

## **CLEAR LAKE CITY COMMUNITY ASSOCIATION, INC.** **BOARD OF TRUSTEES & MEETING POLICIES**

### **MONTHLY AGENDA AND PACKET**

It is the policy of the Clear Lake City Community Association (CLCCA), Inc. Board of Trustees (BOT) that a written Preliminary Agenda will be provided to each Trustee a minimum of ten (10) calendar days prior to any regularly scheduled meeting. This Preliminary Agenda may be provided electronically, in person, or by U.S. Mail. The following will govern the preparation of the agenda:

1. All materials which are to appear on the final agenda are to be delivered to the General Manager no later than noon on the 8<sup>th</sup> calendar day before a regular scheduled meeting. Such material may include but is not limited to:
  - a) An item a Trustee desires to have on the agenda
  - b) Committee reports
  - c) Background or other material
  - d) Special recognition items, etc.
2. Items (except emergency items as discussed in #8 below) which do not appear on the written agenda of the regular scheduled meeting shall not be taken up. (Ref: TOMA 551.042)
3. The General Manager shall prepare the Board Meeting Packet on the fifth (5<sup>th</sup>) calendar day prior to the Regular Scheduled Meeting. Board packets are to be emailed or picked up on the FRIDAY before the meeting between 2-5pm or on the Monday before the meeting between 8:30am-5pm unless pre-arranged with the General Manager. Trustees shall use these packets during the meeting. All closed meeting material is to be password protected when emailed.
4. The General Manager shall prepare supplement materials for the monthly packet as may be necessary, when items are not available at the time of the packet distribution, to be emailed or distributed to each Trustee prior to the board meeting. All closed meeting material is to be password protected when emailed.
5. Residents who wish to have an item placed on the agenda should contact their Core Trustee who, after evaluation, will request the President to place the item on the agenda in accordance with #1 above.
6. Items such as insurance, legal (including deed violation referrals), and personnel shall only be placed on the closed executive session agenda.
7. Items presented as a result of comments from the audience that require formal action by the Board of Trustees will be deferred until the next regularly scheduled meeting, at which time, the item may be directed to be placed on the agenda by the President or other Trustees.
8. Emergency items, as determined by the President or in the absence of the President, the Vice-President, in accordance with the Texas Open Meetings Act (TOMA), which do not appear on the agenda, delivered to the Trustees four (4) calendar days prior to the Regular Scheduled Meeting, may be taken up as an item of business, provided that the emergency item is provided to the Board and public at least two (2) hours prior to the start of the meeting. (Ref: Bylaw 6.5 & TOMA 551.045)

Copies of the agenda, listing all items to be discussed, shall be posted on the CLCCA bulletin board 72 hours in advance of start of meeting. (Ref: TOMA 551.043).

### **PUBLIC COMMENTS AT BUSINESS MEETINGS OF THE CLCCA**

In accordance with the Texas Attorney General's Texas Open Meetings Handbook, allows the public to attend public meetings. The publication 'Rights of the Public' allows the public to attend public meetings and to allow the public to speak at public meetings but is not a requirement.

+ *"A governmental body may, however, give members of the public an opportunity to speak at a public meeting. If it does so, it may set reasonable limits on the number, frequency, and length of presentations before it, but it may not unfairly discriminate among speakers for or against a particular point of view."*

The purpose of the comments time from the public, at business meetings of the Clear Lake City Community Association, Inc. (CLCCA), is to present the Board the problems and possible solutions the public may have, and which may not be apparent to the Board.

In general, ten (10) minutes will be allocated at the beginning of a meeting following the call to order for the presentation of items of the public's concern. Then twenty (20) additional minutes will be allocated to the public, prior to the recess to Closed / Executive Session to hear the public concerns, with a maximum time of two (2) minutes for any one speaker. Additional time may be granted a speaker by the chair. However, a person shall have the privilege to speak only once either during the 10-minute time or the 20-minute time, not both and must fill out a FORM FOR PUBLIC SPEAKING.

