors in August to approve an application for Technology Upgrades and a partnership with NAU on the Campus Bus Storage project. Unfortunately, on August 26, staff learned NAU was not able to fulfill match needs at this time. Staff then reach out to MetroPlan and the City of Flagstaff to seek alternative projects. It was determined partners would like to pursue an application for bike and pedestrian infrastructure projects with direct ties to transit stops. As such, application was made for the two projects below.

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1) First Last Mile Connections: \$19,216,344 (\$15,373,075 federal, \$3,843,269 local match)
Funding will support the construction of bike and pedestrian infrastructure in association with transit stops. The success of transit is dependent on the quality of this infrastructure to help riders reach their destinations. Projects will be prioritized based on the Active Transportation Master Plan list of projects adjacent to transit stops and that qualify as Categorical Exclusions for environmental clearances.

2) Mountain Line Technology Upgrades: \$445,726 (\$356,581 federal, \$89,145 local match)
Funding will support Wi-Fi hardware for fare consoles to increase reliability, Transit Asset Management software upgrade, Transit Signal Priority (TSP) hardware for the buses, and mobile ticketing. These technology upgrades will be necessary for Mountain Line to streamline processes and improve service efficiency and reliability for our customers.

For the application, Mountain Line sought letters of support from partner agencies as well as our Congressional Delegation. ADOT typically takes two to four months to announce grant awards. Staff will update the Board as information becomes available.

TAC DISCUSSION:

The Transit Advisory Committee did not offer any discussion or feedback on this item.

FISCAL IMPACT:

Mountain Line is partnering with the City of Flagstaff and MetroPlan on the First Last Mile Connections. Partners have committed to pay 100% of the required local match of \$3,843,269. This project is not identified in the FY2021 budget however is identified in the draft Transportation Improvement Program (TIP) to be approved by the MetroPlan Board on September 2nd. Award of the Technology Upgrades project will reduce local funding for the capital costs associated with planned improvements and results in a net savings to the transit tax. All expenses for technology upgrades, except TSP hardware, are included in the FY2021 budget. All expenses are also identified in the TIP to be considered by the MetroPlan Board in September.

ALTERNATIVES:

- 1) Support the 5307/5339 application to ADOT and execution of Contract of Award (**recommended**):
The application is consistent with Mountain Line's planning processes, projects lined out in MetroPlan's TIP table, and overall support transit operations and community partnerships. The funds would support the maintenance and growth of our Mountain Line system by leveraging federal dollars with local funds from partner agencies.
- 2) Do not approve the 5307/5339 application or authorize submission to ADOT or execution of Contract of Award (**not recommended**): This alternative is not recommended as the funds provide an opportunity to reduce local funds to support transit programs and construct capital improvements that will enhance Mountain Line's system.

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SUBMITTED BY:

Estella Hollander
Mobility Planner

APPROVED BY:

Heather Dalmolin
CEO and General Manager

ATTACHMENTS:

None.

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DATE PREPARED: September 4, 2020

DATE: September 16, 2020

TO: Honorable Chair and Members of the Board

FROM: Kate Morley, Deputy General Manager

SUBJECT: Consider the COVID-19 Reopening Plan

RECOMMENDATION:

Staff recommends the Board of Directors approve the COVID-19 Reopening Plan, including triggers for opening the Mountain Line office and returning to fare collection practices.

RELATED STRATEGIC PLAN OBJECTIVE

- ❖ Goal: Enhanced Safety Culture
- ❖ Objective: Manage transportation facilities and amenities to support a safe environment for staff and customers.

BACKGROUND:

This report outlines Mountain Line's COVID-19 Reopening Plan (Reopening Plan) which was developed with the input of the Mountain Line Leadership Team and Coconino County Public Health Services District. A survey of all employees regarding what they would like to see for reopening measures was also conducted. Staff reviewed information from the CDC regarding public transit operations during COVID-19, industry best practices, and Coconino County, City of Flagstaff, Northern Arizona University, and Flagstaff Unified School District reopening plans in order to establish triggers and appropriate actions that align with and support the plans of others. The Reopening Plan has four phases moving from Phase 1, the most restrictive, to Phase 4 at end of pandemic with complete return to normal operations. Below is a summary of phases.

Phase 1: Highest Level of Restrictions

Since mid-March, Mountain Line has been operating weekend service levels seven days a week, been fare free and operating rear door boarding only to allow greater social distancing for Operators. Vehicle cleaning protocol during the day at the Downtown Connection Center, deep cleaning at night of buses, cleaning of furniture and shelters at bus stops, and janitorial services for the administration facilities have all been ramped up. The office has been closed to the public and staff are required to wear face coverings and complete health screenings to enter the building and start their shift. Additionally, as of June 21, face coverings became required for riders as well. Staff installed hand sanitizer dispensers and 6-foot distance markings on buses.

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Phase 2: Declining community spread (current status)

The trigger for this phase is a desire to return to regular schedule with the return of NAU students to our community as well as planned service changes to take place on August 9th. Staff anticipated a large increase in ridership as students return and wanted to maintain goal of offering service that allows for riders to socially distance while riding. As such full service has been resumed. Early morning and late-night service is in place again. Service levels on Route 10 will be monitored to see if six buses are still required on the route. All other safety measures remain in place.

Phase 3: Continued Declining Cases

The trigger for this phase is in coordination with the City of Flagstaff entering Phase 3 of their reopening plan and is based upon a variety of downward data trends. The City entered this phase on August 18th and Mountain Line has begun preparing for and taking necessary actions to proceed with Phase 3 based on the Board of Directors approval of this Reopening Plan. At this stage, Mountain Line will begin to reinstitute fares and reopen the lobby with heightened safety protocol. Staff would still be encouraged to work from home. Other protocols would remain in place, including the face coverings requirements. Face coverings will remain in effect until the Board takes action to lift that requirement.

Phase 4: End of the Pandemic

Also, in line with City's plan, Phase 4 is upon the declaration of the Mayor at the end of the pandemic. At this time, Mountain Line would resume normal hours and operations with the use of personal protective equipment (PPE), and cleaning protocols phased out in accordance with CDC guidelines.

TAC DISCUSSION:

The TAC was glad to see ridership is increasing as service levels are returned but that buses still are not crowded.

FISCAL IMPACT:

Approval of this Reopening Plan would provide direction related to the reinstatement of fare collection, returning that revenue stream. Mountain Line suspended fare collection in March and estimates the total loss of revenues to date to be \$220,000, with ongoing loss estimates of \$50,000 per month.

ALTERNATIVES:

1. Approve the COVID-19 Reopening Plan (**recommended**): Approving the Reopening Plan will provide staff direction as to how and when to proceed with returning to normal operations during the pandemic.
2. Do not approve the COVID-19 Reopening Plan (**not recommended**): Staff could revise the Reopening Plan based on Board direction and return for consideration in October.





