

# The Need for New Legislation to Prevent Conflict of Interest at Coordinated County Transportation Authorities

A policy brief by No Bus Cuts Denton  
(Draft Bill Attached)



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Texans across the state are at risk of being defrauded, having their public funds wasted, and getting stuck with substandard public transportation services because of a loophole in Texas state law. The statute governing public Coordinated County Transportation Authorities (CCTAs) currently allows their executives to negotiate a sweetheart deal with a contractor, quit right after the contract is signed, and then go directly to work for the contractor to receive the payoff of a higher private-sector salary.<sup>1</sup> CCTAs are – like state agencies – governmental bodies funded by sales tax revenue that spend millions of dollars of these public funds on services provided by contractors. However, executives at CCTAs are not subject to the revolving door provisions that aim to prevent conflict of interest for their counterparts at state agencies.<sup>2</sup> This lack of protection for the public from the devastating effects of conflict of interest at CCTAs should not be tolerated – if only as a matter of principle of good government.

There is an additional, perhaps even more compelling, reason why this lack of protection from conflict of interest at CCTAs must not be allowed to continue. In at least one case, the absence of a revolving door provision in the statute governing CCTAs led to Texans being stuck with the bill for an unsafe, unreliable, and uneconomical public transportation service. This is the case – described in detail below – of the only CCTA currently in existence, the Denton County Transportation Authority (DCTA), and its contract with the Via corporation for the GoZone microtransit service. The 88<sup>th</sup> Texas Legislature must close the current CCTA conflict of interest loophole by passing our proposed legislation, which adds the two-year revolving door provision for executives from the statute governing Texas state agencies to the statute governing CCTAs.<sup>3</sup> The proposed legislation, which was drafted by the Texas Legislative Council, is attached at end of this policy brief.

This remainder of this policy brief is divided into four main sections. The first introduces the DCTA and its contract with Via for GoZone. The second demonstrates that Via's GoZone is unsafe, unreliable, and uneconomical. The third shows that the negotiation process for the Via GoZone contract was marred by conflict of interest – and also that this conflict of interest resulted in a contract that favored the contractor and harmed the public. The fourth, and last, part both summarizes its argument and evidence and provides context for evaluating potential criticism from the DCTA of the proposed legislation.

## **1. The DCTA and its GoZone Contract with Via**

The case that is the impetus for the proposed new legislation is a contract for services that was signed in 2021 by the DCTA. The DCTA was created in 2002, and it is – as mentioned above – the only Coordinated County Transportation Authority (CCTA), which is a classification created by the passage of House Bill 3323 by the 77<sup>th</sup> Texas Legislature. CCTAs are meant, according to the Transportation Code, “to provide public transportation and transportation-related services.”<sup>4</sup> The DCTA is funded, in large part, by a half-cent sales tax from its three member cities: Denton, Highland Village, and Lewisville.<sup>5</sup>

On July 22, 2021, the DCTA Board of Directors gave formal approval for a contract for transportation services with a corporation called Via.<sup>6</sup> The DCTA board agreed to pay Via just

over \$33.5 million to provide microtransit services under the brand name, GoZone, over a four-year period (two years guaranteed, and renewable for two additional years). Via's GoZone microtransit service is on-demand transportation that is similar to products such as Uber and Lyft, but GoZone is different in being a rideshare service in which riders might join others already present in the same vehicle. Via's GoZone operates in specific areas located within Denton and Dallas counties. The DCTA's stated intention was to replace its fixed-route bus system with Via's GoZone.<sup>7</sup>

## **2. Via's GoZone is Unsafe, Unreliable, and Uneconomical**

Via's GoZone service has proven to be unsafe, unreliable, and uneconomical. The responses to open records requests to Denton County police agencies demonstrate that Via's GoZone has a terrible safety record.<sup>8</sup> During about ten weeks in Denton and Highland Village, and about seven weeks in Lewisville, there were a total of twenty Calls for Service (CFS) by police involving Via GoZone vehicles. The reports for two of Denton Police Department's seven CFS involving Via GoZone vehicles are particularly shocking. One is a collision with injury in which a car carrying two female UNT students was rear-ended by a GoZone vehicle, and the other is a collision without injury – a hit-and-run in which a UNT and a TWU student in a car were struck by a GoZone van, which then fled the scene and was eventually found after a search by police.<sup>9</sup>

