2023 CML Mayors’ Summit

Bob’s Rules for Mayors

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City Attorney, Centennial
Town Attorney, Blue River
Some Introductory Stuff

Lawyers

Rules

“Body”

“Presiding Officer”

“Floor”
Questions for Mayors

• Read *Bob’s Rules of Order for Colorado Local Governments*?

• Attended a Bob’s Rules Presentation?

• Adopted or Follow *Robert’s Rules of Order*?

• Have No Adopted Rules?

• Have No Need for Formal Rules?
Road Map

• “Bylaws” vs. “Rules of Order”
• Need & Benefit of Rules of Order
• Robert’s Rules of Order (1876)
• Bob’s Rules of Order
• Bob’s Rules for the Mayor
• Questions – rwidner@lawwj.com
Bylaws vs. Rules of Order

“Bylaws”
• Organization & Management of the Body
• Largely Specific to the Body
• Charter, Statutes & Policies for Meetings

“Rules of Order”
• Procedures for Decision Making
• Can be Uniform for Similar Bodies
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Bylaws

Somewhat “Hardwired”

More Challenging to Change

Rules of Order

Easy to Change, Deviate, or Suspend During Meeting

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Bylaws & Rules of Order
The “Ruleless” Meeting

- Speak whenever, often, and as long as want
- “Domination by the Dominant”
- Mayor Too Powerful or Mayor Ineffective
- No Obligation for Mayor to Grant Floor!
- Inconsistent Process or No Real Process
- Conflict with 1st Amendment & Due Process
- The Myth of “We Self Regulate”
Benefit of Rules of Order

FAIRNESS
DEFENDING DECISIONS
EFFICIENCY
“Best” Rules of Order?

- Reasonably Simple & Understandable
- Tailored to Purpose, Authority & Law
- Reasonably Comprehensive
- Allows for Flexibility
- “Fits” with Historic/Cultural Practices
- Accepted & Followed Consistently
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803 Pages & 96 Motions
Good for Large Legislative Bodies

But For Typical Local Government?

- Very Difficult to Quickly Reference
- Several Conflicts with Colorado Law
- Unacceptable Procedures for Government
- No recognition of Quasi-judicial Actions
- Simply Not Used or Usable – “As It Is”
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Some Too Simplistic
Some More Complex than Needed
Are Not Rules – More General Discussion
Do Not Address Quasi-Judicial Meeting Issues
Do Not Recognize *Local Government* Obligations
Options?

- Yes, Robert’s Rules of Order
- Custom-Tailored Rules
- Another Government’s Rules
- Bob’s Rules of Order
Not a “Shameless Plug”

Product of 34 years of:

- +1,600 Public Meetings & Hearings
- Meeting Frustrations & Problems
- Successful Meeting Practices
- Listserv Issues & Questions
- Actual Use & Improvements
• Just the Basics Needed
• (Hopefully) Simplistic Enough
• Provides Flexibility
  o Presiding Officer Discretion
  o Suspend & Deviate
• Amendable
• Conforms to Colorado Law
• Meets Quasi-Judicial Obligations
Bob’s Rules of Order

Why & How to Adopt
Terminology
Rules
Points & Motions

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Terminology

Words:
“Body”
“Presiding Officer”
“Quorum”
“Floor”

Distinctions:
Legislative & Quasi-Judicial
Continue ↔ Postpone
Discussion & Debate
Recuse & Abstain
The Rules

Rule

Commentary

Special Note

The Rule in Practice

Rule 1.2
The meeting agenda will be followed unless properly amended or modified.

Commentary
An efficient meeting is, in part, the result of organization. Organization is best achieved by following a meeting agenda. To

Special Note: Discussion of Quasi-Judicial Matters
Members sitting as judges for a quasi-judicial matter must remain fair, impartial, and unbiased and judge the matter

The Rule in Practice
The following dialogue provides an example of Rule 6.1 in practice:

Background: The Town Manager presents Ordinance 19 to the Town Board. Ordinance 19 will amend the

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For Each Rule.....

1. Think About **Need** for the Rule

   Then Decide:

2. Should We Follow the Rule?

   99% of Time: “Of Course”/“We Already Do.”

3. Delete or Revise?
Deleting or Revising

NOT NECESSARILY A STAND-ALONE RESOURCE

Step 1 – **Review** the Rules
Step 2 – **Revise** as Needed (It is Okay!)
  Step 2A – **Delete** as Desired - But Recognize Impact
Step 3 – Adopt (as Revised or Deleted)
Step 4 – Train & Follow
Step 5 – Eventual “Autopilot”
Some Notable Rules

• “Friendly Amendment”
• “Friendly Withdrawal”
• “So Moved” Motion
• Voting “Yes,” “No” and “Abstaining”
• Right to Floor, Time Limits, & Number Limits
• One Motion to Amend at a Time
APPENDIX B

List of Rules for Reference

1.0 The Meeting Generally
Rule 1.1 Any state or local law that concerns the conduct of a meeting is a part of the Rules of Order to the extent the law is applicable to the Body.