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SUBMITTED BY:

Kate Morley
Deputy General Manager

APPROVED BY:

Heather Dalmolin
CEO and General Manager

ATTACHMENTS:

1. COVID-19 Reopening Plan

-pages 50-56

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COVID-19 Reopening Plan

Mountain Line's Reopening Plan is designed to provide a framework for gradually resuming regular procedures and practices in a safe and thoughtful manner. This plan is based on current best practices recommended by the Centers for Disease Control (CDC) and Coconino County Health & Human Services (CCHHS). Mountain Line moved very quickly to the Phase 1 conditions once COVID-19 appeared in Coconino County in order to protect employees and the community. Every decision and policy change was guided through the lens of maintaining a safe environment while also providing an essential service. Safety will continue to be the cornerstone moving forward. As the situation with COVID-19 is very fluid and new details continue to emerge, this plan will be updated as necessary to reflect the most current conditions and information. The ultimate goal is to return to full service levels and return employees to the office, but there are many steps along that path, and this plan clearly defines those necessary steps and milestones.

Phase 1: Current Conditions

Service Levels

- Weekend service levels remain in place seven days a week
- Rear door boarding
- Face coverings mandated on buses and at stops effective 6/21/20 and hand out masks as long as supplies last.
- Encourage riders to maintain 6 feet social distancing through messaging campaign. Fleet to add markings to bus to help people visualize 6 feet as soon as possible.
- 6+ foot space buffer from Operator

Buses and Bus Stops

- Nightly cleaning and disinfecting of buses in shop 3
- Disinfecting buses at least every other round per DCC Bus Disinfecting SOP using EPA approved disinfectants
- High contact touch surfaces of bus stops are disinfected with EPA suggested bleach/water solution at least once per week
- Bus stop furniture at connection centers are disinfected with EPA suggested bleach/water solution at least once daily as these are the highest traffic areas
- Hand sanitizer (60% or greater alcohol content) dispensers will be added to bus stanchions.

Fare Collection

- Fare free

Work Environment/Headquarters and Comfort Station

- Closed lobby

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- Face coverings required for employees when in public, shared or common use areas
- Temperature check and health screen required with log
- Daily disinfection of common touch surfaces throughout the building. Facilities to provide appropriate cleaning solutions in common spaces for anyone's use including restrooms.
- Restrictions on number of employees in common spaces based on room capacity for social distancing
- Meetings held remotely to extent possible
- Board and TAC meetings held remotely
- Most office staff work from home with rotation of managers and staff in the building
- Dispatch area closed to staff
- Temporary eligibility for paratransit services without an in-person interview

Communication and Employee Support

- Daily to weekly messaging to staff with updates and new policies

Personnel Policies

- 2.11 Infectious Disease Control Policy
- Families First Coronavirus Response Act: Employee Paid Leave Rights (see Department of Labor)

No Later than July 1 sub task

- Institute coordinated messaging campaign:
 - Wear face covering
 - Practice social distance
 - Essential trips
 - Distribute face coverings to riders as needed

Phase 2: In coordination with planned service changes on August 9th. All items above continue unless otherwise noted.

Service Levels

- Return to scheduled service levels
 - ☐ Continue to require riders to wear face coverings and had out face coverings while supplies last
 - ☐ Continue to encourage riders to maintain 6 feet distance
 - ☐ Consider Route 10 service increase one week early to accommodate move-in if possible.
 - ☐ Pre-service change notification campaign
 - Removing/ swapping sign

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- Social media
- Designation/ header signs
- Coordinate with NAU on their messaging regarding face covering/ distancing
- Route Prioritization Plan/ Pandemic Service Level Plan available for if we are short staffed

Buses and Bus Stops

- Provide clean buses to the public
 - Buses sanitized no less than every three hours at DCC
 - Jim to notify staff of change and modify bus tracker
 - Disinfecting and cleaning nightly in Shop 3 using Shop 3 Bus Cleaning SOP.
- High contact touch surfaces of bus stops are disinfected with EPA suggested bleach/water solution at least once per week
- Bus stop furniture at connection centers are disinfected with EPA suggested bleach/water solution at least once daily as these are the highest traffic areas
- Continue to be fare free

Work Environment/Headquarters and Comfort Station

- Continue as in Phase 1

Communication and Employee Support

- Weekly to monthly messaging to staff

Personnel Policies

- 2.11 Infectious Disease Control Policy
- Families First Coronavirus Response Act: Employee Paid Leave Rights (see Department of Labor)

Phase 3: Upon the City of Flagstaff entering Phase 3. All previous provisions stay in place unless otherwise noted.

Service Levels

- Maintain service levels
 - Continue to require riders to wear face coverings per City proclamation and Board action, until Board takes further action lifting requirement.
 - Continue to encourage riders to maintain 6 feet distance
 - Route Prioritization Plan/ Pandemic Service Level Plan available for if we are short staffed

Buses and Bus Stops

- Maintain cleaning levels
-





Fare Collection

- No sooner than 2 weeks of entering this phase, to allow for preparation and notice to public, start fare collection and open lobby
 - ☐ Adequate Operator barrier in place to allow front door boarding
 - ☐ Purchase and install air purifier in cash handling room
 - ☐ 2 weeks ahead of time, advertise fare collection date
 - Put date on bus headers
 - Distribute script for Operators/ front desk
 - Talk to people in person in advance at DCC and MCC
 - Communicate with ecoPASS employers that we have started collecting again
 - Communicate with Discount Day Pass program participants that we have started collecting again
 - Communicate with pass sales locations to begin selling again,
 - Retrieve signs at locations
 - Put out new signs with start date
 - ☐ Move to cash free paratransit
 - Implement billing system
 - Randy's team to pull invoices from RouteMatch for Accounting to bill
 - Determine policy around payment deadlines
 - Consider any grace periods
 - Need a way to allow small increment payments rather than bulk
 - Notify all riders
 - Tell them about change when they call in
 - Use RouteMatch robocall to tell them
 - Send a mailed letter
 - ☐ Schedule and contract with Garda to do as much of the cash handling as possible
 - Garda to follow any health screening, mask requirements
 - Return required staff to office to manage cash counting and Garda
 - ☐ Add cleaning farebox to Operations SOP and distribute
 - Sanitize with cleaning solution used on buses
 - ☐ Develop and distribute SOP for staff to handle/sort cash, from touching fare boxes to sorting money:
 - Gloves and KN95 or better mask required. Gloves may be reused up to 4 times as long as they are disinfected with hand sanitizer after putting on or before removing.
 - Provide optional smock to protect clothing





- Clean all surfaces on farebox before opening or emptying the farebox with disinfecting solution or wipes
- Remind staff not to touch face when counting with signs
- Wash hands afterwards for at least 20 seconds with warm, soapy water
- Mandate use of air purifier
- Open front desk to public to allow pass purchases (see details below)
- ☐ Allow individual pass holders who ask to get free passes to replace pass value passes

Work Environment/Headquarters and Comfort Station

- Open lobby normal hours for customer service including package delivery
 - ☐ Require face coverings and have available
 - ☐ Queuing-Post signage and floor markings to encourage social distancing
 - Post occupancy restrictions in office lobby entrance area
 - ☐ Determine, and post, maximum occupancy of lobby areas
 - ☐ Provide hand sanitizer with minimum of 60% alcohol content for visitor use
 - ☐ Keep all staff reporting structures in place until further notified (dispatch entrance only, health screenings, face covering)
 - ☐ Continue contactless pickup and receipt of packages and mail
 - ☐ Open regular office hours split between multiple staff
- Begin phased plan to bring staff back to offices, create schedule to make sure not everyone is here at once
 - ☐ Managers may work with individuals on a case by case basis to continue to encourage people to work from home until phase 4.
 - ☐ Face covering required for staff when in public, shared, or common space
 - ☐ Disinfectant cleaners made available for staff to clean respective areas
 - ☐ Hand sanitizer stations available throughout buildings
 - ☐ Restrictions on numbers in common spaces remains in place
 - ☐ Heightened office cleaning/disinfecting remains in place and increases
 - Roll out mandatory weekly office cleaning/disinfecting by the janitorial staff
 - Create SOP for personal office cleaning/disinfecting that requires sanitizing workstations daily.
 - ☐ Meetings continue to be held remotely as possible. For in person see below:
 - Room occupancy should accommodate 6 feet distancing
 - Facilities to put occupancy on rooms
 - ☐ Dispatch area open to staff with face covering and social distancing.





