

# OPEN MEETINGS 101

Presented for:

*Comprehensive Plan  
Citizens Advisory Task Force*

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# GENERAL BACKGROUND

Open Meetings Act based on premise that:

“citizens are entitled . . . not only to know what government decides but to observe how and why every decision is reached.”

- *Acker v. Tex. Water Comm’n*, 790 S.W.2d 299, 300 (Tex. 1990)



# Broadly Interpreted in Favor of Open Government

- Open Meeting requirements are mandatory and are liberally construed in favor of open government.
- Be mindful of the ***spirit of the Act***, as well as its specific requirements.



# Specific Requirements: Meetings & Notice

- Meetings of a governmental body must be open to the public, unless a statute expressly permits an executive session.
- Governmental body must give written notice of the date, hour, and subject of each meeting held by the body.



# Open Meetings

- A *meeting* occurs when:
  - (1) A quorum of a body subject to the Act gathers;
  - (2) Discussion occurs on public business within the purview of the body; and
  - (3) The meeting was called by the body and/or a member of the body participates in discussion.



# Meetings (cont'd)

- Meetings of a city task force and any subcommittees are subject to the Act.
- A meeting of less than a quorum may violate the Act if it results in:
  - a “walking quorum”
  - work by non-quorum is “rubber stamped” by the full body



# Notice Requirements

- ***Time:*** At least 72-hour notice of the date, time, and place of all meetings.
- ***Specificity:*** Notice must be sufficient to apprise the general public of the subject matter to be discussed.



# Miscellaneous Requirements & Issues

- Notice posted on Web and at City Hall
- No deliberation on items not posted
- Meetings must be taped or minutes kept
- Citizen testimony:
  - Need not be allowed at every meeting
  - May be subject to reasonable rules

