

**SUBJECT:** Election of Austin Capital Metro board members

**COMMITTEE:** Urban Affairs — favorable, without amendment

**VOTE:** 7 ayes — Hill, Bailey, Burnam, Clark, Hodge, Shields, Wohlgemuth  
0 nays  
1 present, not voting — Ehrhardt  
1 absent — Garcia

**WITNESSES:** For — Mike Workman; Gerald Daugherty  
Against — Dave Dobbs, Texas Association for Public Transportation

**BACKGROUND :** The Capital Metropolitan Transportation Authority provides mass transportation services to Austin and some surrounding counties and cities. Its board has seven members, five appointed by the Austin City Council, one by the Travis County commissioners, and one by mayors of outlying cities in Capital Metro's service area.

**DIGEST:** HB 2231 would add to the Transportation Code a new section requiring election of board members for a metropolitan rapid transit authority that was confirmed before July 1, 1985, in which the principal municipality has a population of less than 750,000. The bill would apply only to Austin Capital Metro.

The board would be required to divide the authority into a number of districts equal to the number of members on the board. The districts would have to be compact; avoid, to the extent possible, dividing a county or municipality located in the authority; and, as nearly as practicable, be contiguous and of equal population. Board members would serve staggered two-year terms.

Voters in each authority district would be entitled to elect one member of the board. Candidates for the board would have to be residents of the district

they sought to represent. Board members would vacate the office if they ceased to reside in the district they represented.

Board members would choose their own presiding officers. A vacancy on the board would be filled for the unexpired term by appointment of the remaining board members.

The board would be required to redraw authority districts within 120 days after the federal decennial census was released. The new districts would take effect at the first authority district election that occurred on or after the 180th day after the census was released.

HB 2231 would take immediate effect if finally approved by a two-thirds record vote of the membership in each house. The board would be required to divide the authority into districts before January 1, 1998. The first election for board members would have to be held on the first Saturday in May 1998. The terms of appointed board members serving on the effective date would expire on June 1, 1998.

**SUPPORTERS  
SAY:**

HB 2231 would ensure direct accountability of Capital Metro board members to the taxpaying public by requiring them to be elected rather than appointed. Currently, Capital Metro is the only local taxing entity not directly elected by the voters being taxed. Board members have escaped accountability for the decisions they make regarding taxing and service provision. Although there would be some costs involved in electing members, their election could be consolidated with other elections, and the costs would be far outweighed by the benefit of making Capital Metro accountable to taxpayers and more responsive to the needs of the public and its customers.

The requirements for drawing the districts would ensure fair representation of taxpayers and customers throughout Capital Metro's service area. In addition, requiring a single-member district election could help increase the diversity of the Capital Metro board, on which minorities are now underrepresented.

**OPPONENTS  
SAY:**

Capital Metro board members should continue to be appointed. Requiring them to be elected would result in board members more interested in

improving service to their own districts in the short term to ensure reelection than in addressing the long term needs of the region.

The bill would add another local election that would be expensive to administer.

NOTES:

A related bill, HB 883 by Krusee, which passed the House on April 17 and was referred to the Senate Intergovernmental Relations Committee, would change the appointment process for Capital Metro board members to include board representation for Williamson County.

HB 2230 by Keel et al., which would require voters to approve Capital Metro tax rates, and HB 2446 by Greenberg et al., requiring the comptroller to conduct a performance audit of Capital Metro, are also on today's calendar. HB 2445 by Greenberg et al., requiring Capital Metro to hold an election on operating a fixed rail transit system, is on Friday's Local, Consent and Resolutions Calendar.