- Facilities to put occupancy on room
- Occupancy of building limited to staff only. Non-staff meeting are prohibited within building.
- Gatherings and celebratory functions must adhere to max occupancy guidelines for the room in which they are held and are required to have 6 feet social distancing and masks.
- Communal food will not be permitted. Food to be shared must be individually wrapped.
- Relocate staff who share offices or rotate schedules (single occupancy workstations) to extent possible
- Continue with temporary eligibility for paratransit services without an in-person interview

Communication and Employee Support

- Bi-weekly to Monthly messaging to staff

Personnel Policies

- 2.11 Infectious Disease Control Policy
 - Travel restricted to essential travel only
 - Vacation or leave is limited due to absenteeism
- Families First Coronavirus Response Act: Employee Paid Leave Rights (see Department of Labor)

Phase 4: Upon Mayor's declaration, at the end of the pandemic.

- Resume normal hours and operations
- Use of PPE is phased out in accordance with CDC guidelines

Positive Employee Test at any Phase

- If an employee is sick or tests positive for COVID-19, they are not allowed to report to work. Individuals may end isolation under the following circumstances, or as guidance is updated by the CDC:
 - COVID-19 exposure
 - 14 days since the exposure
 - Positive Test or symptomatic
 - Asymptomatic: 10 days since test was administered (not since the result was received)
 - Symptomatic with or without positive test: 24 hours without fever, 10 days since symptom onset, and improvement in other symptoms





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- Return to logging temps and screening questions upon entry for min 14 days from their last time at work regardless of stage
- Return to face covering requirements for min 14 days from their last time at work regardless of stage.
- Employee to coordinate with HR and follow existing protocol

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DATE PREPARED: September 4, 2020

DATE: September 16, 2020

TO: Honorable Chair and Members of the Board

FROM: Heather Dalmolin, CEO and General Manager

SUBJECT: Consider an Update to the Financial Management Policy

RECOMMENDATION:

Staff recommends that the Board of Directors approve an update to the Financial Management Policy to incorporate internal control policies, fund balance requirements, and add, by reference, the City of Flagstaff Recession Plan.

RELATED GUIDING PRINCIPLES

- ❖ Be fiscally responsible and responsive to changing demographics
- ❖ Collaborate to enhance service delivery
- ❖ Strive for continuous improvement in all we do
- ❖ Be trustworthy and dependable

BACKGROUND:

The Board of Directors identified a need for a Financial Management Plan (the Policy) in 2009 to capture in one place and inform the Board of NAIPTA's financial practices. The Policy was developed by staff and incorporated a combination of industry peer and local agency input on best practices. The primary goals of the Policy were to ensure NAIPTA is protected against unnecessary risks while creating organizational transparency for decision making regarding financial activity. The Board of Directors adopted the proposed policies in 2011. The policies have been continuously reviewed and updated over the years with the last update in February 2020 to add Real Estate and Fixed Asset Property Disposition. Staff uses these policies to complete financial functions and reporting.

The following are recommended changes for Board consideration.

- ❖ Addition of Internal Control Policies as Appendix A and as reference in Section 9: Accounting, Auditing, and Financial Reporting.
- ❖ Addition of City of Flagstaff Recession Plan as Appendix B and as reference in Section 10: Risk Management.
- ❖ Modification to Section 10: Risk Management to recognize a retained fund balance of 10% in financial plans for operating and capital and 20% fund balance when considering service changes.

Staff have recently awarded a contract for completion of the Strategic Investment Plan. That process will evaluate current financial plan and capital planning procedures and may result in

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a recommendation to modify or update the Financial Management Policies.

TAC DISCUSSION:

The Transit Advisory Committee was supportive of the changes.

FISCAL IMPACT:

There is no financial impact to adopting these changes to the Financial Management Policy.

ALTERNATIVES:

1. Approve the updates to the Financial Management Policy (**recommended**): Approving the updates incorporates and updates information to meet requirements and expectations of the Board of Directors as expressed over the last year.
2. Do not approve the updates (**not recommended**): Although delaying the proposed updates is not recommended, the Board may wish to direct to staff to consider alternative language or additional changes that should be considered and incorporated into the Policy to ensure actions and initiatives meet the needs of the Board.

SUBMITTED BY:

Heather Dalmolin
CEO and General Manager

ATTACHMENTS:

- | | |
|--|-------------------------|
| 1) Table of Contents, Financial Management Policy | -pages 59-60 |
| 2) Section 9 Accounting, Auditing, and Financial Reporting | -page 61 |
| 3) Section 10 Risk Management | -page 62 |
| 4) Appendix A: Internal Control Policies | -pages 63-67 |
| 5) Appendix B: City of Flagstaff Recession Plan | -pages 68-73 |
| 6) Financial Management Policy | -available upon request |



**Northern Arizona Intergovernmental Public Transportation Authority
(Mountain Line)
FINANCIAL MANAGEMENT POLICY**

This Financial Management Policy serves two main purposes: it draws together in single document Mountain Line's major financial policies and establishes principles to guide both staff and Board of Director members to make consistent and informed financial decisions.

This document establishes Mountain Line policy in the following areas:

1. Revenue Management
2. Cash and Investments
3. Reserves
4. Cost Allocation and Cost Sharing
5. Operating Budget and Compensation Philosophy
6. Capital Improvements Plan
7. Assets Management
8. Debt Management
9. Accounting, Auditing and Financial Reporting
10. Risk Management

The objectives of this Financial Management Policy are:

- To provide both short term and long-term future financial stability by ensuring adequate funding for providing services needed by the region and Mountain Line's partners.
- To protect the Board of Director's policy-making ability by ensuring that important policy decisions are not dictated by financial problems or emergencies to prevent financial difficulties in the future.
- To provide sound principles to guide the decisions of the Board of Directors and management.
- To employ revenue policies which prevent undue or unbalanced reliance on certain revenues, distribute the cost of indirect services fairly, and provide adequate funding to operate requested programs.
- To provide essential equipment and facilities while preventing deterioration of Mountain Line's equipment, facilities, and infrastructure.
- To create a document that staff and the Board of Director members can refer to during financial planning, budget preparation, and other financial management issues.

FINANCIAL MANAGEMENT PLAN

Table of Contents

SECTION NO:

1. REVENUE MANAGEMENT
2. CASH AND INVESTMENTS
3. RESERVES
4. COST SHARING AND COST ALLOCATION
5. OPERATING BUDGET AND COMPENSATION PHILOSOPHY
6. CAPITAL IMPROVEMENTS PLAN
7. ASSET MANAGEMENT
8. DEBT MANAGEMENT
9. ACCOUNTING, AUDITING, AND FINANCIAL REPORTING
10. RISK MANAGEMENT

ATTACHMENT:

- A. GLOSSARY OF TERMS / ACRONYMS

APPENDIX:

- A. INTERNAL CONTROL POLICIES
- B. CITY OF FLAGSTAFF RECESSION PLAN

SECTION 9. ACCOUNTING, AUDITING, AND FINANCIAL REPORTING.

