



MASS TRANSIT DEPARTMENT BOARD MINUTES

CITY COUNCIL CHAMBERS

October 11, 2022

A meeting of the Mass Transit Department Board was called to order at 10:41 a.m. Vice-Chair Cissy Lizarraga was present and presiding and the following Board Members answered roll call: Peter Svarzbein, Alexandra Anello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, and Henry Rivera. Board Chair Oscar Leeser requested to be excused from the meeting.

.....
CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the Mass Transit Department Board on items that are not on the Mass Transit Department Board Agenda.

No members of the public commented.

.....
CONSENT AGENDA

Motion made by Board Member Hernandez, seconded by Board Member Salcido, and unanimously carried to **APPROVE, AS AMENDED**, all matters listed under the Consent Agenda unless otherwise noted (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk).

AYES: Board Members Svarzbein, Anello, Hernandez, Molinar, Salcido, Rivera, and Lizarraga
NAYS: None
NOT PRESENT: Board Member Rodriguez
ABSENT: Board Chair Leeser

.....

CONSENT AGENDA – APPROVAL OF MINUTES

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

- 1. *Motion made, seconded, and unanimously carried to **APPROVE** the minutes of the Special Mass Transit Board Meeting of August 23, 2022.

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

- 2. *Motion made, seconded, and unanimously carried to **EXCUSE** Board Chair Oscar Leeser from the October 11, 2022, Mass Transit Board Meeting.

.....
CONSENT AGENDA - RESOLUTIONS

Goal 7: Enhance and Sustain El Paso’s Infrastructure Network

- 3. **RESOLUTION**

WHEREAS, the Federal Transit Administration (“FTA”) requires reporting by the Designated Recipient for the El Paso Large Urbanized Area (“Urbanized Area” or “UZA”) as set forth in FTA Circular 9030 (“Circular 9030”) which provides guidance under 49 United State Code §5307 (“Section 5307”); and

WHEREAS, the FTA provides grants and funding to the El Paso UZA under Section 5307;

WHEREAS, the Mass Transit Department (“Sun Metro”) of the City of El Paso is the designated recipient as defined by Circular 9030; and

WHEREAS, Sun Metro is tasked with providing periodic notice to the FTA of how the Section 5307 funds will be allocated among the qualifying recipients in the El Paso UZA; and

WHEREAS, Sun Metro reports the allocation to the FTA, on a periodic basis, in a “split letter” as defined in Circular 9030.

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

That the City Manager, through his delegation to the Chief Transit and Field Operations Officer, is authorized to sign the Split Letter to the FTA for the current reporting period and future reporting periods as required by Circular 9030 and Section 5307; as may be amended.

-
- 4. **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 regular meetings every other month, 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.

The following City staff members commented:

1. Ms. Ellen Smyth, Chief Transit and Field Operations Officer
2. Mr. Karl Rimkus, Special Projects Manager

Board Members Annello, Hernandez, and Svarzbein commented.

Motion made by Board Member Annello, seconded by Molinar, and carried to **AMEND** Section 4A of the Resolution to require bimonthly meetings instead of quarterly meetings.

AYES: Board Members Svarzbein, Annello, Molinar, Salcido, and Rivera
NAYS: Board Members Hernandez and Lizarraga
NOT PRESENT: Board Member Rodriguez
ABSENT: Board Chair Leeser



CONSENT AGENDA – NOTICE FOR NOTATION

Goal 7: Enhance and Sustain El Paso’s Infrastructure Network

For notation only: This Transit Access Management Plan was developed and implemented in order to serve as a guide to assist Sun Metro in maintaining all their assets in a state of good repair in the performance of operating the transit system.

- 5. *Motion made, seconded, and unanimously carried to **ACCEPT** the Transit Access Management Plan.



REGULAR AGENDA – OPERATIONAL FOCUS UPDATES

Goal 7: Enhance and Sustain El Paso’s Infrastructure Network

- 6. Presentation and discussion on the Paratransit/LIFT Performance Indicators for FY22 period ending August 31, 2022

Ms. Ellen Smyth, Chief Transit and Field Operations Officer, presented a PowerPoint presentation.

Mr. Rafael Fernandez, MV General Manager, commented.

Board Members Hernandez and Annello commented.

NO ACTION was taken on this item.



- 7. Presentation and discussion on the Fixed Route Performance Indicators for FY22 period ending August 31, 2022.

Ms. Ellen Smyth, Chief Transit and Field Operations Officer, presented a PowerPoint presentation.

NO ACTION was taken on this item.



8. Discussion on an update to provide the Council with information on Sun Metro’s Service Modification Plan to go into effect November 6, 2022.

Ms. Astrid Bunner, Managing Assistant Director, presented a PowerPoint presentation.

Board Member Molinar commented.

NO ACTION was taken on this item.



REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

Goal 7: Enhance and Sustain El Paso’s Infrastructure Network

9. Motion made by Board Member Rivera, seconded by Board Member Molinar, and unanimously carried to **AUTHORIZE** the Director of the Purchasing & Strategic Sourcing Department to issue a Purchase Order(s) to Mitchell Adding Machine Company Inc. dba Mitchell Time and Parking, the sole and authorized distributor for the 2022-0586 UPTT & Union Depot Parking Machines for a term of one (1) year for an estimated amount of \$186,488.00. This contract will allow for the purchase of parking garage equipment to replace the entry and exit systems currently installed in the UPTT Parking Garage and the Union Depot Parking Garage located at 500 W San Francisco.

The following City staff members commented:

1. Ms. Ellen Smyth, Chief Transit & Field Operations Officer
2. Crystal Paz, Senior Procurement Analyst

Board Member Rodriguez commented.

AYES: Board Member Svarzbein, Annello, Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

ABSENT: Board Chair Leeser



10. Motion made by Board Member Molinar, seconded by Board Member Rodriguez, and unanimously carried to **AUTHORIZE** the Purchasing Director to notify Maria del Rosario Rodriguez dba D*AMOR DIDAS that the Mass Transit Board is terminating Contract No. 2020-027 5Points & ETC Concessions for default, pursuant to the provisions and requirements of Article 13, Section 13.2. A. i) of the Contract, and that the termination shall be effective as of October 11, 2022.

Ms. Ellen Smyth, Chief Transit & Field Operations Officer, commented.

AYES: Board Member Svarzbein, Annello, Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

ABSENT: Board Chair Leeser

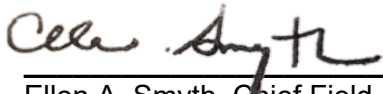


ADJOURN

Motion made by Board Member Hernandez, seconded by Board Member Annello, and unanimously carried to **ADJOURN** the meeting at 11:31 a.m.

AYES: Board Member Svarzbein, Annello, Hernandez, Molinar, Salcido, Rodriguez,
Rivera, and Lizarraga
NAYS: None
ABSENT: Board Chair Leeser

.....
Approved as to content:



Ellen A. Smyth, Chief Field & Transit Operations Officer