

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

AGENDA DATE: October 11, 2022

PUBLIC HEARING DATE: N/A

CONTACT PERSON(S) NAME AND PHONE NUMBER: Ellen A. Smyth, (915) 212-6000

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL: Goal 7 – Enhance regional comprehensive transportation system

SUBGOAL:

SUBJECT:

A Resolution renaming and re-establishing the Citizen's Advisory Committee ("CAC") for the Board of the Mass Transit Department of the City of El Paso as the Sun Metro Citizens Advisory Committee ("SMCAC"); superseding all the previous resolutions governing the Citizen's Advisory Committee.

BACKGROUND / DISCUSSION:

The Citizen's Advisory Committee ("CAC") was created by Resolution on April 26, 1988. The Mass Transit Department Board re-established the CAC and its powers and duties through resolutions dated March 10, 1992, May 25, 2004, August 22, 2006, February 9, 2009, December 1, 2009.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO

PRIMARY DEPARTMENT: Environmental Services Department

SECONDARY DEPARTMENT:

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

Anthony Dekeyser

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

RESOLUTION

WHEREAS, City Council finds that the Sun Metro Citizens Advisory Committee herein after (the “SMCAC” or “the Committee”) will serve an important role in providing information to the Board of the Mass Transit Department (Board) to assist in making changes to benefit the citizens of El Paso for the existing facilities; and

WHEREAS, the Citizen’s Advisory Committee (“CAC”) was created by Resolution on April 26, 1988; and

WHEREAS, the Board re-established the CAC and its powers and duties through resolutions dated March 10, 1992, May 25, 2004, August 22, 2006, February 9, 2009, December 1, 2009 (CAC Resolutions); and

WHEREAS, the Board now desires to rename the board in addition to consolidating previous resolutions into one resolution encompassing the authority, purview, powers, and duties of the committee, superseding all previous resolutions currently in full force and effect; and

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

That the Sun Metro Citizens Advisory Committee (“SMCAC”) is hereby established by the Board to advise it and the City of El Paso Mass Transit Department (“Department”) on matters within the purview of the committee, as designated below:

MASS TRANSIT ADVISORY COMMITTEE

Section 1. Sun Metro Citizens Advisory Committee—Established.

There is hereby established the Sun Metro Citizens Advisory Committee (“SMCAC”) in accordance with this resolution.

Section 2. Membership.

A. The SMCAC shall consist of nine regular members. Of these nine members, at least three members shall have a minimum of five years’ experience in public administration, operations, or logistics.

B. The mayor shall nominate the appointment of one member, and each city council member shall nominate the appointment of one member to the committee. All of the appointments must be approved by the Board in accordance with the requirements of the City Charter.

C. Regular members of the committee duly appointed prior to the effective date of this resolution shall be allowed to continue to serve on the committee until the expiration of their term, and may be continue to serve if reappointed in accordance with this resolution.

D. Alternate members of the committee duly appointed prior to the effective date of this resolution shall be allowed to continue to serve on the committee until the expiration of their term; however, once the term has expired, a vacancy for an alternate member shall not be filled and the seat shall be removed from the committee.

Section 3. Terms of office.

A. Members shall be appointed for a four-year period, except that appointments made to fill vacancies created during a term shall be for the remainder of the term.

B. The members of the SMCAC shall be subject to the term limitation provisions contained in Section 2.04.050 of the El Paso City Code.

C. A member may be removed with or without cause, and shall be subject to the provisions of Section 2.04.010 of the El Paso City Code.

D. The members of the committee shall be subject to the holdover prohibition in Section 2.04.040 of the El Paso City Code.

Section 4. Meetings.

A. The SMCAC shall hold one regular meeting per quarter in a calendar year, beginning in January of each year. Additional special meetings may be held when necessary for the performance of the duties set forth by this resolution. The chair or vice-chair may call a special meeting for the purpose of addressing matters to which the committee must address prior to the next scheduled regular meeting. In no event shall the committee hold less than three meetings per calendar year.

B. The committee chair and vice-chair shall meet monthly with staff designated by the director of the Department on a monthly basis to encourage communication between the department and committee, provide information requested by the chair, and to assist in developing agendas for upcoming committee meetings.

C. All meetings of the committee shall be open to the public. Notice of all meetings shall be made in conformity with the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as from time to time it may be amended. Meetings shall be held in-person; however, virtual or online meetings made available for public participation may be held in lieu of in-person meetings when needed to protect public health or safety. The minutes of each meeting shall be kept and filed with the city clerk, to include recording the attendance by the members and their votes upon each question, and shall be filed within a reasonable time after the minutes have been approved by the committee.

Article 5. Quorum and procedures.

A. The SMCAC shall select from among its members a chair and a vice-chair, and may adopt rules and regulations for the governing of its own proceedings to carry out the purposes for which the committee was created, consistent with the

state law and the charter and ordinances of the City. A quorum shall consist of five members.