The key to effective financial management is to provide accurate, current, and meaningful information about Mountain Line's operations to guide decision making and enhance and protect Mountain Line's financial position.

Policy Statement

1. Mountain Line's accounting system will maintain records on a basis consistent with generally accepted accounting standards and principles for local government accounting as set forth by the Government Accounting Standards Board (GASB) and in conformance with the State Auditor's requirements per State Statutes.
2. Mountain Line will establish and maintain a high standard of accounting practices, including internal controls as detailed in Appendix B.
3. Mountain Line will follow a policy of full disclosure written in clear and understandable language in all reports on its financial condition.
4. The Finance Division will provide timely monthly, quarterly, and annual financial reports to users, including partner agencies on a quarterly basis.
5. Periodic financial reports on budget performance will be provided to Mountain Line Board. These reports will be provided no less than twice annually as part of the Program Performance Reports.
6. An independent public accounting firm will perform an annual audit and issue an opinion on Mountain Line's financial statements.
7. Annually Mountain Line Board will meet with staff, and may meet with the Auditors, to review the audit report.

SECTION 10. RISK MANAGEMENT.

A comprehensive risk management plan seeks to manage the risks of loss encountered in the everyday operations of an organization. Risk management involves such key components as risk avoidance, risk reduction, risk assumption, and risk transfers through the purchase of insurance. The purpose of establishing a risk management policy is to help maintain the integrity and financial stability of Mountain Line, protect its employees from injury, and reduce overall costs of operations.

Policy Statement

1. Mountain Line will maintain a risk management program that will minimize the impact of legal liabilities, natural disasters or other emergencies through the following activities:
 - a) Loss prevention - prevent losses where possible
 - b) Loss control - reduce or mitigate losses
 - c) Loss financing - provide a means to finance losses
 - d) Loss information management - collect and analyze data to make prudent prevention, control and financing decisions
2. Mountain Line will review and analyze all areas of risk in order to, whenever possible, avoid and reduce risks or transfer risks to other entities. Of the risks that must be retained, it shall be the policy to fund the risks which Mountain Line can afford and transfer all other risks to insurers.
3. Mountain Line will include a minimum of 10% of operating costs as a retained fund balance of local dedicated transit revenue when projecting revenues available for implementing service increases or capital projects. When considering service plans and changes, Mountain Line will consider a minimum of 20% of operating costs as the preferred retained fund balance.
4. Mountain Line will follow the City of Flagstaff Recession Plan standards to protect long term ability to operate in circumstances of financial concerns.
5. Mountain Line will maintain an active safety committee (i.e. Accident Review Committee) comprised of Mountain Line supervisors and managers.
6. Mountain Line will periodically conduct educational safety and risk avoidance programs within its various divisions.
7. Mountain Line will, on an ongoing basis, analyze of cooperative funding options in lieu of purchasing outside insurance in order to provide the best coverage at the most economical cost.
8. Staff will report to the Board, annually on the results of Mountain Line's risk management program for the preceding year.

**NAIPTA
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INTERNAL CONTROLS DOCUMENT OVER FEDERAL AWARDS**

Mountain Line is aware of the importance of effective internal control and have always attempted to implement it appropriately. We consider the “Standards of Internal Control in the Federal Government” (also known as the Green Book) while developing the internal controls for each of Mountain Line’s federal programs. The Green Book principles are listed below.

Internal Control Component	Principles
Control environment	<ol style="list-style-type: none">1. Demonstrate commitment to integrity and ethical values2. Ensure that board exercises oversight responsibility3. Establish structures, reporting lines, authorities and responsibilities4. Demonstrate commitment to a competent workforce5. Hold people accountable
Risk assessment	<ol style="list-style-type: none">6. Specify appropriate objectives7. Identify and analyze risks8. Evaluate fraud risks9. Identify and analyze changes that could significantly affect internal controls
Control activities	<ol style="list-style-type: none">10. Select and develop control activities that mitigate risks11. Select and develop technology controls12. Deploy control activities through policies and procedures
Information and communication	<ol style="list-style-type: none">13. Use relevant, quality information to support the internal control function14. Communicate internal control information internally15. Communicate internal control information externally
Monitoring	<ol style="list-style-type: none">16. Perform ongoing or periodic evaluations of internal controls (or a combination of the two)17. Communicate internal control deficiencies

GENERAL INFORMATION:

Mountain Line qualifies for various types of federal funding based on many factors to include performance and demographics. All federal grants are to be administered in accordance with the terms of the specific grant’s guidance provided and expenditures are to be in compliance with the provisions provided in the grant.

ADMINISTRATION:

The Management Services Director oversees the preparation and submission of the project budget. The Management Services Director is also responsible for the monitoring and oversight of the fund expenditures.

**NAIPTA
FEDERAL AWARDS
INTERNAL CONTROLS DOCUMENT OVER FEDERAL AWARDS**

The Management Services Director approves the project proposal, including budget, and works with the Deputy General Manager on submission of applications for competitive funding. If the application is directly to FTA for appropriated funds, the Deputy General Manager submits the application based on the appropriation announcement and the project proposal. After award approval (obligation of funds), Mountain Line will begin process of period reports as required and reimbursement requests. Mountain Line's Management Services Director is responsible for maintaining the reimbursement requests, budget, and expenditure records. All expenditures and budget adjustments must be approved by the Management Services Director. Accounting monitors and assists as needed with all revenues and expenditures. Budget setting and modifications take place in the grant system unless otherwise notified by the grantor. The Management Services Director works with division directors to determine staffing requirements for projects and works with the HR to determine salary levels, as applicable. For all other expenditures, the Management Services Director approves the purchase requisition which is then entered into the purchasing/finance system. The Procurement Division reviews all requisitions and POs for accuracy, proper funding codes, and purchasing compliance. Mountain Line's Procurement Policy applies to all purchases and may require additional approval. Upon approval, the PO is released to the Buyer to place the order. When the supplies or goods ordered are received, proof of receipt is submitted to the Purchasing. Purchasing matches the invoice to the approved PO and proof of receipt and forwards the invoice to Mountain Line's Accounts Payable ("AP"). AP processes the invoice for payment. The Management Services Director, Purchasing, and the Deputy General Manager all monitor the program expenditures for compliance to the budget and grant document. Accounting completes the reimbursement for expenditures and forwards it to Management Services Director for approval and submission to the grantor for processing and payment. Funds are received under the same procedures used for receipt of all funds.

Allowability Procedures

The Management Services Director reviews all requisitions to ensure that the program operations comply with the grant application, budget, and the Federal Transit Administration and that all expenditures are for allowable activities. Accounting approves and reviews all invoices to ensure that they are only for allowable items. Procurement also reviews to ensure that purchasing activities are allowable.