If possible, a representative for a common theme may be selected for most efficiency. Time left over from the comment period at the beginning of the meeting may be carried over to the end of the meeting.

The public, who wish to address the Board, shall fill out the comment form provided online or onsite when meeting in person and provide it to the Presiding Officer. When recognized to speak, each person will stand, if possible, and give his/her name, core (if a resident of the CLCCA), address, and the subject he/she wishes to present. The presentation should be kept within the allotted time two (2) minutes, to be fair to subsequent speakers.

In accordance with the Texas Open Meetings Act (TOMA), prohibits the Board from commenting on any statement or engaging in dialog without an appropriate agenda item being posted on the agenda (Ref: TOMA 551.042). Comments should be directed to the entire Board, not individual members. Engaging in Verbal Attacks or comments intended to insult, abuse, malign, or slander any individual shall be cause for termination of speaking privileges and expulsion from the Board Meeting or involuntary expulsion by Texas Law Enforcement. Loss of speaking privileges by an individual during a Board of Trustees Meeting occurs when speaking without being recognized by the Presiding Officer or not to remain silent during the meeting.

++ A civil disturbance / civil disobedience consists of speaking out of turn without being recognized by the Presiding Officer, noise, or conversations from an individual of such level, the presiding officer asks a specific individual to keep quiet. Cellular phones not silenced as documented in the Meeting Agenda and or by the Presiding Officer at the beginning of the Meeting. If after three (3) interruptions by a specific member of the audience will be asked to leave the room permanently for that night's meeting or the Presiding Officer may recess the meeting and call for Texas Law Enforcement to escort the individual out of the room with the stipulation, that person shall NOT return during the same night. If the individual should return during the same night's meeting, the individual will be subject to arrest for trespass by the Texas Law Enforcement.

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+ Texas Attorney General's Texas Open Meetings Handbook  
"Rights of the Public"

# **FORM FOR PUBLIC SPEAKING**

Date: \_\_\_\_\_ **NOTICE OF INTENT TO SPEAK DURING COMMENTS**

State Law prohibits the Board of Trustees from commenting on any statement or engaging in dialogue without an appropriate agenda item being posted in accordance with the Texas Open Meeting Law. Comments will be limited to two (2) minutes per person and directed to the entire board, not individual members. Engaging in Verbal Attacks or comments intended to insult, abuse, malign, or slander any individual shall be cause for termination of speaking privileges and expulsion from the Board meeting.

**Select One Only** - If there is not sufficient time in your elected slot, you may be moved to the other comment forum.

\_\_\_ 10 Minutes at opening of meeting

\_\_\_ 20 Minutes before recess to closed

Name: \_\_\_\_\_ Core: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

Topic of Discussion: \_\_\_\_\_

(Please Be Specific)

***\*Online form is to be emailed to the general manager by 5pm the day of the board meeting.***

## **RECORDING DEVICES**

The Clear Lake City Community Association (CLCCA), Inc., Board of Trustees (BOT), allows public meetings to be recorded both video and audio during the public portion of the meeting. These are the guidelines set forth in compliance with the Texas Open Meetings Act (TOMA).

### **TOMA 551.023: RECORDING OF MEETING BY PERSON IN ATTENDANCE.**

- (a) A person in attendance may record all or any part of an open meeting of a governmental body by means of a tape recorder, video camera, or other means of aural or visual reproduction.
- (b) A governmental body may adopt reasonable rules to maintain order at a meeting, including rules relating to:
  - (1) the location of recording equipment; and
  - (2) the manner in which the recording is conducted.
- (c) A rule adopted under Subsection (b) may not prevent or unreasonably impair a person from exercising a right granted under Subsection (a).

1) If video or audio recording is to take place during an Open Business or Committee Meeting by a member of the public, the person doing the recording, shall not (will not) distract or interfere with the Board of Trustees or the general public in attendance or obstruct the audience view of the Trustees in any manner or form unless prior approval of the President or Presiding Officer of the meeting is granted.