B. The City shall provide support to the committee for the purpose of scheduling and giving notice of the meetings, the preparation of minutes of each meeting, and the provision of other reasonable support services. The director of the Department or designee, shall serve as the secretary. The secretary shall have the right to attend meetings and speak on questions before the committee, but shall have no vote and shall not be counted for the purpose of making a quorum or determining the number of votes necessary to reach a decision on any question.

Article 6. Duties.

A. The SMCAC shall act as an advisory body to the Board and may advise it on any matters over which the Board has authority.

B. The committee may from time to time recommend such general studies of existing Department facilities and operations as may be useful in keeping the mass transit system efficient and adequate to meet the needs of the City.

C. The committee may prepare and provide a written annual report to the Board, reviewing the operations of the Department and shall make such recommendations to the Board regarding the operations of the Department as the committee considers necessary and appropriate. If a report will be provided by the committee, it shall be presented at a meeting of the Board held during the month of March.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

PASSED AND APPROVED this _____ day of _____, 2022.

CITY OF EL PASO


Oscar Leeser
Chairman of the Board of the Mass Transit
Department for the City of El Paso

ATTEST:

Laura D. Prine
Secretary of the Board of the Mass Transit
Department for the City of El Paso

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Wendi N. Vineyard
Assistant City Attorney



Ellen Smyth
Chief Transit and Field Operations Officer



Resolution Regarding the Sun Metro Citizens Advisory Committee

Sun Metro



Background and Goals

- **The Citizen's Advisory Committee (CAC) was established in 1988 and is regulated based on multiple subsequent resolutions adopted by the Mass Transit Board (MTB) in 1992, 2004, 2006 and 2009**
- **A new resolution that supersedes the previous ones will allow for improvements to be made based on committee member and staff experience**
- **Renaming the committee as the “Sun Metro Citizens Advisory Committee” will convey its duties more clearly to the general public and stakeholders**



Duties

The duties of the Sun Metro Citizens Advisory Committee (SMCAC) are:

- **To act as an advisory body to the Mass Transit Board (MTB) of the City of El Paso**
- **Recommend studies of Sun Metro facilities and operations to ensure efficiency and that needs are met**
- **Preparation and presentation of an annual report to MTB, and making recommendations regarding operations of Sun Metro, when necessary and appropriate**

Transit-Related Topics Considered by SMCAC

- Fixed routes
- Neighborhood circulators
- Rapid transit/Brio
- Streetcar
- Paratransit/LIFT
- Transit Planning
- Fares
- Revenue and Advertising



Disabilities, Accessibility, and Paratransit Service

- **Issues affecting members of the disabled community may be addressed in one of two committees:**
 - **City Accessibility Advisory Committee (CAAC)**
 - **Sun Metro Citizens Advisory Committee (SMCAC)**
- **When an issue involves proper access for persons who are disabled, it will be addressed by the CAAC; however, if the issue deals with paratransit service, then it will be addressed by the SMCAC**
- **The two committees work closely together to ensure specific issues are routed to the correct committee to provide the best outcome for those affected**





Common Issues with Boards and Committees

- **Quorum and Member Absences**
- **Frequent Turnover, Extended Service, and Vacancies**
- **Engagement of Members**
- **Membership (Experience Requirement)**



Quorum and Member Absences

- **Frequency of monthly meetings makes it more difficult for members to attend every meeting, which in turn affects the ability to make quorum**
- **Appointment of alternate members tends to relieve regular members of the responsibility of attending meetings**

Proposed Resolution:

- **Adopt quarterly meeting schedule**
- **Sunset alternate membership on the committee**



Frequent Turnover, Extended Service, Vacancies

- **Short terms (two years) can lead to higher turnover on the committee and require Mayor and Council members to make appointments more frequently**
- **Having no term limits can limit opportunities for other members of the community to serve and provide different perspectives on mass transit matters**

Proposed Resolution:

- **Extend term for appointment from two years to four years**
- **Adopt term limit per City Code (two consecutive terms, then sit out a term)**
- **Adopt holdover prohibition per City Code (after term expires, may serve for an additional 30 days, unless a replacement is appointed sooner)**

Engagement of Members

- **Meetings are more productive when agenda items have been reviewed by Chair and staff, and relevant data and information is made available at committee meetings**



Proposed Resolution:

- **Adopt monthly meeting schedule between Chair, Vice-Chair and assigned Sun Metro staff to encourage communication, sharing of information, and better preparation for quarterly committee meetings**



Membership (Experience Requirement)

- **Multiple City boards and commissions specify that some members have specific experience relevant to serving on the particular board or commission**

Proposed Resolution:

- **The SMCAC shall consist of nine regular members. Of these nine members, *at least three members shall have a minimum of five years' experience in public administration, operations, or logistics.***



Presentation to Current Committee Members

- **Staff presented proposed resolution to the Citizens Advisory Committee on March 9, 2022**
- **Committee Chair and members provided input and voiced support for recommending that the Mass Transit Board adopt the resolution**



Recommendation

That Mass Transit Board adopts proposed resolution re-establishing the committee and superseding previous resolutions governing the committee



Mission

Deliver exceptional services to support a high quality of life and place for our community



Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government



Values

Integrity, Respect, Excellence, Accountability, People