Allowable Costs

Mountain Line handles expenditures for Federal programs in the following manner: for salaries and related employee benefits, Mountain Line identifies all personnel who are assigned to each program, verifying that these personnel are actually working on activities allowed by the grant documents. The salaries and related cost for these employees are appropriately coded by the payroll department. However, it is not a requirement that an employee working directly with any grant to be paid from the grant funding code. Time and effort is determined by job function and the grant for which their work pertains. Employees working directly for the program are verified throughout the year as required by federal guidelines. For expenditures other than salaries, the Management Services Director reviews them to ensure they are eligible expenses. A cost is allowable when it is permitted according to the terms and conditions of the federal award, meets the policies of Mountain Line, and federal regulations and it serves a purpose consistent with Mountain Line's mission. The Payroll and AP register is reviewed and signed by the Management Services Director.

Indirect Costs

Mountain Line may allocate indirect costs to Federal programs per Mountain Line Financial Management Policy.

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INTERNAL CONTROLS DOCUMENT OVER FEDERAL AWARDS**

Budget

Annually, the budget for federal funds is prepared by the Management Services Director and becomes part of the Grant application. The Federal grant applications often takes until late in the fiscal year to be accepted by the grantor and approved for reimbursement.

Cash Management Procedures

At least quarterly, Accounting prepares a reimbursement claim (expenditure report) to the grantor for expenditures processed during the specific time frames. Operations within any given department may not always allow for frequent claiming of expenditure reimbursement. Mountain Line will make every effort to submit expenditure claims as often as possible. Before the claim is entered, it is reviewed and approved by the Management Services Director and then submitted to the grantor for reimbursement processing. The funds are automatically deposited into Mountain Line's account with Coconino County Treasurer. If funds are paid to Mountain Line by check, Accounting is responsible for depositing with the Treasurer or Mountain Line's bank account.

Monthly, Accounting receives a report of activity from both the Treasurer and the Bank. The reports are reconciled against the amounts recorded as revenue in the general ledger and are reported to the Management Services Director.

Procurement Procedures

Mountain Line handles purchases for Federal grant expenses in the same manner it handles all expenditures. Since the controls are the same regarding federal funds and general purchases, refer to Mountain Line's internal control memo regarding procurement and Mountain Line's Purchasing policy for additional information. It should be noted that when possible, Mountain Line utilizes State Contract vendors and other cooperative procurement options to avoid incurring cost and time to bid out purchases. All purchases require Management Services Director approval. A list of fixed assets and depreciable equipment is maintained by Mountain Line's Finance Division. For items costing \$5,000 or more individually, the equipment is assigned a fixed asset number and becomes part of Mountain Line's capital assets unless it is determined they should be treated differently. Each Division is responsible for the usage and tracking of fixed assets. Any asset that is no longer usable is to be reported to the Management Services Director and Purchasing, who will assist in determining if the equipment has been purchased with federal funds and determination of proper disposal methods.

Matching, Level of Effort, Earmarking

Matching

Depending on the grant award and requirements of matching, any matching funds will be documented and reported as necessary to the grantor. Documentation of matching may become part of the Finance Division grant file or the grant file kept by the Management Services Director.

Level of Effort

While preparing Federal grant applications each year, the Deputy General Manager and Management Services Director ensure that Mountain Line expends an amount of local funds for the project or program that is at least equal to the amount of local funds committed to in the grant application. This is documented by the signatures on the grant application and on the approved reimbursement requests.

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INTERNAL CONTROLS DOCUMENT OVER FEDERAL AWARDS**

Earmarking

N/A

Period of Performance

The executed Grant Award or Contract from the grantor define the period of performance. Mountain Line conforms to each individual grant's period of performance. Typically, each year a grant is awarded, Mountain Line has roughly five (5) years to spend all of the funds associated with that particular grant, extending from the date the grant is awarded. Operations awards maybe restricted to one (1) year immediately following execution. Mountain Line can carryover money each year from a previous grant but must spend those funds first before spending any new grant funds to comply with the performance requirement.

Procurement, Suspension and Debarment

Mountain Line abides by Mountain Line's Purchasing policy, as well as other applicable policies and procedures. All purchases including expenditures for federal, state, and local awards follow the same purchasing policies and procedures. Federal and State awards may have guidelines that are followed in addition to our policies. All purchase requisitions are approved by the Management Services Director. Procurement checks for items such as dollar thresholds, bids, quotes, solicitations, emergency and sole source procurements, purchase order changes, and other justifications. All review levels are met before any order for products or services takes place. These reviews mitigate the risk of violations. In the event that a violation is detected, Procurement will address the responsible party in writing and request corrective action(s) to prevent reoccurrence. Violations could result in the loss of purchasing privileges.

Reporting

For federal awards obligated at the Federal level, Mountain Line prepares and submits on a quarterly basis the Federal Financial Report via FTA's award management system, for all expenditures by function and object that occurred during the quarter. The report is prepared by Accounting using the general ledger information generated from Mountain Line's accounting software. Any required form submissions are approved by the Management Services Director before being submitted for processing. In the event that operations dictate that the expenditure reporting cannot be done on a quarterly basis, it is completed as quickly as possible before fund close out takes place at, or slightly beyond the end of the fiscal year. This report also serves as a claim for reimbursement of expenditures for reimbursable grants.

For federal awards obligated at the State level, Mountain Line prepares and submits on both a monthly and quarterly basis the billing summary reports via ADOT's award management system, for all expenditures by project that occurred during the quarter. The report is prepared by Accounting using the general ledger information generated from Mountain Line's accounting software. Any required form submissions are approved by the Management Services Director before being submitted for processing. In the event that operations dictate that the expenditure reporting cannot be done on a quarterly basis, it is completed as quickly as possible before fund close out takes place at, or slightly beyond the end of the fiscal year. This report also serves as a claim for reimbursement of expenditures for reimbursable grants.

**NAIPTA
FEDERAL AWARDS
INTERNAL CONTROLS DOCUMENT OVER FEDERAL AWARDS**

Programmatic reporting is also submitted as required by each granting authority. Programmatic reporting guidelines vary with all grants. It is the responsibility of the Deputy General Manager, the Management Services Director, and assigned staff members to know and meet reporting deadlines. In the instances that the reporting includes financial transaction data, it is also the responsibility of the assigned staff members of the Finance Division with oversight from the Management Services Director to know and meet guidelines. In the event a reporting deadline cannot be met under justifiable business circumstances, the proper requests should be made for an extension.

Subrecipient Monitoring

N/A

Special Tests and Provisions

Special tests and provisions are handled on a grant by grant basis.

Travel Policy

Mountain Line has a Travel Policy that has been approved by the Board of Directors. Mountain Line also provides procedures for travel/expense reimbursements and an expense reimbursement form. The adopted policies and the reimbursement form can be found within Mountain Line's share file or obtained from Accounting. Mountain Line also limits per diem reimbursements made with federal or state grant funds to conform with Federal and State Regulations to meet the conditions for grant awards.

Conflict of Interest

Mountain Line addresses conflicts of interest for Board of Directors and TAC members in Board Rules of Procedures and Conflict of Interest Policy. Mountain Line addresses conflicts of interests for staff in the Personnel Policy, Purchasing Policy, and Travel Policy.



