

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

DEPARTMENT: Mass Transit Department

AGENDA DATE: July 10, 2018

CONTACT PERSON NAME AND PHONE NUMBER: Jay Banasiak, 915-212-3300

Strategic Goal 7: Enhance a regional comprehensive transportation system

DISTRICT(S) AFFECTED: ALL

SUBJECT:

That the Mass Transit Board and City Council of the City of El Paso approve the accompanying resolution:

That Section 3 of the First Organizational Resolution be amended in its entirety to read as follows:
That the City Manager shall report directly to the Mass Transit Department Board. The City Manager is authorized to establish the organizational chart of the Mass Transit Department in consultation with the City Attorney's Office to ensure that the organizational chart complies with all applicable federal and state laws and regulations. The Director of the Mass Transit Department shall report to the City Manager as determined by the City Manager in the organizational chart for the Department. The City Manager is designated as the Department's "Accountable Executive". The City Manager, at his or her discretion, may appoint an employee, or contractor, of the Mass Transit Department to serve as the "Accountable Executive" after consultation with the City Attorney's Office to ensure compliance with all applicable federal laws and regulations. The position of Chief Safety Officer is hereby created. The City Manager is authorized to appoint an employee, or contractor, of the Mass Transit Department to serve as the Chief Safety Officer. The Chief Safety Officer must report to the "Accountable Executive" at all times.

BACKGROUND / DISCUSSION:

This requirement is prompted by FTA guidelines regarding SSO oversight of rail and all transit services. An accountable executive requirement is also part of the New Transit Asset Management program requirement of FTA.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

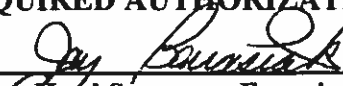
N/A

BOARD / COMMISSION ACTION:

N/A

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

DEPARTMENT HEAD:


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

Information copy to appropriate Deputy City Manager

RESOLUTION

WHEREAS, on March 29, 1988 the City Council of the City of El Paso adopted the City's First Organizational Resolution Pertaining to the Mass Transit Department of the City of El Paso (the "First Organizational Resolution"); and

WHEREAS, the First Organizational Resolution was amended on December 10, 1991 to transfer the Director of Mass Transit position from the City of El Paso Civil Service System to a position as an employee of the Mass Transit Board (the "First Amendment"); and

WHEREAS, the First Organizational Resolution provides that the Director of Mass Transit reports to the Board of the Mass Transit Department; and

WHEREAS, new federal law and regulations under Section 5329 of the United States Transportation Code require a recipient of federal transportation funds to establish a comprehensive agency safety plan that assigns an adequately trained safety officer who reports directly to the general manager, president, or equivalent officer of the recipient of federal funds; and

WHEREAS, in order to comply with federal regulations, the City Council and the Mass Transit Board wish to designate an "Accountable Executive" and create a Chief Safety Officer position for the Mass Transit Department as set out in this resolution.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That Section 3 of the First Organizational Resolution be amended in its entirety to read as follows:

3. The City Manager shall report directly to the Mass Transit Department Board. The City Manager is authorized to establish the organizational chart of the Mass Transit Department in consultation with the City Attorney's Office to ensure that the organizational chart complies with all applicable federal and state laws and regulations. The Director of the Mass Transit Department shall report to the City Manager as determined by the City Manager in the organizational chart for the Department. The City Manager is designated as the Department's "Accountable Executive". The City Manager, at his or her discretion, may appoint an employee, or contractor, of the Mass Transit Department to serve as the "Accountable Executive" after consultation with the City Attorney's Office to ensure compliance with all applicable federal laws and regulations. The position of Chief Safety Officer is hereby created. The City Manager is authorized to appoint an employee, or contractor, of the Mass Transit Department to serve as the Chief Safety Officer. The Chief Safety Officer must report to the "Accountable Executive" at all times.

Section 2. Except as herein amended, the First Organizational Resolution, as amended by the First Amendment, remains in full force and effect.

ADOPTED this _____ of _____, 2018.

THE CITY OF EL PASO

Dee Margo
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Omar De La Rosa
Assistant City Attorney

APPROVED AS TO CONTENT:



Jay Banasiak, Director
Mass Transit Department