

## **TRANSPORTATION POLICY COUNCIL BYLAWS UPDATE**

### **Background**

The TPC Bylaws Committee met on June 26<sup>th</sup> and July 24<sup>th</sup> and is meeting on August 28<sup>th</sup> to discuss three issues: 1.) TPC Ethics Policy as required by State law, 2.) TPC composition in light of continued growth in the region, and 3.) Bylaws cleanup to deal with outdated language.

1.) **TPC Ethics Policies.** An April 30, 2009, a Fulbright and Jaworski memo found the following items to be significant:

- The TPC members are subject to Chapter 176 of the Texas Local Government Code, which requires local government officers to disclose conflicts when the entity enters into or is considering a contract with certain parties
- The TPC members are subject to Chapter 171 of the Texas Local Government Code, which requires local public officials who have substantial interest in a business entity or real property to file an affidavit disclosing the nature and extent of the interest and to abstain from further participation under certain conditions
- SB 585 enacted in the last legislative session requires the TPC to adopt an ethics policy as part of its bylaws.

2.) **TPC Composition.** Three (3) cities are likely to eclipse the 50,000 population mark in the 2010 Census, which would require their inclusion on the TPC, resulting in an increase to the membership cap. They are Pearland, League City and Conroe.

The committee has also considered whether other groups should be represented on the TPC. Since population growth and adding other organizations would increase TPC size, the Bylaws Committee has researched the composition of several other MPO policy boards.

Fulbright and Jaworski found that the TPC may not appoint representatives from private transportation companies as voting members.

3.) **Bylaws cleanups.** The Bylaws contain several provisions which reflect practices the TPC has abandoned, such as annually reviewing the UPWP and TIP, and mailing paper copies of the minutes instead of electronic delivery. These provisions will be modified to reflect current practices.

### **Current Status**

The TPC Bylaws Committee will provide recommendations for changes to the Bylaws soon. Bylaw revisions must be provided to the TPC a minimum of fourteen days prior to action on them.

### **Action Needed**

Information only.