2020 City of Flagstaff Economic Recession Plan

Purpose

The City and US has seen over ten years of economic growth since the great recession of 2008. We are currently in the longest stretch of economic growth in US history. The chances for economic downturns become more likely as expansion continues. Taking measures to be prepared for economic downturns is critical to how well the City financially responds to a reduction in resources to provide ongoing services to the community. It is imperative to have these strategic measures in place, proactively, in order to plan and prepare for such downturns well in advance. Toward that objective, the formulation of this Plan commenced in the Fall of 2019 with the intention of adoption prior to the 2020-21 Budget Year.

The purpose of this Recession Plan is to provide financial guidance and remedial measures during negative changes in the City's economic status. There are multiple stages of the Plan, that equate to anticipated incremental reduction in available City revenues.

Understanding Indicators and Impacts

Since the City's economy is heavily dependent on discretionary spending of visitors and discretionary purchasing surrounding the tourism, real estate, and construction markets, projecting revenues and expenditures is challenging. Adding to this challenge is our reliance upon many national and regional variables. A plan to manage the financial impacts of economic recession and net revenue shortfalls is paramount.

With those challenges in mind, this Plan, in conjunction with the City's policy on maintaining reserves, can be used to address a variety of economic uncertainties and identify potential corrective actions when revenues or reserves are jeopardized.

- A. Negative Indicators are warnings that potential budget impacts are an increasing probability based on the monitoring of key revenue sources such as sales taxes, building activity, utility usage, and tourism related indicators. Inflation indicators, interest rates, and state and national trends may also be considered. State, national and global issues and crises should also be considered.
- B. Economic downturns can fluctuate in severity and in duration. Implementation of the strategies in this Plan should coincide with the duration of such events, and beyond as may be warranted to ensure full recovery economically.
- C. Stages represent the degree of the economic downturn and serve to classify and communicate the severity of the situation to the City Council, staff, and the public. There are five stages accordingly. As the severity of the economic downturn increases (or are expected to increase in severity) the Plan's tiered approach will guide the City's actions accordingly.

Funds have different Indicators and Impacts

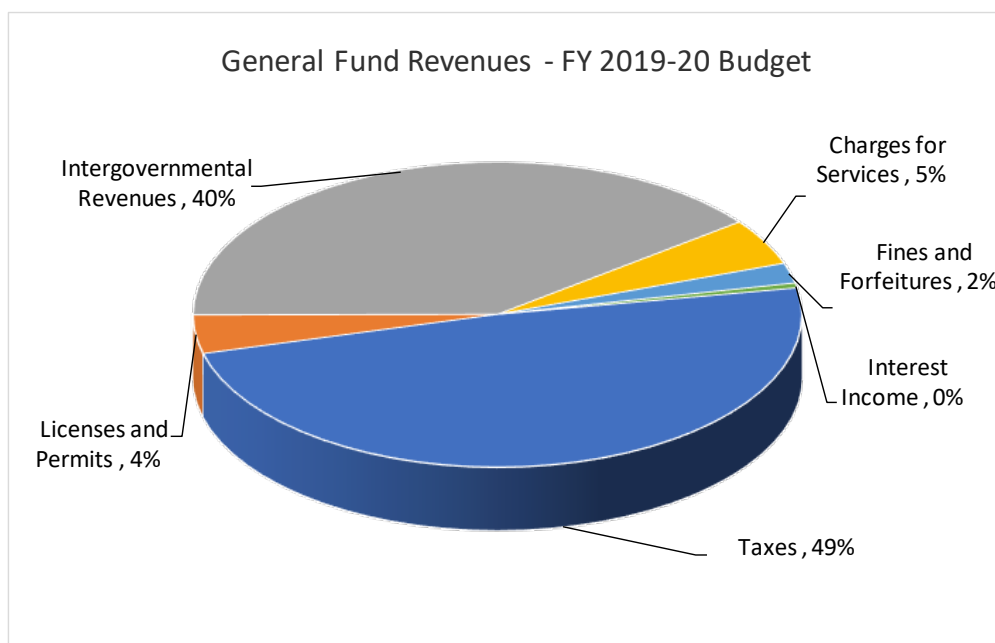
The City has multiple funds which have different revenue streams that have different indicators to be aware of. The largest of the funds is the City's General Fund which is largely used for general City services and labor. Some of the funds operate as enterprise funds premised upon self-sustaining revenues generated through the operation of an enterprise – essentially treated as government-operated businesses. All of the City's funds are summarized in Appendix A.

The indicators as noted above will basically apply to all City funds, noting that some funds, such as the General Fund, may be more vulnerable than other funds to economic fluctuation. Therefore, the Plan places significant focus on the General Fund. All the funds are summarized in Appendix A. In addition, the General fund may need to sustain further cuts to assist other smaller/non self-sufficient funds (such as the Airport and Library Funds).

Below is a table of some of the major revenues in the General Fund that would be impacted during an economic downturn along with the impact based on a percentage of change:

		Decline: Up to 2%	Decline: Up to 5%	Decline: Up to 10%	Decline: Up to 20%
001 : General Fund	Total Budget				
Taxes	\$ 32,274,000	\$ 645,000	\$ 1,614,000	\$ 3,227,000	\$ 6,455,000
Licenses and Permits	2,707,000	54,000	135,000	271,000	541,000
Intergovernmental Revenues	26,334,000	527,000	1,317,000	2,633,000	5,267,000
Charges for Services	3,267,000	65,000	163,000	327,000	653,000
Fines and Forfeitures	1,420,000	28,000	71,000	142,000	284,000
Interest Income	350,000	7,000	18,000	35,000	70,000
Total	\$ 66,352,000	\$ 1,326,000	\$ 3,318,000	\$ 6,635,000	\$ 13,270,000

Excludes: Lease revenues, contributions, miscellaneous, financing resources and transfers.



In the General Fund for FY 2019-20, 81% (\$56.2 Million) of the base ongoing budget is personnel, 14% (\$9.8 Million) is contractual, 3.4% (\$2.4 Million) is commodities and 1.6% (\$1.1 Million) is capital. Most capital purchases are funded with one-time resources or funded with resources outside of the General Fund. Of the total General Fund base budget in FY 2019-20, 57% (\$39.2 Million) is related to public safety (police, fire and court), of which 31% (\$12.3 Million) is public safety pension contributions.

General Fund Unrestricted Fund Balance and Contingencies Play a Role in Economic Financial Planning

A critical part of long-term financial planning is to assure an adequate fund balance is maintained in the General Fund. Outside of economic downturns, the City will strive to have a minimum unreserved fund balance of 20%. During downturns, the City could make strategic reductions in the fund balance. For FY 2019-20, 20% is equal to \$12,500,000. Reduction of fund balance will impact the security of the General Fund and could have an adverse impact on debt ratings.

There are proactive administrative tools that will ensure the maintenance of the 20% fund balance. Such tools include the centralization of various administrative services that may bring about economies by minimizing fragmentation. Cross-training and resource sharing between the divisions and sections should likewise be encouraged.

Revenue streams to fund programs and services that can be made sustainable through sources outside of the General Fund should be explored. Similarly, the General Fund is greatly encumbered by a public safety pension liability and efforts should be explored to see an independent funding stream lessen this burden, thereby making the fund less vulnerable to economic downswings.

Minimum fund balance policy for all other City funds is 10%, except the Highway User Revenue Fund (HURF) which has a minimum 20% fund balance policy and the Water Services Funds which has a minimum 25% fund balance policy.

