



**MASS TRANSIT DEPARTMENT BOARD MINUTES
CITY COUNCIL CHAMBERS
August 20, 2024**

A meeting of the Mass Transit Department Board was called to order at 9:06 a.m. Board Chair Oscar Leeser was present and presiding and the following Board Members answered roll call: Brian Kennedy, Josh Acevedo, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Henry Rivera, and Chris Canales. Board Member Art Fierro arrived at 9:07 a.m.

CONSENT AGENDA – REQUEST TO EXCUSE ABSENT MASS TRANSIT BOARD MEMBERS:

NO ACTION was taken on this item.

REGULAR AGENDA - OTHER BUSINESS RELATED TO THE FY 2025 MASS TRANSIT BUDGET:

Goal 6: Set the Standard for Sound Governance and Fiscal Management

**CITY OF EL PASO
MASS TRANSIT DEPARTMENT FISCAL YEAR 2025
BUDGET RESOLUTION**

WHEREAS, on July 15, 2024 the City Manager of the City of El Paso filed the Fiscal Year 2025 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 August 7, 2024 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 2025 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, 2024 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 15, 2024 is hereby approved and adopted by the Board as the Annual Budget for the Fiscal Year 2025, which begins on September 1, 2024 and ends on August 31, 2025.
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 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 designee is hereby authorized to establish or amend budgets and staffing table changes for Interlocal Agreements, grants, and similar awards when the Interlocal Agreement or applications for such grants and awards have been previously approved by the Board or the City Manager.
4. That all Interlocal Agreements or grant applications requiring Board approval shall be prepared in accordance with established procedures. The agenda item shall clearly state (i) the funding source for Interlocal Agreements or (ii) the type and amount of the required City match and the funding source of the grant match.
5. That the City Manager or designee is hereby authorized to make such budget transfers and staffing table changes as are needed to close completed Interlocal agreements, grants, and capital project accounts.
6. That the City Manager or 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.
7. That the City Manager or 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 (TXMAS and TXSmartBuy), State of Texas Department of Information Resources (DIR), Technology Bidding and Purchasing Program (PEPPM), U.S. General Services Administration (GSA), National Intergovernmental Purchasing Alliance Company dba OMNIA Partners, Public Sector and/or Communities Program Management, LLC d/b/a U.S. Communities (collectively, the "OMNIA Partners Parties"), Region 8 Education Service Center, International Purchasing System Program ("TIPS"), Division of Purchases and Supply (DPS), a business unit of the Department of General Services for the Commonwealth of Virginia and any other cooperative purchasing agreement authorized by the City Council. The City Manager or

designee has the authority to sign any and all agreements related to purchases pursuant to this paragraph to effectuate the purchase.

8. That the City Manager or designee is authorized to issue, without further City Council action, purchase orders against any cooperative contract through the electronic catalog maintained or equal level. The purchase of vehicles, trucks, and/or fire apparatus/pumpers shall be expressly prohibited from being sourced through the e-catalog.

9. That the sum of \$300,000 shall be appropriated for Damages and Settlements.

10. 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 2025) 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.

11. That the City Manager or 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 2025 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.

12. That all business travel expenses: (i) must be approved in advance by the Director or 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.

13. 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.

14. That Full-Time Equivalent (FTE) positions funded by the Fiscal Year 2025 Budget, and those listed in the Authorized Staffing Table (as filed along with the City's Fiscal Year 2025 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 designee and shall show the impact on the Fiscal Year 2025 Budget and the estimated impact on expenditures for Fiscal Year 2026.

15. That the City Manager or his designee authorizes and approves a compensation increase for non-uniformed full-time, part-time and temporary employees as follows:

a. This resolution hereby establishes the City's minimum wage at \$13.61 per hour effective September 8, 2024 & 14.11 per hour effective February 23, 2025. All pay ranges and job classifications will be increased accordingly.

b. An increase of \$0.50 per hour, or a minimum of 1.25%, whichever is greater, for all non-uniform employees shall be paid starting on the September 8, 2024 pay period and an additional increase of \$0.50 per hour, or a minimum of 1.25%, whichever is greater, for all non-uniform employees shall be paid starting on the February 23, 2025 pay period, and in accordance with the processes established by the City's Human Resources Department.

c. This increase in compensation will be based on the hourly rate as of September 8, 2024 and February 23, 2025 of the positions identified herein. Employees must be in active status as of above-identified dates to receive this pay increase; provided however, that the City Manager may approve this increase in compensation based on the availability of funds and other management factors as determined by the City Manager.

