

SPECIAL MASS TRANSIT DEPARTMENT BOARD MINUTES  
CITY COUNCIL CHAMBERS  
August 13, 2019

A meeting of the Mass Transit Department Board was called to order at approximately 10:38 a.m. with Dee Margo, Chairman, presiding. The other members present were: Peter Svarzbein, Alexandra Annelo, Cassandra Hernandez, Sam Morgan, Isabel Salcido, Claudia Ordaz Perez, Henry Rivera and Cissy Lizarraga. Absent: None.

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**CONSENT AGENDA**

**1. REQUEST TO EXCUSE ABSENT MASS TRANSIT DEPARTMENT BOARD MEMBERS**

**NO ACTION** was taken on the item.

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**2.**

Motion made by Board Member Ordaz Perez, seconded by Board Member Rivera, and unanimously carried to **CLOSE** at 10:39 a.m. the Public Hearing on the proposed budget for the Mass Transit Department of the City of El Paso (Sun Metro), filed by the City Manager with the City Clerk on July 19, 2019, which begins on September 1, 2019 and ends on August 31, 2020.

AYES: Board Members Svarzbein, Annelo, Hernandez, Morgan, Salcido, Ordaz Perez, Rivera, Lizarraga, and Board Chair Margo  
NAYS: None

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**3.**

**R E S O L U T I O N**

**CITY OF EL PASO, MASS TRANSIT DEPARTMENT FISCAL YEAR 2020 BUDGET RESOLUTION**

**WHEREAS**, on July 19, 2019 the City Manager of the City of El Paso filed the Fiscal Year 2019 Proposed Budget of the Mass Transit Department of the City of El Paso with the Secretary of the Mass Transit Department Board; and

**WHEREAS**, the Proposed Budget was made available for the inspection by any person and posted on the City's website in accordance with Section 102.005 of the Texas Local Government Code; and

**WHEREAS**, on July 30, 2019 the Secretary of the Mass Transit Department Board published notice in the El Paso Times, a newspaper of general circulation in the county in which the City of El Paso is located, of a public hearing regarding the Mass Transit Department of the City of El Paso Fiscal Year 2020 Budget Resolution, in accordance with the Charter of the City of El Paso and Section 102.0065(a) of the Texas Local Government Code; and

**WHEREAS**, said public hearing was held on August 13, 2019, by the Mass Transit Board of the City of El Paso on the Proposed Budget at which all interested persons were given the right to be present and participate.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE MASS TRANSIT DEPARTMENT OF THE CITY OF EL PASO:**

1. That the Proposed Budget, as amended, for the Mass Transit Department of the City of El Paso, filed by the City Manager with the City Clerk on July 19, 2019 is hereby approved and adopted by the Board as the Annual Budget for the Fiscal Year 2020, which begins on September 1, 2019 and ends on August 31, 2020.
2. That any budget transfer submitted to the Board shall be accompanied by an explanation from the department and a recommendation from the City Manager or his/her designee. The explanation provided must be sufficiently clear and provide adequate detail for the members of the Board to determine the need for the transfer.
3. That the City Manager or his/her designee is hereby authorized to establish or amend budgets for grants and awards when the applications for such grants and awards have been previously approved by the Board or the City Manager.
4. That all grant applications requiring Board approval shall be prepared in accordance with established procedures. The agenda item shall state clearly the type and amount of any required City match and the funding source of the grant match.
5. That the City Manager or his/her designee is hereby authorized to make such budget transfers and staffing table changes as are needed to close completed grants and capital project accounts.
6. That the City Manager or his/her designee is hereby authorized to increase or decrease the budget for any capital projects within a Capital Improvement Program (CIP) approved by the City Council, provided that the change of a project's budget of more than \$1,000,000 requires additional Council approval. No project budget may be reduced to zero or deleted unless the project has been completed. Expenditures must be in compliance with applicable laws and policies and a quarterly report must be provided to Council on the budgets for capital projects that the City Manager or his/her designee has established, amended or deleted.
7. That City Manager or his/her designee is hereby authorized to add to an existing Capital Improvement Program (CIP). Addition of a project to an approved CIP must meet the purpose of the proceeds from which the original CIP was funded and the addition of such project(s) cannot exceed more than \$500,000 without City Council authorization. Expenditures must be in compliance with applicable laws and policies and a quarterly report must be provided to Council on the budgets for capital projects that the City Manager or his/her designee has established or added.
8. That the City Manager or his/her designee is hereby authorized to receive funds associated with Texas Department of Transportation (TXDOT) reimbursements to the City and appropriate the funds to TXDOT project matches awarded through the Metropolitan Planning Organization provided the projects are included in an existing Capital Improvement Program.
9. That the City Manager or his designee is authorized to issue, without further City Council action, purchase orders against any contract offered through the Cooperative Purchasing Network, the Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Program, the Texas Association of School Boards, Inc. (TASB, Inc.) Cooperative Purchasing Buy Board, the ESC-Region 19

Cooperative Purchasing Program, the Harris County Department of Education Cooperative Purchasing Program, Tarrant County Cooperative Purchasing Program, Texas Procurement and Supportive Services (TPASS), Texas Multiple Award Schedule (TMAS and TXSmartBuy), State of Texas Department of Information Resources (DIR), OMNIA Partners, Technology Bidding and Purchasing Program (PEPPM), U.S. General Services Administration (GSA), and any other cooperative purchasing program authorized by the City Council. That the City Manager or his/her designee has the authority to sign any and all agreements related to purchases pursuant to this paragraph to effectuate the purchase.

