

Dear Directors:

Please see the information below regarding community events and board communication.

### **Community-Sponsored Events**

The community will, from time to time, host certain community-sponsored events, typically coinciding with national holidays. These events have, in the past, involved limited participation by vendors and organizations that offer certain goods or services. Generally, the participation is symbiotic in that the events and booth participants promote interaction and cohesiveness to enhance the quality of life in Savannah.

Unfortunately, there is a misconception that our efforts to ensure enjoyable and inclusive events somehow restrict constitutionally protected activities. That is not the case. The association is not a branch of the government so the constitutional issues that arise where government infringement is involved do not pertain to Savannah. Where HOAs are concerned, political speech rights are provided by state law.

In Texas, political speech rights are limited to the HOA's obligation to allow political signs 90 days before and 10 days after an election if they advertise a political candidate or ballot item for election (Tex. Prop. Code § 202.009). Savannah permits political signs that comply with state law.

### **Board Communication**

It is often the case that owners who take the time to show up to meetings of the Board of Directors are disappointed that they are unable to secure an immediate commitment from the Board. There are several factors that contribute to this dissatisfaction. Board meetings are often held in the evening on a work day. An owner who wishes to speak at a meeting must therefore plan in advance, show up before the meeting to sign up to speak, sit through a number of business action items that do not pertain to the topic the wish to raise, and then speak in public regarding a matter that is, in many cases, somewhat personal to them insofar as it relates to their ability to enjoy their property and live peaceably with their neighbors.

Accordingly, I recommend that we make sure to inform owners of the following two points:

1. **Notice Restrictions** – Matters presented to the Board of Directors by owners during a meeting will rarely result in an instantaneous decision by the Board of Directors. This is because the Board of Directors must publish its agenda in advance of each meeting. Items that were not included on a notice will need to be tabled for consideration at a future meeting to ensure that proper notice is given. Tabling an item or deferring consideration is not done to inconvenience an owner or to put off necessary action for the sake of delay only. It is done to comply with state law. We should remind owners that the Board of Directors will hear owner concerns but will almost always need to defer consideration of the matter.

2. **Time Limits** – Time limits serve an obvious purpose. To limit speaking time to ensure those who wish to speak have time to do so, and to ensure the meetings are manageable for directors who are, after all, unpaid volunteers who typically receive no accolades when things are going well but are lightning rods for criticism whenever the association faces any challenge. We should remind owners that they are always free to send comments and concerns to the community mailbox. The communications will be reviewed and processed by the management team and the Board of Directors to ensure that all pertinent information is considered.