Via's GoZone is also demonstrably unreliable. Its unreliability is clear in several statistics provided by the DCTA. For example, according to the DCTA's GoZone performance dashboard, in the month of November, 2022 only 63% of customer requests for a ride actually resulted in one, and the customers who were lucky enough to get a ride had to wait an *average* of twenty-three minutes to be picked up (wait times were, of course, much higher during rush-hour peak-usage times).<sup>10</sup> In March of 2022, the average wait time was even higher: twenty-eight minutes.<sup>11</sup> Additionally, seat unavailability (when the wait time is estimated by the GoZone app to be more than thirty minutes, and the customer is not allowed to book a ride) was extremely high in 2022: 16.8% of total ride requests in April, 17.6% in August, and 22.2% in September.<sup>12</sup>

Finally, Via's GoZone is extremely uneconomical at three different levels: individual, municipal, and DCTA. At the level of the individual transit user, the maximum cost per ride on GoZone, which has an additional mileage charge in Denton, is five dollars – more than three times the price of a single trip on a DCTA's Connect fixed-route bus (\$1.50). At the level of the member city, Via's GoZone has put pressure on the budgets of public safety departments by causing police CFS that otherwise would not have occurred. A very conservative estimate of the amount of police time eaten up by the twenty CFS involving Via's GoZone vehicles referred to above is twenty-nine hours, twenty minutes, and twenty-six seconds (not all CFS report the amount time spent by each officer involved).<sup>13</sup> For example, in Denton alone during a forty-four day span there were seven CFS, which took up just over seventeen hours and forty-five minutes of police officer time. If this rate of occurrence remained constant throughout the year, then the result would be an annual total of approximately 147 hours of police officer time – approximately eighteen days (at eight hours per day) of one officer's time. At the level of the DCTA, Via's GoZone has become a money pit. In April of 2022, the DCTA paid an *additional* \$1.47 million to

Via in an unsuccessful attempt to significantly bring down GoZone wait times. As discussed above, the wait times for the 63% of total requests that actually resulted in a ride still averaged twenty-three minutes in November of 2022.<sup>14</sup>

### **3. Conflict of Interest and its Effects**

Ample evidence points to conflict of interest being the main reason why North Texans are stuck with Via's unsafe, unreliable, and uneconomical GoZone until at least September, 2023, when the DCTA's contract with Via will expire if not renewed. The six-month period during which the DCTA negotiated the final details of the Via GoZone contract and managed the "Public Input" process required for its approval was marred by conflict of interest. The DCTA's main negotiator and promoter of the Via GoZone contract quit right after it received final board approval, and then went straight to work for the contractor, Via.

Nicole Recker – then the DCTA's Vice President of Mobility Services and Administration - was the agency's point person for both negotiating the final details of the GoZone contract with Via and "selling" the deal to elected officials, DCTA board members, and the general public – many of whom were either opposed to or extremely skeptical of the contract.<sup>15</sup> Ms. Recker's direct involvement in negotiating the contract is demonstrated by her being listed as a "Project Lead" on the DCTA's GoZone task orders for Via, and also by this statement by the agency's CEO at a June, 2021 Denton City Council meeting:

"And with me is Nicole Recker Crim. She's been the kind of... all hands on deck... making sure that we look at this from the procurement all the way through implementation. She's our expert on this."<sup>16</sup>

Ms. Recker was also the DCTA's lead promoter and "face" of its Via GoZone contract, appearing alone or alongside other agency officials to describe and defend the deal before DCTA member city councils, the Denton County Commissioners, and DCTA board meetings – as well as performing in a video promoting the contract on the DCTA website.<sup>17</sup>

The DCTA board gave final approval for the Via GoZone contract on July 22, 2021. Ms. Recker quit her job with DCTA and worked her last day for the agency thirteen days later, on August 4.<sup>18</sup> Then, as soon as the very next day (or as late as twenty-seven days later), she began working as a "Partner Success Director" for Via.<sup>19</sup> Because of the very short amounts of time between the DCTA's final approval of the Via GoZone contract, Ms. Recker's last day at the DCTA, and her first day working for Via with an undoubtedly higher salary, it is almost certain that she applied, interviewed, and held a job offer with the contractor *while* she was still negotiating and promoting its contract with her employer, the DCTA. The conflict of interest here is undeniable.

