



Brazos River Authority Bylaws

***Presented by
Riley Woods
Senior Staff Counsel***

Meeting Date: September 27, 2021



ARTICLE TWO: BOARD STRUCTURE.

Add the following new section:

Section 2.06. Grounds for Removal. It is a ground for removal from the Board that a Director:

- (1) Does not have at the time of taking office the qualifications required by Special District Local Laws Code, Section 8502.009;
- (2) Does not maintain during service on the Board the qualifications required by Special District Local Laws Code, Section 8502.009;
- (3) Is ineligible for directorship under Chapter 171, Local Government Code;
- (4) Cannot, because of illness or disability, discharge the Director's duties for a substantial part of the Director's term; or
- (5) Is absent from more than half of the regularly scheduled Board meetings that the Director is eligible to attend during a calendar year without an excuse approved by a majority vote of the Board.



ARTICLE TWO: BOARD STRUCTURE Continued

The validity of an action of the Board is not affected by the fact that it is taken when a ground for removal of a Director exists.

If the General Manager/Chief Executive Officer has knowledge that a potential ground for removal exists, the General Manager/Chief Executive Officer shall notify the Presiding Officer of the Board of the potential ground. The Presiding Officer shall then notify the Governor and the Attorney General that a potential ground for removal exists. If the potential ground for removal involves the Presiding Officer, the General Manager/Chief Executive Officer shall notify the next highest ranking Director, who shall then notify the Governor and the Attorney General that a potential ground for removal exists.



Section 4.02. Election Date. Officers shall be elected at the ~~October~~ last regular meeting of the Board of Directors in each odd-numbered year.



ARTICLE FIVE: MEETINGS.

Add the following new section:

Section 5.06. Public Comment. At each meeting of the Board of Directors, members of the public shall be afforded the opportunity to address and provide comments to the Board of Directors. The Brazos River Authority reserves the right to implement reasonable rules related to providing public comments, including rules that limit the total amount of time that a member of the public may address the Board of Directors. The Board of Directors cannot respond to comments that are not related to items on the posted agenda.



“BE IT RESOLVED that the Board of Directors of the Brazos River Authority hereby approves the following changes to the Brazos River Authority Bylaws:

In Article Two: Board Structure, add the following new section:

“Section 2.06. Grounds for Removal. It is a ground for removal from the Board that a Director:

- (1) Does not have at the time of taking office the qualifications required by Special District Local Laws Code, Section 8502.009;***
- (2) Does not maintain during service on the Board the qualifications required by Special District Local Laws Code, Section 8502.009;***
- (3) Is ineligible for directorship under Chapter 171, Local Government Code;***
- (4) Cannot, because of illness or disability, discharge the Director's duties for a substantial part of the Director's term; or***
- (5) Is absent from more than half of the regularly scheduled Board meetings that the Director is eligible to attend during a calendar year without an excuse approved by a majority vote of the Board.***



The validity of an action of the Board is not affected by the fact that it is taken when a ground for removal of a Director exists.

If the General Manager/Chief Executive Officer has knowledge that a potential ground for removal exists, the General Manager/Chief Executive Officer shall notify the Presiding Officer of the Board of the potential ground. The Presiding Officer shall then notify the Governor and the Attorney General that a potential ground for removal exists. If the potential ground for removal involves the Presiding Officer, the General Manager/Chief Executive Officer shall notify the next highest ranking Director, who shall then notify the Governor and the Attorney General that a potential ground for removal exists.”

In Section 4.02. Election Date, delete the word “October” and replace with the word “last”.



In Article Five: Meetings, add the following new section:

“Section 5.06. Public Comment. At each meeting of the Board of Directors, members of the public shall be afforded the opportunity to address and provide comments to the Board of Directors. The Brazos River Authority reserves the right to implement reasonable rules related to providing public comments, including rules that limit the total amount of time that a member of the public may address the Board of Directors. The Board of Directors cannot respond to comments that are not related to items on the posted agenda.”



Brazos River Authority