THE STATE OF TEXAS \$ \$ COUNTY OF CAMERON \$

## CAMERON COUNTY EMERGENCY COMMUNICATION DISTRICT BOARD MEETING MINUTES (February 20, 2019)

The Board Of Managers of the Cameron County Emergency Communication District (CCECD) met at the Cameron County Emergency Communication (9-1-1) District (CCECD) Building Board Room, located at 501 Camelot Drive, Harlingen, Texas, at 10:00 A.M., for a Meeting of the Board of Managers, on Wednesday, February 20, 2019.

However, pursuant to the Texas Open Meetings Act, codified as Tex. Gov't Code Ann. § 551.002 (Open Meetings Requirement) (Vernon 2017) ("Every regular, special, or called meeting of a governmental body shall be open to the public except as provided by this chapter.").

Unfortunately, as there were only two CCECD Board Members, Bill Aston and Raul Rodriguez, to be present for the said anticipated (02-20-2019) Regular Board Meeting, there was no legal basis to proceed with the said anticipated meeting, because, for the CCECD, there can <u>only</u> be a <u>quorum</u> for three voting Board Members of CCECD for there to be a valid quorum. This is due to the fact that Domingo Diaz and Sam Ortega were not available, due to their governmental engagement and also that Mario Prado was ill, and could not therefore constitute a quorum.

According to a case note under Tex. Gov't Code Ann. § 551.002 (Vernon 2017) (Open Meetings Requirement), which follows:

1- Esperanza Peace and Justice Center v. City of San Antonio, 316 F. Supp.2d 433 (W.D. Tex. 2001) ("Texas Open Meetings Act [TOMA] applies to meetings of groups of less than a quorum or more of the body attempted to avoid the purpose of the Act by deliberately meeting in groups of less than a quorum in closed session to discuss or deliberate public business and then ratifying their action as a quorum in a subsequent public meeting.").

- 2- As such, if there is a lack of a quorum there can be no meeting at that time, for the reason mentioned above, which is also found in Robert's Rules Of Order.
- 3- Accordingly, this instrument confirms that, due to a lack of a quorum, there was not a quorum that was available at the aforesaid meeting, resulting in this acknowledgment of a lack of a quorum.
- 4- Nonetheless, the CCECD Board (without a quorum) requested that, due to the foregoing, the scheduled CCECD (02-20-2019) Regular Board Meeting was cancelled, and, it was decided by the CCECD <u>personnel</u> there, at the time, to <u>reset</u> this meeting to next Wednesday, on February 27, 2019, at 10:00 A.M.

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Accordingly, this Memorandum confirms that the CCECD (February 20, 2019) Regular Board Meeting was cancelled, and was reset to February 27, 2019, as explained above.

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Should you have any questions, or require further information, please advise. Thank you.

Sincerely,

Brian G. Janis

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CCECD Corporate Counsel