Equally convincing is the evidence for Ms. Recker's conflict of interest having led to the public being saddled with Via's unsafe, unreliable, and uneconomical GoZone. The GoZone contract with Via that Ms. Recker negotiated clearly favors the interests of the contractor over those of

the public. She also misled both elected and appointed officials and the public about the safety and quality of service of Via's GoZone. Moreover – and perhaps most importantly – Ms. Recker convinced skeptical officials (and an even more skeptical public) to approve or accept the Via GoZone contract by presenting them with only information provided by Via in lieu of independent research, and also by vouching personally for the then-prospective contractor.

The GoZone contract that Ms. Recker negotiated (and signed, alongside the DCTA's CEO and its General Counsel) with Via favors the contractor with regard to safety, wait times, and vehicle type.<sup>20</sup> It has no service-level agreements (SLAs) for safety, such as: "Via guarantees that the drivers of its GoZone vehicles will be at fault in no more than one automobile accident per month." Nor does the contract require Via to provide precise data for the exact locations of each pick-up/drop-off spot, which the DCTA could analyze to find out which of these occurred in dangerous no-stopping zones. Although the contract with Via that Ms. Recker negotiated does have an SLA for wait time ("an average wait time of 10 - 15 minutes"), it does not include a penalty for failing to meet this requirement.<sup>21</sup> Finally, the contract does not specify what type of vehicle would be used, beyond stating that nine would be wheelchair-accessible. The contract even gives Via "the flexibility to allow" GoZone drivers "to drive their own personal vehicles."<sup>22</sup>

Ms. Recker also frequently misled elected and appointed officials and the public about the safety and quality of Via's Gozone service while promoting the contract at public meetings. She said at the Denton City Council Mobility Committee meeting of May 19, 2021 that the stops for GoZone vehicles would be "any place that's safe for a vehicle to pull over and for a passenger to get on,"<sup>23</sup> but local social and print/online media – as well as the safety research discussed above – show that GoZone vehicles routinely stop in dangerous locations.<sup>24</sup> In addition, although Ms. Recker stated at this same Mobility Committee meeting that one of the "benefits" of Via's GoZone over the existing fixed-route bus service was that it "shrinks the wait time that people are waiting to catch the next vehicle,"<sup>25</sup> the riders who formerly enjoyed thirty-minute wait times on one of the bus routes that was cut and replaced by GoZone (Route 4) certainly have had to frequently wait even longer for a ride in GoZone, which has had wait times *averaging* as high as twenty-eight minutes.<sup>26</sup> Ms. Recker also told officials and the public that the vehicles for Via's GoZone would be Chrysler Pacificas,<sup>27</sup> but many of the actual GoZone vehicles were lower-capacity small SUVs – and even a four-door sedan.<sup>28</sup> A final example of Ms. Recker misleading officials and the public about the quality of Via's GoZone is her statement at the Denton City Council Mobility Committee meeting of May 19, 2021. There, she said that the GoZone vehicles "will not be an individual's car," which of course contradicts the explicit provision in the DCTA's GoZone contract with Via discussed above that allows Via to have GoZone drivers "drive their own personal vehicles."

The clearest examples of how Ms. Recker promoted the interests of the contractor over those of the public – and thereby helped to burden the public with the unviable Via GoZone contract – come from her responses to concerns raised by skeptical elected and appointed officials and the public. She propped up the prospective contractor Via's reputation by presenting the company's own PowerPoint presentation in lieu of independent research, and by vouching

personally for Via's ability to provide a service that would adequately address the public's concerns. After Denton City Council member Paul Meltzer asked at a Mobility Committee meeting for research generally on "the circumstances that favor ridership going up versus the circumstances that lead to ridership going down when on-demand has been deployed,"<sup>29</sup> Ms. Recker came to the committee's next meeting and presented – instead of independent research on microtransit and ridership – only slides prepared by Via with case studies of its successes in adjusting to lower- and higher-than-expected ridership.<sup>30</sup>