2) The recording device may be placed onto the table where the CLCCA Recording Equipment is located, provided it must not (does not) interfere with the reception of the CLCCA Recording Equipment. Forty- Eight (48) Hour Pre-checkout of the visitor's equipment must certify that the equipment does not interfere with CLCCA Recording Equipment.

3) There shall not (will not) be any hanging wires or power cords that may present a tripping hazard to visitors, staff, or Trustees. The recording equipment should be battery powered.

4) It is recommended that the person performing the videotaping sits or stands in the back of the room or off to the side, as not to interfere with the audience in attendance.

- 5) At no time shall the video recording equipment be pointed in the direction of the audience and must get a signed release from individuals in the audience that may appear on the video recording.
- 6) Any obnoxious behavior by person or persons performing recording is cause to cease recording and or for removal from the meeting.

### **PRESIDENT DUTIES & RESPONSIBILITIES**

The Clear Lake City Community Association (CLCCA), Inc., Board of Trustees (BOT) management is currently made of nine (9) Trustees who elect among themselves four (4) officers comprising of the President, Vice-President, Secretary, and Treasurer, in accordance with Article VII subsection Bylaw 7.1. Bylaw 7.5 addresses the responsibilities of the President. This Policy expands on those responsibilities.

1. Chief Executive Officer (CEO) and overall leader of the association.
2. Review both Attorneys' General training Videos for the Texas Open Meetings Act (TOMA) and the Texas Public Information Act (TPIA).
3. Presides at all meetings of the BOT as a moderator / voting member.
4. Executes legal documents on behalf of the BOT Approved Documents.
5. Signs Executive (closed) Session meeting minutes.
6. Informs all BOT when there is a vacancy on the Board per Bylaw 5.2.
7. Represents the BOT before the residents.
8. General Manager or the President notifies the BOT of staff personnel changes and or vacancies.
9. Nominating and appointment responsibility for all committee assignments and their chairs with approval of the majority of the quorum present per Bylaw 7.9 & BOC 22.219.
10. Enforces all Board approved Resolutions, Bylaws, & Policies. Ultimately, the primary person responsible to ensure the Bylaws and Policies are current, up-to-date, and filed in compliance with all City, County, State, & Federal Laws.
11. Strives for consensus during BOT Meetings. Refrains from making unilateral decisions, when the BOT is not meeting, unless absolutely necessary.
12. Responsible for calling Emergency Board Meetings or adding emergency items to the existing agenda in accordance with Bylaw 6.5 & Texas Open Meeting Act (TOMA) 551.045.
13. One of two primary interfaces with the BOT attorney Per the Legal Counsel Policy.
14. Works with the GM to resolve long term & short-term deed violation reports.
15. The primary person who signs accounts payable checks for the association.
16. Takes on the added responsibility to represent those properties that do not have a representative on the BOT such as but not limited to: Condominiums/Townhomes/Patio Home Owners Associations.

### **VICE PRESIDENT DUTIES & RESPONSIBILITIES**

The Clear Lake City Community Association (CLCCA), Inc., Board of Trustees (BOT) management is currently made of nine (9) Trustees who elect among themselves four (4) officers comprising of the President, Vice-President, Secretary, and Treasurer, in accordance with Article VII subsection Bylaw 7.1. Bylaw 7.6 addresses the responsibilities of the Vice-President. This Policy expands on those responsibilities.

1. Performs all of the duties of the President in his/her absence.
2. Typically shares some of the burden of the President regarding appearances, liaison, public hearings, etc.
3. Usually assigned liaison responsibility to specific staff or contractors, and to specific committees.
4. A voting member of the Board of Trustees.
5. One of the co-signers of checks for accounts payable when the President is absent or when a second signature is required for checks over \$2,000.00 per the Finance Purchasing Policy.

