

Resolution No. 0107-19-RES
Exhibit “A”

(d) An elected officer of a political subdivision of this state who is not prohibited by the Texas Constitution from serving on the board is eligible, as an additional duty of office, to serve on the board. An elected officer who is a board member is not entitled to receive compensation for serving as a member, but is entitled to reimbursement for reasonable expenses incurred in performing duties as a member.

(e) If a member to the board appointed under Subsection (c)(1) or (g) by a municipality that is not a founding municipality will result in:

(1) the founding municipalities no longer having a majority of votes on the board, or

(2) the board having an even number of members appointed under Subsections (c) and (g),

one of the founding municipalities shall appoint an additional member to the board.

(f) The board shall adopt rules and bylaws governing the appointment by the founding municipalities of additional board members under Subsection (e), provided such appointment shall require a vote of a majority of the members appointed by the founding municipalities and one member appointed under Subsection (c)(2).

(g) The governing body of a municipality that designates a public transportation financing area for the benefit of the authority under Subchapter I and enters into an agreement under Section 460.602(2) may be authorized by the board to appoint one member to the board.

(h) The board shall adopt rules and bylaws governing the authorization of board members under Subsection (g), provided such authorization shall require a vote of all members appointed by the founding municipalities and one member appointed under Subsection (c)(2).

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1 (i) Nonvoting members of the board shall be appointed to represent municipalities that have not
2 appointed a member to the board under Subsection (c)(1) or (g).

3 (j) A nonvoting member appointed under Subsection (i) is not a member of the board for purposes
4 of constituting a quorum.

5 (k) The board may adopt rules and bylaws governing the appointment, number of appointees,
6 authority and duties of an nonvoting members appointed under Subsection (i) in distinction to members
7 appointed under Subsection (c) or (g).

8 (l) Section 460.054 does not apply to a board described under this section.

9 SECTION 2. Section 460.205, Transportation Code, is amended to read as follows:

10 Sec. 460.205. ~~[QUORUM:] VOTING REQUIREMENTS. [(a) Five members constitute a quorum of the~~
11 ~~board of directors.~~

12 ~~(b)]~~ An action of the board of directors requires a vote of a majority of the members present
13 unless the bylaws require a larger number for a specific action, including requiring a majority or all of the
14 members appointed by the founding municipalities and one member appointed by the commissioners
15 court with respect to certain actions by an authority described under Section 460.20155.

16 SECTION 3. (a) This section applies only to an authority governed by a board to which Section
17 460.20155, Transportation Code, as added by this Act, applies.

18 (b) Upon the effective date of this Act, the board shall be modified to conform to the terms of this
19 Act as follows:

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1 (1) the currently serving members of the board appointed by the founding municipalities
2 will constitute the voting members appointed under Section 460.20155(c)(1), and will continue to serve
3 the remainder of their terms;

4 (2) the commissioners court will determine, as soon as practical, which of the currently
5 serving members of the board appointed by the commissioners court will constitute the two voting
6 members appointed under Section 460.20155(c)(2), and those members will continue to serve the
7 remainder of their terms;

8 (3) the currently serving members of the board appointed by municipalities with a
9 population of 17,000 or more that have not authorized the authority’s sales and use tax levy will constitute
10 five nonvoting members appointed under Section 460.20155(i), and will continue to serve the remainder
11 of their terms;

12 (4) the commissioners court will determine, as soon as practical, which of the currently
13 serving members of the board appointed by municipalities in the county with a population of more than
14 500 but less than 17,000 that have not authorized the authority’s sales and use tax will constitute one
15 nonvoting member appointed under Section 460.20155(i), and that member will continue to serve the
16 remainder of the member’s term;

17 (5) the appointed alternates to members of the board who continue to serve under
18 Subsections (b)(1)-(4) continue in that capacity; and

19 (6) the terms of all other currently serving members of the board will terminate.

20 (c) This Act does not prohibit a person who is a member of the board on the effective date of this
21 Act from being reappointed to that board if the person has the qualifications required for a member under
22 Chapter 460, Transportation Code, as amended by this Act.

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1 (d) A rule or regulation adopted or other action taken by the authority before the effective date
2 of this Act that is not inconsistent with this Act remains in effect as a rule, regulation, or other action of
3 the authority until superseded by action of that entity.

4 (e) Without in any way limiting Subsection (d) above, any existing agreement by and between the
5 authority and any other party prior to the effective date of this Act remains binding on, benefiting, and is
6 fully enforceable by and against the authority.

7 SECTION 4. This Act takes effect June 17, 2019, if it receives a vote of two-thirds of all the members elected
8 to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the
9 vote necessary for effect on that date, this Act takes effect September 1, 2019.

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