The most obvious example of the harmful effect of Ms. Recker's conflict of interest in the negotiation and promotion of the Via GoZone contract comes from the DCTA board meeting that was held less than one month before the board gave final approval to the contract. At the June 24 board meeting, Ms. Recker reviewed the four "Popular Comments" that the DCTA had received up to that point during the "Public Input" period for the Via GoZone contract. These were:

- 1) Interest in extending zones, or proposing additional zones, that provide service outside of the three member cities but still within Denton County
- 2) Concerns with removing the majority of fixed route service and replacing it with GoZone service
- 3) Relying heavily on use of a smart phone to book and track a trip
- 4) General concerns with the fleet type.<sup>31</sup>

Following her presentation of this public feedback, Ms. Recker made the following statement, quoted here at length:

*I will say that I've reviewed all four of these concerns with Via just to kind of get their take. We are not the first transit agency to experience these concerns with public feedback and... and so I feel pretty confident that Via has some really sustainable data that... that shows that, you know... maybe some of these concerns... would kind of...you know, dwindle away with time once people learn how to use the system and understand how flexible it is and how it can meet their needs. So, you know, we have been in constant communication with Via about that just to make sure that you know there are no red flags that are being raised that can't be addressed.*<sup>32</sup>

Here, Ms. Recker allayed the concerns about the proposed Via GoZone contract that elected officials and the general public had expressed to the DCTA by vouching personally for Via and assuring them that her in-the-very-near-future employer could be trusted. In sum, the evidence presented in this section has shown that 1) conflict of interest existed in the negotiation and promotion of the DCTA's GoZone contract with Via – specifically in the person of DCTA Vice President Nicole Recker; and 2) Ms. Recker negotiated a sweetheart deal for Via and helped the company win final DCTA board approval by making misleading statements, presenting Via advertising as research, and vouching personally for the trustworthiness of the contractor.

#### 4. Summary and Context for Potential Criticism from the DCTA

This policy brief has demonstrated that the 88<sup>th</sup> Texas Legislature must close the current CCTA conflict-of-interest loophole by passing our proposed new legislation, which adds the two-year revolving door provision for executives from the statute governing Texas state agencies to the one governing CCTAs. The proposed legislation is needed because this loophole has already been exploited by an executive at the DCTA, the lone CCTA in existence, and can be exploited again if not closed. Nicole Recker, the DCTA's then-Vice President of Mobility and Administration, acted as a double agent – negotiating and promoting a sweetheart deal with Via, quitting right after the contract received final approval, and then going directly to work for Via to receive the immediate payoff of what was certainly a higher private-sector salary. Adding a two-year revolving door provision to the CCTA statute would go a long way towards preventing future betrayals of public trust by executives like the one described here and keeping Texans from being saddled with unsafe, unreliable, and uneconomical public transportation services like Via's GoZone.

Legislators and their constituents should keep in mind the recent scandal-plagued history of the DCTA and its board when judging any criticism of the proposed legislation that might be expressed by the DCTA, its past or current board members, or consultants representing any of these actors. The DCTA's extremely unpopular attempt to replace its fixed-route bus system with Via's GoZone has been accompanied by the recall of the DCTA board's chair by Denton City Council, a mass exodus of DCTA executives, and the public's opposition to and frustration with Via's Gozone. Chris Watts, the DCTA board chair, was removed from his position by Denton City Council when he refused to follow its resolution to extend the DCTA's fixed-route bus service for six months alongside Via's GoZone.<sup>33</sup> The resignations of the second, third, and fourth highest-ranking executives at the DCTA were announced at the July 2021 DCTA board meeting where its members gave final approval to the Via GoZone contract,<sup>34</sup> and about seven months later the DCTA's CEO was forced to resign and given a nearly \$200,000 hush-money severance that was forbidden explicitly by his employment contract with the agency (the severance agreement also includes a two-year "No Disparagement" clause).<sup>35</sup> Finally, the DCTA is certainly aware of Denton residents' dissatisfaction with the quality of Via's GoZone service and their concerns with its safety. The public's unhappiness with GoZone was clear in coverage in local social and print media of a cardboard GoZone van being hailed as the "Scariest Costume" of Halloween in 2022.<sup>36</sup> The DCTA and its board certainly have an interest in deflecting attention away from this crisis that they have created, and any criticism that they might communicate to legislators and the public should be evaluated accordingly.