10. That the City Manager or his/her designee is authorized to issue, without further City Council action, purchase orders against any cooperative contract through the electronic catalog maintained through Equal Level. The purchase of vehicles, trucks and/or fire apparatus/pumpers shall be expressly prohibited from being sourced through the e-catalog.
11. That the sum \$300,000 shall be appropriated for Damages and Settlements.
12. That the appropriation for equipment and capital improvement projects in the Capital Program shall be for those items listed on **Schedule A** (Sun Metro Capital Match Fiscal Year 2020) which is attached hereto and is incorporated herein by reference. Changes to the projects, or changes to the capital appropriated amounts which shall be requested as a budget amendment, shall be submitted to the Board for approval by simple motion or resolution. **Schedule B** sets forth the fares and fees for the goods and services it provides. Any revisions or additions to the fares or fees in **Schedule B** shall be in conformity with state law and be approved by simple resolution of the Board.
13. That the City Manager and his/her designee is authorized to determine when it is practicable for the Mass Transit Department to accept payments by credit card of a fee or other charge in accordance with City Ordinance No. 15051. Service charges added to the payment shall be in conformity with state statutory requirements and will be in such amount(s) as listed in Schedule C of the City of El Paso Fiscal Year 2020 Budget Resolution, provided that in the event that bank charges imposed on the City, including its Mass Transit Department, relating to credit card acceptance increase during the fiscal year, the City Manager is authorized to increase the service charge amount(s), so as to cover the Mass Transit Department's increased costs.
14. That all business travel expenses: (i) must be approved in advance by the Director or his/her designee or other designee of the City Manager; (ii) shall follow the administrative guidelines for business travel; and, (iii) may be audited for adherence to the administrative guidelines.
15. That no obligation shall be incurred for capital, supplies, wages, or otherwise, unless an adequate appropriation has been made in the budget to meet the obligation and said obligation has been incurred in accordance with the accounting, legal, budgetary, purchasing, and Human Resources policies and procedures of the City of El Paso.
16. That Full-Time Equivalent (FTE) positions funded by the Fiscal Year 2020 Budget, and those listed in the Authorized Staffing Table (as filed along with the City's Fiscal Year 2019 proposed budget, as amended), shall constitute the authorized FTE positions for the Department. Requests for changes and additions shall be approved by the City Manager or his/her designee and shall show the impact on the Fiscal Year 2019 Budget and the estimated impact on expenditures for Fiscal Year 2020.

17. That the amounts of the annual non-uniformed employee pay increases for FY 2020 are set as follows: Employee's annual increase shall be in that amount that will place the employee in the rate within their pay grade that most closely approximates a one percent (1.0%) increase, unless a higher percentage increase results from the implementation of a compensation study. Provided however, that the City Manager may increase this amount by an amount not to exceed an additional one percent (1.0%) for any or all of the City's two major service classifications and the unclassified services based on the availability of funds and other management factors as determined by the City Manager. Provided however, nothing in this section authorizes the payment of a base salary that exceeds the maximum of an employee's salary range.
18. Employees at the maximum pay range, will receive a one-time lump sum payment in an amount not to exceed an additional one percent (1.0%) of the maximum of their range. Employees whose one percent (1.0%) increase will exceed the maximum of their pay range will be increased to the maximum of the pay range, the difference beyond the maximum of the range, as a result of the one percent (1.0%) increase, will be given in a one-time lump sum payment. The total increase is not to exceed one percent (1.0%) of their annual salary prior to the increase.
19. That any employee pay increases for employees shall be given on the date or dates established by the City Manager based on the availability of funding for such purposes in Fiscal Year 2020. No employee pay increases shall be paid retroactively to an anniversary date or date of a performance evaluation.
20. That for purposes of recognizing the service time of an employee (classified, unclassified and/or contract), other than employees covered under collective bargaining agreements an amount that most closely approximates a one and one half percent (1.5%) increase will be added to the base pay of each employee on the anniversary date of five (5) years of service, two percent (2%) on the anniversary date of ten (10) years of service, two percent (2%) on the anniversary date of fifteen (15) years of service, and two and one half percent (2.5%) on the anniversary date of twenty (20) years of service and for any other five year incremental period on or beyond twenty-five (25) years of service accrued by an employee.
21. That all performance-based and goal-based increases and/or one-time payments shall be subject to the availability of funds and expended as determined or authorized by the City Manager or designee, except for such increases and/or payments that are otherwise governed by an employment contract.
22. That the City Manager be authorized to establish employee incentive program(s), subject to the availability of funds, and approve such administrative policies and procedures necessary for the inception and implementation of such programs:
  - (a) the wellness program in the City's health benefit plan for the amount established in each fiscal year's budget in an amount not to exceed \$150 per employee each month during the fiscal year, in accordance with the City Manager's administrative policy and shall include a component that allows City employees to earn one wellness day off annually when they have accumulated 200 or more wellness points as designated in the administrative policy; and
  - (b) employees whose job specifications require a commercial driver's license or whose work includes the tracking of specific safety criteria to be eligible for a payment not to exceed \$350 per employee each year based on the employee's accident-free driving record or established

