

**CITY OF EL PASO, TEXAS  
AGENDA ITEM  
DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:**

**AGENDA DATE:**

**PUBLIC HEARING DATE:**

**CONTACT PERSON NAME:**

**PHONE NUMBER:**

**2nd CONTACT PERSON NAME:**

**PHONE NUMBER:**

**DISTRICT(S) AFFECTED:**

**STRATEGIC GOAL:**

**SUBGOAL:**

**SUBJECT:**

**BACKGROUND / DISCUSSION:**

**COMMUNITY AND STAKEHOLDER OUTREACH:**

**PRIOR COUNCIL ACTION:**

**AMOUNT AND SOURCE OF FUNDING:**

**REPORTING OF CONTRIBUTION OR DONATION TO CITY COUNCIL:**

NAME	AMOUNT (\$)

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:** \_\_\_\_\_

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

## RESOLUTION

**A RESOLUTION OF THE MASS TRANSIT DEPARTMENT BOARD OF THE CITY OF EL PASO AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY ACTIONS TO ADDRESS IMMEDIATE AND CONTINUING NECESSARY CITY RESPONSES TO THE FEBRUARY 11, 2025 FIRE AT SUN METRO TRANSIT OPERATIONS CENTER, TO INCLUDE: AUTHORIZING CONTRACTING AND PURCHASING WITHOUT FURTHER ACTION OF THE MASS TRANSIT DEPARTMENT BOARD, PURSUANT TO ALLOWABLE EXEMPTIONS TO THE COMPETITIVE BIDDING REQUIREMENTS UNDER SECTION 252.022(a) OF THE TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; AUTHORIZING CITY MANAGER OR DESIGNEE TO EXECUTE DOCUMENTS REQUIRED IN RESPONSE TO THIS EMERGENCY, TO ENABLE ROUTINE MASS TRANSIT OPERATIONS TO RESUME.**

**WHEREAS**, the Mass Transit Department of the City of El Paso (Sun Metro) provides public transportation to the City of El Paso; and

**WHEREAS**, on February 11, 2025 a large fire occurred at the Sun Metro Transit Operations Center, which had devastating impact on the City's Sun Metro Operations, including but not limited to injuries to employees and unforeseen damage to the City of El Paso's property (February 11<sup>th</sup> Fire); and

**WHEREAS**, the February 11<sup>th</sup> Fire emergency directly impacted overall Sun Metro operations and immediate action is necessary for certain procurements in order to preserve and protect the public health and safety of the municipality's residents, preserve the municipality's property as well as assure the public transportation needs of the City of El Paso are met; and

**WHEREAS**, Section 252.022(a) of the Texas Local Government Code, as amended, allows exemptions to competitive bidding requirements, including procurements made to preserve and protect the public health and safety of the municipality's residents, preserve the property of the municipality and because of unforeseen damage to public machinery, equipment, or other property; and

**WHEREAS**, City Manager has authority under Ordinances Nos. 016015, 016736, and the Resolutions approved by the Mass Transit Department Board on March 22, 2005, to make purchases and sign contracts in the amount of up to \$50,000 per annum; and

**WHEREAS**, the ongoing need for purchases created by the February 11<sup>th</sup> Fire far exceed the monetary amount the current authority the City Manager has been granted; and

**WHEREAS**, the City of El Paso finds that immediate action is necessary, including but not limited to necessary expenditures, in order to preserve and protect the public health and safety of the City of El Paso's residents, preserve the property of the City of El Paso, address the

unforeseen damage to the property of the City of El Paso and address the emergency resulting from the February 11<sup>th</sup> Fire to fully restore operations and assure the public transportation needs of the City of El Paso are met.

