

H-GAC Planning Activities

Open Meetings Ruling

The Texas Attorney General recently issued a ruling stating that posting vague items on a government body's agenda such as "superintendent's report," "mayor's update" or "council and other reports" without detailing the topics to be discussed in those reports doesn't adequately inform the public and violates the Open Meetings Act.

Agendas must include the subjects of items for discussion, even if the governmental body doesn't take action on them, the opinion states. If someone asks about a topic not on the agenda, officials can respond only by reciting existing policy or stating "specific factual information," according to the law. They can also decide to put it on a future agenda for discussion.

The TPC agenda includes an item titled "Report on Status of Transportation Planning Activities" from selected agencies. Given the ruling, the TPC agenda has been revised item to reflect specific items or topics that agency representatives intend to discuss under this heading.

Public Meeting – Nov. 5, 2008

H-GAC held a public meeting to discuss the following amendments to the 2008-2011 Transportation Improvement Program:

- **Amendment 81**- Remove widening projects on BF 1960A from FM 1960 west of Lee Rd to FM 1960 east of Humble from the TIP. Replace these project with Access Management Studies on TxDOT On-System Roadways (BF 1960A, FM 1960, SH 249, and FM 529) project;
- **Amendment 90** - Add widening of FM 865 from BW 8 to FM 518 to the TIP; and
- **Amendment 93** - Add the construction of a park and ride lot in the City of Pearland to the TIP.

One of the public involvement policies for the Transportation Improvement Program (TIP) established by the TPC states that the addition or deletion of a project with an implementation cost over \$5 million (excluding rehabilitation, maintenance and safety projects) require a thirty-day public comment period and a public meeting prior to the action. At its October 2008 meeting, the TPC received public comments that expressed concern regarding a TPC action on Amendment 90. The Texas Department of Transportation requested an exception to the public comment policy in order to meet a state deadline for major amendments. The amendment was approved by the TPC at its October 2008 meeting contingent upon the results of the public comment period and public meeting.

The public comment period for the amendments listed above began on October 24, 2008 and will end on November 24, 2008. A public meeting was held on November 5, 2008. To date, no public comments have been received on the amendments.

H-GAC Board of Directors Actions

Meeting scheduled for November 18, 2008

- City of Waller Livable Centers Study contract - \$120,000
- Clean Cities/Clean Vehicles contracts - \$2,563,370

Federal Certification Review

Federal transportation planning process regulations require that metropolitan planning organizations undergo a certification review at least once every four years. The purpose of the review is to ensure that the metropolitan planning process of a metropolitan planning organization serving a transportation management area is being carried out in accordance with applicable provisions of Federal law.

As part of this process, interviews with local elected officials and representatives of transportation agencies will be conducted during the afternoon of December 1, 2008. Following the interviews, H-GAC will host a public meeting at 6:00 p.m. Details will be posted on the H-GAC transportation website.