### **SECRETARY DUTIES & RESPONSIBILITIES**

The Clear Lake City Community Association (CLCCA), Inc., Board of Trustees (BOT) management is currently made of nine (9) Trustees who elect among themselves four (4) officers comprising of the President,

Vice-President, Secretary, and Treasurer, in accordance with Article VII subsection Bylaw 7.1. Bylaw 7.7 addresses the responsibilities of the Secretary. This Policy expands on those responsibilities.

1. The Secretary while attending meetings of the Board of Trustees, takes notes, type up meeting minutes, and submits them to the President for review ten (10) calendar days prior to the next Board Meeting. The President will review the minutes, make any necessary corrections, and submit them back to the Secretary for corrections. The Secretary will update the minutes with the corrections and submit them to the GM to be included in the Board Packet no later than Thursday before the Board Meeting.
2. Attests, by signature, to the legitimacy of certain documents as examples:
  - a. Open / Closed Meeting Minutes
  - b. Bylaws
  - c. Certificate of Formation
3. Once approved by the Board of Trustees, the Secretary will give the signed and dated minutes to the General Manager for proper filing and electronic posting for open meeting minutes.

### **TREASURER DUTIES & RESPONSIBILITIES**

The Clear Lake City Community Association (CLCCA), Inc., Board of Trustees (BOT) management is currently made of nine (9) Trustees who elect among themselves four (4) officers comprising of the President, Vice-President, Secretary, and Treasurer, in accordance with Article VII subsection Bylaw 7.1. Bylaw 7.8 addresses the responsibilities of the Treasurer. This Policy expands on those responsibilities.

1. Works with the General Manager and committees to develop and submit annual operating budget for approval.
2. Ensures adequate records of all association financial records are maintained.
3. Maintains records of disbursements of funds as submitted by accounting.
4. Prepares monthly financial reports for the BOT.
5. Arranges, subject to board approval, an independent audit of financial affairs (Finance External Audit Policy).

### **COMMERCIAL TRUSTEE DUTIES & RESPONSIBILITIES**

The Clear Lake City Community Association (CLCCA), Inc., Board of Trustees (BOT) management is currently made of nine (9) Trustees. This Policy expands on those responsibilities.

1. Must be an advisor of the Architectural Review Committee (ARC).
2. Point of Contact for Commercial Property Owners concerns.
3. Submits commercial property deed violations when necessary.
4. Assists the GM with inspections when needed.
5. Works with the GM to resolve long-term and short-term deed violations.

### **TRUSTEE DUTIES & RESPONSIBILITIES**

The Clear Lake City Community Association (CLCCA), Inc., Board of Trustees (BOT) management is currently made of nine (9) Trustees. This Policy expands on those responsibilities.

1. Attend Board Meetings
2. Elected to terms of three years
3. Chair and attends committee meetings
4. Reviews Attorney General's Training Video for the Texas Open Meetings Act (TOMA) in accordance with TOMA 551.005 and submit completion certificate to the GM within ninety 90 days after the start of the new fiscal year.
5. Attends other meetings as a representative for the CLCCA for various other organizations as appointed by the President. Coordinates with their alternate, in-case the primary representative is unable to attend scheduled meetings.
6. Point of Contact for Property Owners concerns with their respective Residential Cores

7. Submits requests to the GM for items to be placed onto the agenda (Board of Trustees & Meetings Monthly Agenda and Packet Policy)
8. Helps resolve deed restrictions within their respective cores
9. Must attend the Trustee Workshop per Bylaw 3.3.
10. Any trustee failing to adhere to TOMA, and its requirements is subject to termination per Bylaw 5.4.

### **QUALIFIED TRUSTEE**

The Clear Lake City Community Association (CLCCA), Inc., Board of Trustees (BOT) management describes in its Bylaws Section VI Meetings Subsection Bylaw 6.7. This Policy expands on what constitutes a Qualified Trustee.

The primary responsibility of each and every board member is to come together to act as one leadership voice for the community, recognizing that their fiduciary duty is to follow Federal & Texas Statutory Law, CLCCA Governing Documents, i.e.: Certificate of Formation, Bylaws Policies & Resolutions, while preserving, maintaining, and enhancing the value of the assets of the community and corporation as defined in the Ethics Code of Conduct Policy.