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

**That**, the findings and recitations set out above in this Resolution are found to be true and correct and are hereby adopted by the Mass Transit Department Board of the City of El Paso (MTDB) and made part of this Resolution;

**That**, the City Manager or designee, in order to protect the public health, safety and welfare as well as to preserve the property of the City of El Paso is granted broad authority to take any and all actions necessary including but not limited to authorizing contracts, after review and approval by the City Attorney's office, and purchases needed to address the emergency caused by the February 11<sup>th</sup> Fire and its aftermath;

**That**, the City Manager or designee be authorized to take any and all action necessary to address the Sun Metro Operational needs created by the February 11<sup>th</sup> Fire as soon as possible in order to fully restore operations and assure the public transportation needs of the City of El Paso are met;

**That**, the City Manager or designee be authorized to enter into contracts and make purchases in accordance with the exemption to the State competitive bidding statutes as allowed under Texas Local Government Code Section 252.022(a), as amended, and be allowed the necessary exemptions to the existing City of El Paso Purchasing Policy in order to address the needs created by the February 11<sup>th</sup> Fire. This authorization also includes the City Manager or designee's authority to take any related actions on contracts, after review and approval by the City Attorney's office, pursuant to this Resolution without further MTDB action, which includes approval of contract amendments, change orders, and termination of such contracts, after review and approval by the City Attorney's office.

**That**, the MTDB ratifies any and all expenditures incurred as a result of the February 11<sup>th</sup> Fire at the Sun Metro Transit Operations Center of the City of El Paso through the date of this resolution; and

**That**, the City Manager or designee be authorized to sign any related agreements, verifications and documents, after review and approval from the City Attorney's office, effectuate any budget transfers and submit necessary revisions to the operational plan, and take any actions necessary to carry out the intent of this resolution; and

**That**, this Resolution and the authorizations contained within shall continue in full force and effect until amended or revoked by the MTDB; based on the determination that the preservation and protection of the public health and safety of the municipality's residents, preservation of the municipality's property, and the public transportation needs of the City of El Paso, following the emergency caused by the February 11th Fire and its aftermath, have been met; and

**That**, the City Manager will periodically report to the MTDB of the progress made and actions taken under the authority granted by this Resolution to address the aftermath of the February 11th Fire; and

**That**, this Resolution shall become effective immediately upon its consideration and approval by the MTDB.

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

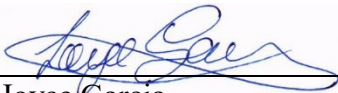
**MASS TRANSIT DEPARTMENT BOARD:**

\_\_\_\_\_  
Renard U. Johnson, Chairman

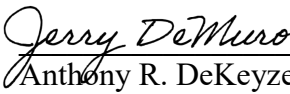
**ATTEST:**

\_\_\_\_\_  
Laura D. Prine, Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Joyce Garcia  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Deputy Transit Officer for  
Anthony R. DeKeyzer, Director  
Sun Metro/Mass Transit Department

## RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY ACTIONS TO ADDRESS IMMEDIATE AND CONTINUING NECESSARY CITY RESPONSES TO THE FEBRUARY 11, 2025 FIRE AT SUN METRO TRANSIT OPERATIONS CENTER, TO INCLUDE: AUTHORIZING CONTRACTING AND PURCHASING WITHOUT FURTHER ACTION OF THE MASS TRANSIT DEPARTMENT BOARD, PURSUANT TO ALLOWABLE EXEMPTIONS TO THE COMPETITIVE BIDDING REQUIREMENTS UNDER SECTION 252.022(a) OF THE TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; AUTHORIZING CITY MANAGER OR DESIGNEE TO EXECUTE DOCUMENTS REQUIRED IN RESPONSE TO THIS EMERGENCY, TO ENABLE ROUTINE MASS TRANSIT OPERATIONS TO RESUME.**

**WHEREAS**, the Mass Transit Department of the City of El Paso (Sun Metro) provides public transportation to the City of El Paso; and to address emergency and resume routine mass transit operations

**WHEREAS**, on February 11, 2025 a large fire occurred at the Sun Metro Transit Operations Center, which had devastating impact on the City's Sun Metro Operations, including but not limited to injuries to employees and unforeseen damage to the City of El Paso's property (February 11<sup>th</sup> Fire); and

