

12. Select Committee Report and Draft Bylaws Revision

### BACKGROUND

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At the October 2023 Transportation Policy Council meeting, the TPC established a Select Committee on Planning Area and Composition to review the following issues and make recommendations to the TPC:

1. **Metropolitan Planning Area:** based on urbanized area and growth projections, the region's growth in the next 20 years will extend past the current MPO boundary. The Select Committee will consider requirements for the MPA and develop recommendations for any adjustments.
2. **The Woodlands Township's recent request to join the TPC:** The Select Committee will review the request, any relevant requirements, and previous decisions of the TPC, to make a recommendation to the full TPC.
3. The outcome of Houston's Proposition B could lead to a review of the **TPC's voting structure, representation, and membership**. The Select Committee will examine any changing membership needs or requirements and consider options for recommendation to the full TPC.

Additional possible activity:

4. If recommendations involve certain changes to the planning area, membership, or representation of the MPO may require Bylaws changes and/or MPO redesignation, the Select Committee will discuss these and make recommendations.

### CURRENT SITUATION

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The Select Committee has met four times for a total of 15 hours to review these issues and discuss potential options for addressing each issue. Based on these extensive discussions, the Select Committee also oversaw the preparation of TPC Bylaws revisions that would implement the recommendations they have developed. The major revisions include:

- Establishing a population-proportional weighted voting process that can be invoked after a regular numerical vote. The existing voting system would continue; the weighted vote would be an additional process that may be invoked by any voting TPC member and seconded by a member from a different agency. All members would have at least one vote in the weighted vote process, regardless of population. A two-thirds supermajority would be required to pass a weighted vote. If the regular numerical vote and the weighted vote do not achieve the same outcome (e.g., if one vote passes and the other fails), additional discussions, negotiation, or revisions can be made in an attempt to achieve a consensus where both votes will pass.
- Establishes two new membership categories for new areas added to the Metropolitan Planning Area (MPO Boundary). First is a "Growth Area" membership, where the new area shares one TPC vote with other growth area members and all MPO planning and programming activities are eligible within the area. The Growth Area membership is

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intended for areas to engage with the MPO and prepare for full membership. Second is an “Associate” membership, where the new area does not seek to join the MPO, but the MPO is required to add the geographical area to comply with its federal regulations. An Associate member will have a non-voting ex officio seat on TPC, is also represented by the voting TPC member from the Growth Area Caucus and may seek planning studies from the MPO. Additionally, any TxDOT or local projects in the Associate member’s area that require inclusion in the TPC’s Transportation Improvement program or other MPO documents will be added unless a TPC supermajority votes to not include the project (because it is incompatible with existing TPC plans).

- Adds The Woodlands as a local government member of the TPC.
- Adds an additional At-Large TPC member representing cities smaller than 50,000 residents and makes both positions at-large for the entire region (e.g., both represent small cities in the entire MPO area).
- Adds a process for the TPC to follow for expanding the Metropolitan Planning Area (MPO boundary).

As a result of the MPO’s 20-year urbanized area growth projection, five areas have been identified where the urbanized area of the MPO will extend beyond the current MPO boundary. For the first time since 1974, the MPO boundary will need expand to include those areas for the MPO to stay in compliance with federal regulations. The consequences for the region if the MPO boundary does not include those areas are substantial. At the Select Committee’s request, MPO staff have initiated conversations with officials from those areas, with the goal of identifying how those areas wish to participate in the MPO and TPC. Those conversations are currently ongoing and representatives of these areas have been invited to attend the Select Committee’s meetings.

Changes to the decision-making process of the TPC or to the Metropolitan Planning Area (MPO boundary) require a formal redesignation of the MPO. Redesignation will require agreement between local governments representing at least 75 percent of the MPO’s population (including Houston) and the Governor.

The draft Bylaws revisions

Staff will provide an update on the Select Committee’s meetings and deliberations and summarize the draft potential TPC Bylaws revisions.

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### **ACTION REQUESTED**

For Discussion and Possible Action. The Select Committee may recommend action on the Draft TPC Bylaws revisions.