16. 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 2025. No employee pay increases shall be paid retroactively to an anniversary date or date of a performance evaluation.

17. 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 two percent (2.0%) increase will be added to the base pay of each employee on the anniversary date of five (5) years of service, two and a half percent (2.5%) on the anniversary date of ten (10) years of service, three percent (3%) on the anniversary date of fifteen (15) years of service, and three and one half percent (3.5%) on the anniversary date of twenty (20) years of service, and four percent (4%) on the anniversary date of twenty five (25) years of service, and four and one half percent (4.5%) on the anniversary date of thirty (30) years of service, and five percent (5%) for any other five year incremental period on or beyond thirty-five (35) years of service accrued by an employee.

18. 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 (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. employees whose job specifications requires or may require a commercial driver's licenses may be eligible for additional pay of \$90 per pay period, provided that the employee must be in active status and their CDL in good standing, and otherwise in conformity with approved administrative CDL retention policies; and

d. non-executive level employees will receive incentive pay of 10% of base salary while employed with the Office of the Comptroller (OTC). This incentive is only effective during their employment at OTC and otherwise in conformity with approved administrative OTC incentive pay policies; and

e. 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 which the project demonstrates measurable cost avoidance or savings; and

f. 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

g. monthly payment prorated in an amount not to exceed 5% of current annual salary for each employee who is assigned additional duties responsibilities for completion of major project whose scope has broad citywide application.

h. qualifying non-uniform employees will receive a lump sum not to exceed \$250 as part of the annual performance review as defined under the administrative policy.

i. payments in an amount of \$90 per pay period for each employee whose job requires immunization to ensure the health and safety of the employees and animals during their employment at Animal Services and the Zoo and otherwise in conformity with approved administrative ASD and Zoo infectious disease and/or incentive pay policies.

19. That based on the availability of funds, the City Manager is authorized to expend no more than \$100,000 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. An employee shall receive no more than two (2) monetary awards under this section per fiscal year.

20. That the City Manager or designee may appropriate up to \$300,000 from the Mass Transit reserves for the purchase of inventory items to maintain the operations of the department.

21. 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.

22. That appropriation control of expenditures shall be at the Object Level.

23. That expenditures shall be in accordance with the City of El Paso - Strategic Plan.

24. 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, exclusive of those funded by discretionary grants 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 2025 shall not exceed \$10,000.

25. 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.

26. 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 Sun Metro Citizens Advisory Committee, at such times during the fiscal year when the Director or designee determines that providing such passes serves to advance the duties and responsibilities of the members of the Committee.

27. To allow the City Manager or designee, to waive fares for bus service for a maximum of ten (10) days per fiscal year, for city designated holidays and events.

28. To allow the Director of the Mass Transit Department, to waive parking fees at Glory Road and Union Plaza parking garages to encourage alternative transportation for City designated events. The maximum number of waived parking fee days will be set at twenty-four per fiscal year.

29. That the City Manager or designee is hereby authorized to allocate investment earnings on unspent bond proceeds to projects and purposes within the relevant bond authorization, provided that an allocation of more than \$500,000 to an individual project or purpose requires Council approval.

30. That, except as otherwise provided herein, all other applicable provisions of the City of El Paso Fiscal Year 2025 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.

31. That the City Manager or designee shall immediately file, or cause to be filed, a true copy of the FY 2025 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.

**Attachments to the Resolution available in the City Clerk's Office.*

The following City staff members commented:

Ms. K. Nicole Cote, Managing Director for Purchasing and Strategic Sourcing

Mr. Anthony DeKeyzer, Director of Mass Transit

Mr. Cary Westin, Interim City Manager

Board Chair Leeser and Board Members Acevedo, Hernandez, Molinar, and Fierro commented.

Motion made by Board Member Hernandez, seconded by Board Member Fierro, and unanimously carried to **APPROVE** the Resolution.

AYES: Board Chair Leeser and Board Members Kennedy, Acevedo, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales

NAYS: None

ADJOURN

Motion made by Board Member Rivera, seconded by Board Member Fierro, and unanimously carried to **ADJOURN** the meeting at 9:41 a.m.

AYES: Board Chair Leeser and Board Members Kennedy, Acevedo, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales.
NAYS: None

Approved as to content:

Anthony R. DeKeyzer

Anthony DeKeyzer, Director of Mass Transit