**WHEREAS**, the February 11<sup>th</sup> Fire emergency directly impacted overall Sun Metro operations and immediate action is necessary for certain procurements in order to preserve and protect the public health and safety of the municipality's residents, preserve the municipality's property as well as assure the public transportation needs of the City of El Paso are met; and

**WHEREAS**, Section 252.022(a) of the Texas Local Government Code allows exemptions to competitive bidding requirements, including procurements made to preserve and protect the public health and safety of the municipality's residents, preserve the property of the municipality and because of unforeseen damage to public machinery, equipment, or other property; and

**WHEREAS**, City Manager has authority under Ordinances Nos. 016015, 016736, and the Resolutions approved by the Mass Transit Department Board on March 22, 2005, to make purchases and sign contracts in the amount of up to \$50,000 per annum; and

**WHEREAS**, the ongoing need for purchases created by the February 11<sup>th</sup> Fire far exceed the monetary amount the current authority the City Manager has been granted; and

**WHEREAS**, the City of El Paso finds that immediate action is necessary, including but not limited to necessary expenditures, in order to preserve and protect the public health and safety of the City of El Paso's residents, preserve the property of the City of El Paso, address the

unforeseen damage to the property of the City of El Paso and address the emergency resulting from the February 11<sup>th</sup> Fire to fully restore operations and assure the public transportation needs of the City of El Paso are met.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**That**, the findings and recitations set out above in this Resolution are found to be true and correct and are hereby adopted by the City Council of the City of El Paso (City Council) and made part of this Resolution;

**That**, the City Manager or designee, in order to protect the public health, safety and welfare as well as to preserve the property of the City of El Paso is granted broad authority to take any and all actions necessary including but not limited to authorizing contracts, after review and approval by the City Attorney's office, and purchases needed to address the emergency caused by the February 11<sup>th</sup> Fire and its aftermath;

**That**, the City Manager or designee be authorized to take any and all action necessary to address the Sun Metro Operational needs created by the February 11<sup>th</sup> Fire as soon as possible in order to fully restore operations and assure the public transportation needs of the City of El Paso are met;

**That**, the City Manager or designee be authorized to enter into contracts and make purchases in accordance with the exemption to the State competitive bidding statutes as allowed under Texas Local Government Code Section 252.022(a) and be allowed the necessary exemptions to the existing City of El Paso Purchasing Policy in order to address the needs created by the February 11<sup>th</sup> Fire. This authorization also includes the City Manager or designee's authority to take any related actions on contracts, after review and approval by the City Attorney's office, pursuant to this Resolution without further City Council action, which includes approval of contract amendments, change orders, and termination of such contracts, after review and approval by the City Attorney's office.

**That**, the City Council ratifies any and all expenditures incurred as a result of the February 11<sup>th</sup> Fire at the Sun Metro Transit Operations Center of the City of El Paso through the date of this resolution; and

**That**, the City Manager or designee be authorized to sign any related agreements, verifications and documents, after review from the City Attorney’s office, effectuate any budget transfers and submit necessary revisions to the operational plan, and take any actions necessary to carry out the intent of this resolution; and

**That**, this Resolution and the authorizations contained within shall continue in full force and effect until amended or revoked by the City Council; based on the determination that the preservation and protection of the public health and safety of the municipality’s residents, preservation of the municipality’s property, and the public transportation needs of the City of El Paso, following the emergency caused by the February 11th Fire and its aftermath, have been met; and

**That**, the City Manager will periodically report to the City Council of the progress made and actions taken under the authority granted by this Resolution to address the aftermath of the February 11th Fire; and

**That**, this Resolution shall become effective immediately upon its consideration and approval by the City Council.

**APPROVED** on this, the \_\_\_\_\_ day of \_\_\_\_\_, 2025.


**CITY OF EL PASO:**

\_\_\_\_\_  
Renard U. Johnson  
Mayor

**ATTEST:**

\_\_\_\_\_  
Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Joyce Garcia  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Anthony R. DeKeyzer, Director  
Sun Metro/Mass Transit Department