Taking Remedial Action Based upon Revenue and Fund Balance Reductions

Planning what action steps will be taken positions an organization to proactively and responsibly plan for economic downturns.

The City has designed the following action plan based upon multiple stages of an economic downturn. The five stages set forth below equate to anticipated reductions in available revenues (the higher stages representing more severe reductions) and the resulting measures to be taken in each stage.

Five Stages:

Alert/Minor - An anticipated, unbudgeted, net reduction in available revenues up to 2%, less than \$1.4M

Action: Under this scenario, expenditures will be reduced where reasonably possible. Most services can be maintained without reduction or public impact, but some services may be scaled down. Recruitment for vacant positions may be prolonged for short periods, and unexpended operating appropriations will be diverted back into the General Fund. Efficiencies to reduce expenditures will be pursued with emphasis. Divisions and Sections are responsible for monitoring budgets and reducing expenditures.

Moderate - A projected and unbudgeted reduction in revenues in excess of 2% but less than 5%, \$1.4M to \$3.4M

Action: The City will maintain essential services, but non-essential services may be curtailed and the review of expenditures is intensified to include the deferment of large purchases, cancellation of contracts and consulting services, reduction/postponement of capital expenditures that are not mandatory or urgent, postponement of expenditures related to travel, meetings, and discretionary training, and delaying the recruitment for vacant positions when reasonable, including a partial hiring freeze, or relying upon other strategies to fill current or projected vacancies.

Significant - A projected and unbudgeted reduction in revenues in excess of 5% but less than 10%, \$3.4M-6.7M.

Action: Requires strong justification for large purchases, elimination of expenditures related to travel, meetings, and discretionary training, deferring a significant number of capital projects, implementation of a hiring freeze on all but essential health, safety, and welfare positions, and the suspension or reduction of services and programs or decrease level of service in programs that are not deemed essential to the community. A possible reduction of workforce with initial emphasis upon temporary, part-time, and contract employees. A possible draw down of reserves may be considered. The City will consider reduction of hours and/or temporary closures of facilities and/or increases in fees to maintain services. Possible deferral or postponement of salary increases (rezones, merits, COLAs and QSIIs).

Major - A projected and unbudgeted reduction in revenues in excess of 10% but less than 20%, \$6.7M-\$13.3M plus

Action: This phase requires actions aimed at major service cuts, continuation of a total hiring freeze, a reduction of workforce with emphasis upon temporary, part-time, and contract employees, suspend all types of salary increases, and may consider additional employee cost reduction policies, further reductions in capital expenditures, and development of a further reduction in workforce strategy. A draw down of reserves would be required to maintain essential or mandatory services. Longer term closures of non-essential city facilities will occur.

Crisis - This phase assumes that revenues have been almost entirely depleted, with reductions in excess of 20%. The potential for an overall budget deficit is present.

Action: At this point, the City implements its reduction in workforce and employee cost reduction policies, eliminates programs and services, and stops all capital improvement projects and purchasing. Further reductions in reserves will be required.

The initiation of any of these strategies and actions originate with the Budget Team. Implementation of the First and Second Stages (Minor/Moderate) can be performed administratively. Implementation of additional Stages (Significant through Crisis) will require the consent and resolution of the City Council. The subsequent termination or reduction of these actions will be subject to the same approval requirements.

If the conditions leading to implementation of the Economic Recession Plan are likely to continue for multiple years, the cumulative effect of the reduction in revenues or reserves should be considered in determining the appropriate phased response.

Appendix A: Summary of Impact by Funds

	Revenues	Decline: Up to 2%	Decline: Up to 5%	Decline: Up to 10%	Decline: Up to 20%
General Fund	\$ 66,352,000	\$ 1,326,000	\$ 3,318,000	\$ 6,635,000	\$ 13,270,000
Special Revenue Funds					
Library	3,982,000	80,000	199,000	398,000	796,000
HURF	8,635,000	173,000	432,000	863,000	1,727,000
Transportation Tax	27,108,000	543,000	1,355,000	2,710,000	5,422,000
BBB Funds	9,798,000	196,000	490,000	981,000	1,960,000
Parking District	1,480,000	30,000	74,000	148,000	296,000
Total Special Revenue	51,003,000	1,022,000	2,550,000	5,100,000	10,201,000
Debt Service Funds	7,302,000	146,000	365,000	730,000	1,460,000
Enterprise Funds					
Water	17,815,000	356,000	891,000	1,781,000	3,563,000
Wastewater	10,539,000	211,000	527,000	1,054,000	2,108,000
Reclaim	1,040,000	21,000	52,000	104,000	208,000
Stormwater	4,277,000	86,000	214,000	428,000	855,000
Solid Waste	12,236,000	245,000	612,000	1,224,000	2,447,000
SEMS	1,064,000	21,000	53,000	106,000	213,000
Airport	2,219,000	44,000	111,000	222,000	444,000
FHA	1,803,000	37,000	90,000	181,000	361,000
Total Enterprise	50,993,000	1,021,000	2,550,000	5,100,000	10,199,000
All other funds	\$ 109,298,000	\$ 2,189,000	\$ 5,465,000	\$ 10,930,000	\$ 21,860,000



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DATE PREPARED: September 3, 2020
DATE: September 16, 2020
TO: Honorable Chair and Members of the Board
FROM: Sam Short, Safety Manager
SUBJECT: Human Trafficking Awareness Partnership

RECOMMENDATION:

The Board may provide direction, but there is no recommendation from staff at this time.

RELATED STRATEGIC WORKPLAN GOAL

❖ Goal: Enhanced Safety Culture

BACKGROUND:

On January 28, 2020, Mountain Line was awarded Innovations in Transit Public Safety grant funds from the Federal Transit Administration (FTA). Mountain Line partnered with Northland Family Help Center (NFHC) to leverage the existing efforts of the Flagstaff Initiative Against Trafficking (FIAT) for this grant. The goal of this project is to increase safety and awareness while reducing occurrences of human trafficking in Flagstaff and the surrounding region. Funds from the grant will be used to conduct de-escalation and human trafficking awareness trainings. Mountain Line and NFHC will co-develop a training video to ensure the sustainability of human trafficking training at Mountain Line for new staff and to share with other transit agencies in the state. This project includes the development of an anonymous reporting app to enable the community to report suspicious behavior on Mountain Line. The grant also allows support for the reentry of survivors into the workforce through a workforce training program and free bus passes for victims seeking employment. The grant includes funding for marketing and awareness efforts, including advertising on buses.

Training Program and Reporting

Mountain Line training staff will receive Train the Trainer instruction from FIAT staff regarding human trafficking awareness, identification, and reporting techniques. Training staff will then provide this training to front line staff. Mountain Line front line staff will also receive de-escalation training which will be provided by the Flagstaff Police Department.

Mountain Line has signed a contract with ELERTS, "See Say Now" phone application. This phone app provides Mountain Line customers and employees, the ability to make various reports to Mountain Line staff in real time. Some of the report types that customers can choose to send to Mountain Line are:

- Safety and Security Concerns
- Human Trafficking
- Suspicious Activity
- Comment or Complaint

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- Kudo's for Mountain Line Staff

These are only a few of the report types that someone can choose from when reporting information to Mountain Line staff. The report is then routed to a designated person at the Mountain Line offices.