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## Notes:

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- <sup>1</sup> Texas Transportation Code, Chapter 460; <https://statutes.capitol.texas.gov/Docs/TN/htm/TN.460.htm>.
- <sup>2</sup> Texas Government Code, Chapter 572; <https://statutes.capitol.texas.gov/Docs/GV/htm/GV.572.htm>.
- <sup>3</sup> <https://www.ethics.state.tx.us/data/resources/guides/Bdoor.pdf>.
- <sup>4</sup> <https://statutes.capitol.texas.gov/Docs/TN/htm/TN.460.htm>.
- <sup>5</sup> <https://www.dcta.net/sites/default/files/2021-12/DCTA%20Adopted%20FY%202022%20Budget.pdf>, p. 38.
- <sup>6</sup> <https://www.dcta.net/sites/default/files/2021-07/2021-07-22%20FINAL%20Board%20Meeting%20Agenda%20%20Packet%20.pdf>, pp. 416-431. On page 416, the “Contractor” is listed as “River North Transit LLC (VIA).”
- <sup>7</sup> According to the DCTA, it chose Via after reviewing the company’s proposal “to replace existing fixed route service with more dynamic and cost-efficient mobility solutions.” This passage is found on page 196 of the DCTA Board Meeting Packet for its April 22, 2021 meeting: <https://www.dcta.net/sites/default/files/2021-04/DCTA%20April%2022%20Board%20Packet%20Final.pdf>; Additionally, DCTA Vice President Nicole Recker made the following statement at a DCTA board meeting in June of 2021: “The [Via GoZone] base service is what’s really meant to replace the existing fixed-route services.” DCTA Board Meeting, June 24, 2021, <https://www.youtube.com/watch?v=9mTtmGmZt0s> (approximately 1:25:00).
- <sup>8</sup> This safety research can be accessed on the No Bus Cuts Denton website at <https://nobuscutsdenton.org/documents/>.
- <sup>9</sup> [https://nobuscutsdentonorg.files.wordpress.com/2022/04/21110545\\_-\\_call\\_report\\_-\\_redacted-2.pdf](https://nobuscutsdentonorg.files.wordpress.com/2022/04/21110545_-_call_report_-_redacted-2.pdf); [https://nobuscutsdentonorg.files.wordpress.com/2022/04/21108798\\_-\\_call\\_report\\_-\\_redacted-2.pdf](https://nobuscutsdentonorg.files.wordpress.com/2022/04/21108798_-_call_report_-_redacted-2.pdf)
- <sup>10</sup> <https://www.dcta.net/dashboard-gozone>
- <sup>11</sup> [https://dentonrc.com/news/dcta/dcta-approves-1-5-million-gozone-booster-aimed-at-dropping-wait-times/article\\_eb02d01c-70c3-5606-8fdd-f1fc1d861268.html](https://dentonrc.com/news/dcta/dcta-approves-1-5-million-gozone-booster-aimed-at-dropping-wait-times/article_eb02d01c-70c3-5606-8fdd-f1fc1d861268.html).
- <sup>12</sup> [https://dentonrc.com/news/dcta/with-more-bus-cuts-around-the-corner-what-will-dctas-future-network-look-like/article\\_1c9598fe-0190-5e41-b3c6-13efd619a713.html](https://dentonrc.com/news/dcta/with-more-bus-cuts-around-the-corner-what-will-dctas-future-network-look-like/article_1c9598fe-0190-5e41-b3c6-13efd619a713.html).
- <sup>13</sup> These twenty “Calls for Service” reports are found at <https://nobuscutsdenton.org/documents/call-for-service-reports/>.
- <sup>14</sup> [https://dentonrc.com/news/dcta/dcta-approves-1-5-million-gozone-booster-aimed-at-dropping-wait-times/article\\_eb02d01c-70c3-5606-8fdd-f1fc1d861268.html](https://dentonrc.com/news/dcta/dcta-approves-1-5-million-gozone-booster-aimed-at-dropping-wait-times/article_eb02d01c-70c3-5606-8fdd-f1fc1d861268.html).
- <sup>15</sup> [https://dentonrc.com/news/denton/denton\\_city\\_council/denton-city-council-members-try-to-put-brakes-on-dcta-on-demand-service/article\\_b544d51e-72af-5953-8e1a-d86dcc6bcd5.html](https://dentonrc.com/news/denton/denton_city_council/denton-city-council-members-try-to-put-brakes-on-dcta-on-demand-service/article_b544d51e-72af-5953-8e1a-d86dcc6bcd5.html).
- <sup>16</sup> <https://www.dcta.net/sites/default/files/2021-04/DCTA%20April%2022%20Board%20Packet%20Final.pdf>, p. 193; <https://www.dcta.net/sites/default/files/2021-07/2021-07-22%20FINAL%20Board%20Meeting%20Agenda%20%20Packet%20.pdf>, p. 416; DCTA CEO Raymond Suarez at Denton City Council Meeting, Tuesday, June 8, 2021, <https://dentontx.new.swagit.com/videos/122526> (approximately 34:16).
- <sup>17</sup> <https://www.hoponboardblog.com/askdcta-what-is-dctas-gozone-and-how-can-i-provide-feedback-on-this-proposed-on-demand-rideshare-service/>, accessed February 21, 2023; [https://www.youtube.com/watch?v=6\\_2lRdufhRY](https://www.youtube.com/watch?v=6_2lRdufhRY), accessed February 21, 2023.
- <sup>18</sup> Mobility Committee meeting, Wednesday, July 21, 2021, <https://dentontx.new.swagit.com/videos/129294> (approximately 1:03:20).
- <sup>19</sup> Ms. Recker’s LinkedIn profile states that she began working for Via as a “Partner Success Director” in August of 2021: <https://www.linkedin.com/in/nrecker/>, accessed March 4, 2023.
- <sup>20</sup> <https://www.dcta.net/sites/default/files/2021-07/2021-07-22%20FINAL%20Board%20Meeting%20Agenda%20%20Packet%20.pdf>, pp. 416-431.
- <sup>21</sup> <https://www.dcta.net/sites/default/files/2021-07/2021-07-22%20FINAL%20Board%20Meeting%20Agenda%20%20Packet%20.pdf>, p. 425.
- <sup>22</sup> <https://www.dcta.net/sites/default/files/2021-07/2021-07-22%20FINAL%20Board%20Meeting%20Agenda%20%20Packet%20.pdf>, p. 425.
- <sup>23</sup> Mobility Committee, Wednesday, May 19, 2021, <https://dentontx.new.swagit.com/videos/121705> (approximately 8:40).