safety criteria for a period (i.e. quarterly, semi-annually, etc.) to be established in administrative policy and payable in increments based on such periods; and

- (c) one-time payments in an amount not to exceed \$100 (and any taxes due) for each employee who is assigned additional duties serving in a Lean Six Sigma team; and
  - (d) monthly payments in an amount not to exceed \$300 per month for each employee during the period in which each is assigned additional duties as strategic plan mentor leaders; and
  - (e) for perfect attendance in 6 month period established by administrative policy, cash payment of \$50 and the option to convert 8 hours of sick leave for business leave as set forth in the administrative policy; and
  - (f) monthly payment prorated in an amount not to exceed 3% of current annual salary for each employee who is assigned additional duties responsibilities for completion of major project whose scope has broad citywide application.
23. That based on the availability of funds, the City Manager is authorized to expend no more than \$50,000 from the budget to establish and implement an on-the-spot rewards program to provide small monetary awards (face value up to \$100) to recognize immediately extraordinary acts, accomplishments or contributions that are above and beyond the typical duties of the rewarded employee. On-the-spot rewards are not in lieu of merit increases or other salary increases based on sustained high quality employee performance.
24. That the City Manager may appropriate up to \$300,000 from the Mass Transit reserves for the purchase of inventory items in order to maintain the operations of the department.
25. That the Director of the Mass Transit Department or other designee of the City Manager shall submit: (i) periodic financial reports to the Board; (ii) periodic reports to the Board showing trends in revenues and expenditures; and, (iii) recommendations as deemed necessary to comply with the financial policies of the City of El Paso.
26. That appropriation control of expenditures shall be at the Object Level.
27. That expenditures shall be in accordance with the City of El Paso – Strategic Plan.
28. That the Director of the Mass Transit Department, or other designee of the City Manager, is hereby authorized to establish a program, as approved by the City Manager, whereby the Director and his designees may provide free transit service passes as are appropriate for the promotion of the use of the transit system. The total value of all free transit service passes provided under this program during FY 2020 shall not exceed \$5,000. In addition, that the City Manager or designee be authorized to waive or reduce fares in Schedule B for conferences and events that directly benefit the Mass Transit Department. The City Manager, or designee, is authorized to establish criteria and requirements for the waiver or reduction of fares in Schedule B for conferences that benefit the Mass Transit Department.

29. In addition, that the City Manager or designee is authorized to waive or reduce fares in Schedule B for conferences and events that directly benefit the Mass Transit Department pursuant to the criteria and requirements for the waiver or reduction of fares established by the City Manager
30. That the Director of the Mass Transit Department, or other designee of the City Manager, is hereby authorized to provide free route transit service passes for use within the City limits to the current members of the Citizens Advisory Committee, at such times during the fiscal year when the Director or his designee determines that providing such passes serves to advance the duties and responsibilities of the members of the Committee.
31. That the City Manager his/her designee be authorized to waive or reduce bus fares in **Schedule B** for three (3) days during FY 2020 for City-sponsored events such as the national Dump the Pump Day, Dia de los Ninos and Thanksgiving Day.
32. That, except as otherwise provided herein, all other applicable provisions of the City of El Paso Fiscal Year 2020 Budget Resolution, as amended and adopted, to include but not be limited to the provisions regarding the making of budget transfers, shall be applicable to the Mass Transit Department.
33. That the City Manager or his/her designee shall immediately file, or cause to be filed, a true copy of the FY 2020 Budget and a copy of this Resolution in the offices of the City Clerk and the County Clerk of El Paso, and post the same on the City's website.

Motion made by Board Member Ordaz Perez, seconded by Board Member Rivera, and unanimously carried to **APPROVE** the Resolution.

Board Members Svarzbein and Hernandez commented.

The following City staff members commented:

1. Mr. Jay Banasiak, Mass Transit Director
2. Mr. Robert Cortinas, Chief Financial Officer
3. Tommy Gonzalez, City Manager

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 Motion made by Board Member Ordaz Perez, seconded by Board Member Hernandez, and unanimously carried to adjourn this meeting at 10:44 a.m.

Approved as to content:

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Jay Banasiak, Director