Awareness Campaign

Mountain Line is working with FIAT to develop a Human Trafficking Awareness campaign. The campaign will highlight several of the red flags to look for (someone has no identification, has someone translating or answering questions on their behalf, does not know where they are or how they got to the town they are in, etc.) and how/where to report suspicious behavior. While the campaign will not be transit-specific, we will use the highly visible space on the Mountain Line vehicles to display the campaign and draw attention to the signs of human trafficking.

Mountain Line will also work with FIAT on updating the agency's trifold brochure and will use the awareness campaign materials on social media and other platforms.

TAC DISCUSSION:

The Transit Advisory Committee was supportive of this initiative and did not have any questions on this item.

FISCAL IMPACT:

The completion of this project is done internally and with coordination from NFHC staff. The grant award of \$109,515 includes \$87,612 in federal funds. All local match will be in-kind, including staff time from NFHC, advertising, and bus passes. There will be no financial impact to NAIPTA partners.

SUBMITTED BY:

Sam Short
Safety Manager

APPROVED BY:

Heather Dalmolin
CEO and General Manager

ATTACHMENTS:

None.

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DATE PREPARED: September 4, 2020
DATE: September 16, 2020
TO: Honorable Chair and Members of the Board
FROM: Kate Morley, Deputy General Manager
SUBJECT: Consider an Owner's Representative for the DCC

RECOMMENDATION:

The Board may provide direction, but there is no recommendation from staff at this time.

RELATED STRATEGIC PLAN OBJECTIVE

- ❖ Goal: Service Excellence
- ❖ Objective: Invest in capital to improve efficiencies and infrastructure to enhance customer-first service delivery.

BACKGROUND:

Staff are exploring project delivery methods for the Downtown Connection Center. Beyond final design and construction contract(s), the benefits of having an Owner's Representative have come to light.

Owner's Representatives can fill multiple functions including:

1. Augmenting the capacity of staff to deliver the project. Mountain Line has a small team with no internal experience in delivering a project of this magnitude. An Owner's Representative would bring a variety of skillsets to deliver the project through an entire team instead of a single project manager. The experience of the team would limit risk, ensure successful project delivery and appropriate oversight of all contracts and budgets.
2. Bringing Financial and Partnership Expertise. An Owner's Representative would bring experience in negotiating partnerships, financial forecasting for long-term operations and maintenance and the evaluation of options for the organization to offset or find new revenues for such expenses. This skillset would be helpful as Mountain Line works to partner with a variety of transportation providers and other partnerships to help offset long term operations and maintenance costs.
3. Oversight for Planning and Design. Such services include procurement analysis and preparation, independent estimates, constructability reviews and more. These services would be useful in looking at cost savings to the construction of the project.
4. Construction Management. Services would include on site management, quality, and cost controls, change order management, commissioning and project accounting. These skillsets would help ensure a quality project is delivered on budget.
5. Project Closeout Services. An Owner's Representative can provide inspections, assist with closeout documentation, and record retention. Mountain Line would benefit by making sure all items are complete prior to closing any contracts out and all documents are filed.

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Staff are preparing a procurement for an Owner's Representative and are seeking feedback from the NAIPTA TAC and Board.

TAC DISCUSSION:

The TAC was generally supportive of this approach and maintaining an internal project manager for the DCC as well.

FISCAL IMPACT:

Owner's Representative contracts are estimated at 2-3% of project costs. For the DCC, staff anticipate a project cost of approximately \$625,000. The Owner's Representative would be paid for through the DCC grant at an 80/20 split.

SUBMITTED BY:

Kate Morley
Deputy General Manager

APPROVED BY:

Heather Dalmolin
CEO and General Manager

ATTACHMENTS:

None.

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MOUNTAIN LINE MEMORANDUM

DATE: September 16, 2020

TO: Honorable Chair and Members of the Board

FROM: Kate Morley, Deputy General Manager

SUBJECT: Update on General Consulting Services Contract

On June 21, 2017, the NAIPTA Board of Directors awarded AECOM Technical Services, Inc. (AECOM) a three-year contract with the possibility to extend for two additional years to provide necessary on-call Architectural and Engineering services through a General Consulting Services Contract (RSOQ 2017-400). AECOM has completed the first three years of the contract and Mountain Line is using the two-year extension to complete projects underway. This report is to provide the NAIPTA Board with a quarterly update on that contract.

Progress on AECOM FY2021 Task Orders:

- Task Order #6: BRT Project Development
 - This project is waiting on a preferred cross-section to be determined for the Milton portion of the project through the ADOT Milton Corridor Master Plan. Minor work that can be conducted concurrently is occurring.
- Task Order #8: DCC to 30% Plans
 - AECOM is prepping to kick off concept development with a variety of stakeholder groups.
- Task Order #11: Bus Stop Amenities (survey/design)
 - There are no projects under this task order at this time.
- Task Order #13: Initiation of Work / Program Management
 - There are no projects under this task order at this time.
- Task Order #14: Kaspar intersection Project Management including Transit Signal Priority (TSP) subtask
 - AECOM is coordinating with Mountain Line and City to recommend TSP technologies that help achieve both agencies goals.

Task	Project Name	Start Date	End Date	Source Funds	FY2021 Value	Status Update
#6	Bus Rapid Transit (BRT) and Ridership Projections	July 2018	Summer 2020	5307/39	\$1,240,548	Minor work only, coordination with ADOT CMP





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#8	DCC Selection, Design & Preliminary Engineering	July 2018	Apr. 2020	5307/39	\$1,151,264	Prepping for kickoff based on expanded scope
#11	Bus Stop Amenities (survey/design)	On-going		5310/Local	\$50,000	TBD
#13	Initiation of Work / Program Management	On-going		Varies	\$43,187	On-going
#14	Kaspar Intersection Construction Project Management	October 2019	Nov. 2020	5307/39	\$193,150	30% plans submitted to City
Total					\$2,678,149	

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October: BOD and TAC Advance is Wednesday, 10/21

ITEMS:	WHO & WHAT:
Safety Minute	
CYMPO Request for Service and IGA	Kate - D/A or C
Mountain Line Annual Report	Heather D/Lauree - D/A
Fare Capping Discussion	Heather D - D/A
5 Year Transit Plan - Tax Action Plan Discussion and RTP Update	Kate – D/A
Strategic Plan Updates with KPIs	Heather D – D/A
Legislative Update	Kate - PR
PTASP Safety Plan Report	Sam - PR
Delegation of Authority Update - Agreements, Grants, and Procurements	Heather D - PR
Current Events	Heather D - PR
November/December Agenda Calendar	

November: TAC Meeting is Thurs, 11/5 Board Meeting is Wed, 11/18

ITEMS:	WHO & WHAT:
Safety Minute	
Active Transportation Master Plan Presentation – BOD Only	Estella/Martin
Adopt the Annual Report	Heather D/Lauree - D/A
Adopt Amended Strategic Plan with KPIs	Heather D - D/A
Adopt PTASP	Sam - D/A or C
Budget Process Kickoff	Heather D/Lauree - D/A
Milton Corridor Update	Bizzy - PR
Grant Award Notification	Kate - PR
Employee Satisfaction Survey Results	Heather D - PR
Workforce Utilization Report (memo only)	Danelle - PR
Delegation of Authority Update - Agreements, Grants, and Procurements	Heather D - PR
Current Events	Heather D - PR
December/January Agenda Calendar	