

MBE/WBE and Small Business Enterprise Procurement Program Advisory Committee:

Open Meetings Notice Requirements

July 1, 2014



Open Meetings

- All City boards are subject to the Texas Open Meetings Act (TOMA) per City Code, Sec. 2-1-43



Open Meetings

- TOMA requires advance notice to the public of governmental body meetings
 - “written notice of the date, hour, place, and subject of each meeting held”
- The meeting agenda, when posted at least 72 hours in advance, satisfies this requirement of notice to the public



Open Meetings

- Agenda posting language must describe the subject matter to be discussed or acted on with enough specificity that a member of the general public will know what is to be discussed
 - Agenda language must be more specific if the public has a special interest in the topic under discussion



Open Meetings

- Overly broad language may be insufficient to provide notice under TOMA
 - E.g., “City Manager’s Report” is not sufficient without further indication of the subject matter of the report (Tex. OAG Op. No. GA-0668)



Open Meetings

- Governmental actions taken in violation of TOMA's notice requirements are voidable
 - A governmental body cannot give retroactive effect to a prior action taken in violation of TOMA
 - A governmental body may later ratify the invalid act in an open meeting held in compliance with TOMA, but the effect is not retroactive



Thank you for your service!

Questions?

