

POLICIES AND PROCEDURES FOR PUBLIC COMMENT AND RECORDINGS OF BOARD OF DIRECTORS MEETINGS

Purpose

The purpose of this document is to provide guidance on public comments during the meetings of the Board of Directors (the "Board") of the District. It is a goal of the District to efficiently receive comments from members of the public at Board meetings. The District adopts the following policies and procedures. The District shall fully comply with the requirements of the Texas Open Meetings Act (Chapter 551 of the Texas Government Code, referred to as the "TOMA"); nothing in this document shall be read to lessen the requirements of the TOMA.

Open Meetings and Meeting Notices

All meetings of the Board shall be held in compliance with the TOMA. As authorized by the TOMA, the Board may meet in non-public, executive session.

To maximize public awareness of the District's activities, the Board endeavors to meet on a regularly scheduled basis and at a regularly scheduled location. Periodically, a meeting at a different time or location may be necessary.

The District posts notices of its Board meetings in compliance with TOMA. Additionally, the District shall post agenda notices of Board meetings on the District's website at jcwcid10.com.

Procedures for Public Comments at Open Meetings

Board meetings are structured in a manner that best allows the Board to maintain order at a meeting to transact its business. The primary recipients of information and data presented at Board meetings are the members of the Board. The District requests that its consultants endeavor to provide a reasonable number of hand-outs for members of the public to receive at the meetings. If sufficient copies are not available at the meeting, a member of the public may request copies under the Texas Public Information Act (the "TPIA") at the meeting.

All members of the public are requested to remain seated during the Board meeting unless to get refreshments or leave the meeting room or requested to approach the Board for a presentation. Any person in attendance at an open meeting may record all or any part of the open meeting by means of a tape recorder, video camera or still camera as allowed by the TOMA. **Persons desiring to record the open meeting must remain in an area designated for such use by the District.** All persons recording an open meeting must do so in such a manner so as not to obstruct the view of another person or in any way disturb or interfere with the orderly conduct of the meeting at any time, all in accordance with the TOMA.

Public participation in Board meetings shall be in accordance with TOMA including §551.007, TOMA. Citizens may address comments to the Board for a total of 3 minutes during the Public Comments agenda items or at the Board's consideration of specified agenda items. Citizens are requested to sign in for comments on the Sign-In Sheet. The purpose of such comment period is for the Board to receive comments from members of the public as TOMA does not allow for the Board to respond to items not listed on the agenda; comments during the Public Comment agenda item will be given to the appropriate District personnel for consideration. Any requests for information should be made separately and in writing in accordance with the TPIA. In addition, to maximize the efficiency of the public comment period, members of the public are asked to follow these rules when speaking during an open meeting:

- a. Prior to the comment period, sign up on the list provided.
- b. Keep all comments to less than **5 minutes** in length.
- c. **Questions or comments not addressing agenda items will not be addressed by the Board.**
- d. No person may obstruct the view of another person or in any other manner disturb or interfere with the orderly conduct of the meeting at any time. This includes talking out of turn or verbal utterances, failure to silence cell phones and/or talking on a cell phone.
- e. No member of the public may act in a manner calculated to disturb the meeting.
- f. Those persons who do not conduct themselves in an orderly and appropriate manner shall be given a warning by the Board President. Any person who, after having been warned of his or her noncompliance, continues to conduct themselves in a disorderly or inappropriate manner will be asked to leave the meeting room and recognition to speak may be refused at subsequent meetings of the District. Any duly authorized person assigned to provide security for the District Board meeting shall assist in the removal of the person, if necessary. The operation of this rule shall not be construed to preclude any person from prosecution for violation of any applicable penal law.

Policy for Videotaping, Tape Recording or Otherwise Recording Board Meetings

The Open Meetings Act allows any person attending a Board meeting to record the open portion of a meeting by means of a "tape recorder, video camera or other means of aural or visual reproduction." The Act further authorizes the Board to adopt reasonable rules to maintain order at its meetings, in accordance with Government Code 551.023.

The Board encourages the press, the broadcast media and all interested individuals to attend Board meetings and to videotape or record all or any part of the open proceedings. To this end, the District and its staff will seek to facilitate all reasonable requests relating to videotaping or recording activities. Persons using a tape recorder, video camera or any other means of audio or visual reproduction must abide by the following rules at all Board meetings:

- a. Recordings will not interfere with Board meetings in any way. Board meetings cannot accommodate anyone's camera angle or recording.
- b. The presiding officer may stop the audio or visual recording if it disrupts or interferes with the Board meeting in any way.
- c. No strobes, flash lighting or other bright lights are allowed.

Disciplinary Rules for Disrupting a Public Meeting

Texas Penal Code, §38.13 - Hindering Proceedings by Disorderly Conduct

- (a) A person commits an offense if he intentionally hinders an official proceeding by noise or violent or tumultuous behavior or disturbance.
- (b) A person commits an offense if he recklessly hinders an official proceeding by noise or violent or tumultuous behavior or disturbance and continues after explicit official request to desist.
- (c) An offense under this section is a Class A misdemeanor.

Texas Penal Code, §42.05 - Disrupting Meeting or Procession

- (a) A person commits an offense if, with intent to prevent or disrupt a lawful meeting, procession or gathering, he obstructs or interferes with the meeting, procession or gathering by physical action or verbal utterance.
- (b) An offense under this section is a Class B misdemeanor.

PASSED AND APPROVED, this the ____ day of _____, 2020.

District

President

ATTEST:

Secretary

(Seal)