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- <sup>24</sup> One of the many examples of a social media post on a GoZone stop in an unsafe location is the following: [https://twitter.com/Katherine\\_Mel\\_B/status/1563598827642388481](https://twitter.com/Katherine_Mel_B/status/1563598827642388481). The *Denton Record-Chronicle* has described local concerns of the public and the DCTA board with unsafe GoZone stops, including in the following article: [https://dentonrc.com/news/dcta/dcta-aims-to-find-out-if-gozone-vans-county-buses-are-safe-enough/article\\_c090b6a7-2a5e-5dc1-9283-446e9fa3169d.html](https://dentonrc.com/news/dcta/dcta-aims-to-find-out-if-gozone-vans-county-buses-are-safe-enough/article_c090b6a7-2a5e-5dc1-9283-446e9fa3169d.html).
- <sup>25</sup> Mobility Committee, Wednesday, May 19, 2021, <https://dentontx.new.swagit.com/videos/121705> (approximately 7:00).
- <sup>26</sup> Ms. Recker also promised “quicker wait times” on Via’s GoZone vis-à-vis the DCTA’s existing fixed-route bus service while addressing Denton City Council’s Mobility Committee on March 17, 2021: <https://dentontx.new.swagit.com/videos/116407> (approximately 5:20).
- <sup>27</sup> <http://denton-tx.legistar.com/gateway.aspx?M=F&ID=4d3d2c89-da41-47f6-8444-ec084643487e.pdf>, p. 10.
- <sup>28</sup> These vehicles can be viewed at <https://nobuscutsdenton.org/documents/via-gozone-vehicles-and-license-plates/>.
- <sup>29</sup> <http://denton-tx.legistar.com/gateway.aspx?M=F&ID=f389d8e2-54dd-4e24-94ef-c8cb81936a41.pdf>, p. 1.
- <sup>30</sup> <http://denton-tx.legistar.com/gateway.aspx?M=F&ID=6bc12fb9-d748-4ff6-9d93-f8f803155d35.pdf>.
- <sup>31</sup> [https://www.dcta.net/sites/default/files/2021-06/June\\_24\\_2021\\_DCTA\\_Board\\_Meeting\\_Packet.pdf](https://www.dcta.net/sites/default/files/2021-06/June_24_2021_DCTA_Board_Meeting_Packet.pdf), pp. 140-143; <https://www.youtube.com/watch?v=9mTtmGmZt0s>, approximately 1:37:00.
- <sup>32</sup> <https://www.youtube.com/watch?v=9mTtmGmZt0s> (approximately 1:45:45), italics added.
- <sup>33</sup> [https://dentonrc.com/news/denton/councils-split-vote-removes-ex-mayor-from-dcta-board-with-one-meeting-left/article\\_4916a5b5-d163-5a6d-9103-5afd259163e0.html](https://dentonrc.com/news/denton/councils-split-vote-removes-ex-mayor-from-dcta-board-with-one-meeting-left/article_4916a5b5-d163-5a6d-9103-5afd259163e0.html), accessed 3 February 2023.
- <sup>34</sup> <https://www.dcta.net/sites/default/files/2021-10/2021-07-22%20DCTA%20Minutes.pdf>, p. 11.
- <sup>35</sup> [https://dentonrc.com/news/dcta/dcta-ceo-s-contract-said-he-d-get-no-money-if-he-resigned-yet-he/article\\_13fa1132-8957-59ab-b5c1-0a26f828aeb4.html](https://dentonrc.com/news/dcta/dcta-ceo-s-contract-said-he-d-get-no-money-if-he-resigned-yet-he/article_13fa1132-8957-59ab-b5c1-0a26f828aeb4.html); <https://bloximages.newyork1.vip.townnews.com/dentonrc.com/content/tncms/assets/v3/editorial/c/11/c11cc8f6-7d8f-5d4c-a613-3788bb2a66ab/6255ec523a206.pdf.pdf>.
- <sup>36</sup> [https://dentonrc.com/news/dcta/denton-s-scariest-halloween-costume-a-gozone-van/article\\_e373df10-0b9d-50df-89a0-add3fc5822ab.html](https://dentonrc.com/news/dcta/denton-s-scariest-halloween-costume-a-gozone-van/article_e373df10-0b9d-50df-89a0-add3fc5822ab.html).