1. A Trustee is deemed qualified by not having unresolved deed restrictions.
2. Is in compliance with the as-written Bylaws and Policies and Texas Laws.
3. Actively chairs, participates, and attends assigned Board & Committee Meetings and acts as a representative at other non-CLCCA meetings on behalf of the CLCCA designated by the President.
4. Is truthful when participating in Board & Committee Meetings and dealing with the public having taken an \*Oath of Office.
5. Trustees understand what constitutes a Conflict of Interest and adheres to the Ethics Conflict of Interest Policy.
6. Trustees establish and follow protocols in working with staff per Personnel Employee Supervision, Work Orders, and Contract Vendors Policy.
7. Trustees act as process facilitators, finding out the best way to do things in their community legally.
8. Trustees see staff members as part of the team, not as opponents, members are respectful of staff inquiries, rather than demanding a response.
9. Trustees rely on staff to implement board decisions and policies.
10. Trustees differentiate between policy making decisions and managerial task managing.

### **TRUSTEE'S BINDER**

The Clear Lake City Community Association (CLCCA), Inc., Board of Trustees (BOT) are provided a Trustee Binder which contain the Governing Documents for the CLCCA. They include, but are not limited to, the Bylaws, Policies, Certificate of Formation, Texas Open Meetings Act, and other documents that are deemed necessary for decision making by the Trustees. This binder and its contents belong to the CLCCA.

Upon a Trustee leaving office and the Board whether from voter action, resignation, or removal, the binder and its contents are to be returned to the General Manager for updating and provided to the future replacement Trustee on the Board. If the binder is not returned promptly, (two weeks), a fee of \$100.00 is owed to the CLCCA by the Trustee departing the Association payable to the CLCCA.

*This policy replaces the following policies: 401-01E, 401-08E, 401-15, 408-09A, 408-10, 408-11A, 408-12, 408-13, 408-14A, 408-16*

*This policy replaces the policy filed with Harris County on September 8, 2016.*

*Amended at the Board of Trustee Meeting on September 21, 2016*

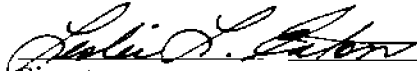
*Amended at the Board of Trustee Meeting on March 15, 2017*

*Amended at the Board of Trustee Meeting on October 17, 2018*

*Amended at the Board of Trustee Meeting on August 18, 2021*

Adopted this 18<sup>th</sup> Day of August, 2021, by at least a majority of the Board of Directors of the Association.

**CLEAR LAKE CITY COMMUNITY  
ASSOCIATION**

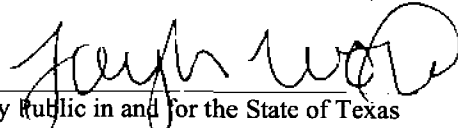


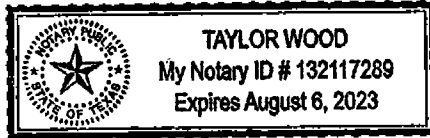
Signature

Printed Name: LESLIE EATON

Title: Secretary

This instrument was acknowledged before me on 19th day of August, 2021, by Taylor  
Wood the Counsel of CLEAR LAKE CITY COMMUNITY ASSOCIATION,  
a Texas non-profit corporation, on behalf of said corporation.

  
Notary Public in and for the State of Texas



RP-2021-488117  
# Pages 8  
08/26/2021 02:14 PM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
TENESHIA HUDSPETH  
COUNTY CLERK  
Fees \$42.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically  
and any blackouts, additions or changes were present  
at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or  
use of the described real property because of color or  
race is invalid and unenforceable under federal law.  
THE STATE OF TEXAS  
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in  
File Number Sequence on the date and at the time stamped  
hereon by me; and was duly RECORDED in the Official  
Public Records of Real Property of Harris County, Texas.



*Teneshia Hudspeth*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

RP-2021-488117