By: \_\_\_\_\_

\_\_\_\_.B. No. \_\_\_\_\_

A BILL TO BE ENTITLED

AN ACT

relating to conflicts of interest of certain coordinated county transportation authority employees, officers, and board members.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 460.203, Transportation Code, is amended to read as follows:

Sec. 460.203. CONFLICTS OF INTEREST. (a) Members of the board of directors and officers and employees of the authority are subject to Chapter 171, Local Government Code.

(b) An individual who participated on behalf of an authority in a procurement or contract negotiation involving another person during the time the individual served as a member of the board of directors of the authority or was employed as an officer or employee of the authority may not accept employment from that other person before the second anniversary of the date the contract was signed or the procurement was terminated or withdrawn in the applicable procurement or contract negotiation.

SECTION 2. Section 460.203(b), Transportation Code, as added by this Act, applies only to a procurement or contract negotiation in which the contract was signed or the procurement was terminated or withdrawn on or after the effective date of this Act. A procurement or contract negotiation in which the contract was signed or the procurement was terminated or withdrawn before the effective date of this Act is governed by the law in effect on the

1 date the contract was signed or the procurement was terminated or  
2 withdrawn, and the former law is continued in effect for that  
3 purpose.

4 SECTION 3. This Act takes effect September 1, 2023.