Rule 1.2 The meeting agenda will be followed unless properly amended or modified.

Rule 1.3 The Body may presume that any legally required public notice for the meeting and for each agenda item was properly completed.

Rule 1.4 A Member shall disclose a conflict of interest and recuse themselves from both participation and voting when required by applicable state or local law.
Points (3)

Point of **Order**
(Bring the Body into Compliance)

Point of **Information**
(Obtain Urgently Needed Information)

Point of **Appeal**
(Appeal Presiding Officer Decision)
Motions (Only 8)

**Principal Motion**
- Motion to **Continue or Postpone**
- Motion to **Amend**
- Motion to **Close Debate**
- Motion to **Reconsider**
- Motion to **Recess**
- Motion to **Adjourn**
- Motion for **Executive Session**
Motions (Only 8)

- Principal Motion
- Motion to Continue or Postpone
- Motion to Amend
- Motion to Close Debate
- Motion to Reconsider
- Motion to Recess
- Motion to Adjourn
- Motion for Executive Session
# APPENDIX C

*Bob’s Rules of Order*

**Summary Table of Points and Motions**

<table>
<thead>
<tr>
<th>TYPE</th>
<th>MOTION</th>
<th>FLOOR?</th>
<th>WHEN IN ORDER?</th>
<th>SECOND?</th>
<th>DEBATABLE?</th>
<th>VOTE?</th>
</tr>
</thead>
<tbody>
<tr>
<td>POINT</td>
<td>Order</td>
<td>No</td>
<td>Any time</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Information</td>
<td>No</td>
<td>No</td>
<td>Any time</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Appeal</td>
<td>No</td>
<td>No</td>
<td>Immediately following Presiding Officer’s decision</td>
<td>No</td>
<td>No</td>
<td>Majority of quorum</td>
</tr>
<tr>
<td>MAIN</td>
<td>Principal Motion</td>
<td>Yes</td>
<td>When no motion is pending</td>
<td>Yes</td>
<td>Yes</td>
<td>Majority of quorum usually but may depend on special law. Rule 7.6</td>
</tr>
<tr>
<td></td>
<td>Reconsider</td>
<td>Yes</td>
<td>When no motion is pending but with limited availability, Section 19</td>
<td>Yes</td>
<td>Yes</td>
<td>Majority of quorum</td>
</tr>
<tr>
<td></td>
<td>Adjourn</td>
<td>Yes</td>
<td>When no motion is pending</td>
<td>Yes</td>
<td>Yes</td>
<td>Majority of quorum</td>
</tr>
<tr>
<td>PRIVILEGE D</td>
<td>Recess</td>
<td>Yes</td>
<td>Any time</td>
<td>Yes</td>
<td>No</td>
<td>Majority of quorum</td>
</tr>
<tr>
<td></td>
<td>Executive Session</td>
<td>Yes</td>
<td>Any time</td>
<td>Yes</td>
<td>No</td>
<td>2/3 of quorum</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>TYPE</th>
<th>MOTION</th>
<th>FLOOR?</th>
<th>WHEN IN ORDER?</th>
<th>SECOND?</th>
<th>DEBATABLE?</th>
<th>VOTE?</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAIN</td>
<td>Continue or Postpone</td>
<td>Yes</td>
<td>When no motion is pending</td>
<td>Yes</td>
<td>Yes</td>
<td>Majority of quorum</td>
</tr>
<tr>
<td>SUBSIDIARY</td>
<td>Amend a pending debatable motion</td>
<td>Yes</td>
<td>When a Principal Motion is pending</td>
<td>Yes</td>
<td>Yes</td>
<td>Majority of quorum</td>
</tr>
<tr>
<td></td>
<td>Close Debate</td>
<td>Yes</td>
<td>When a debatable motion is pending</td>
<td>Yes</td>
<td>No</td>
<td>2/3 of quorum</td>
</tr>
<tr>
<td>PRIVILEGE D</td>
<td>Recess</td>
<td>Yes</td>
<td>Any time</td>
<td>Yes</td>
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<td>Executive Session</td>
<td>Yes</td>
<td>Any time</td>
<td>Yes</td>
<td>No</td>
<td>2/3 of quorum</td>
</tr>
</tbody>
</table>
How Do I Find Bob’s Rules of Order

- One copy mailed to Municipal Clerks
- CML.org
  - Digital
  - Hardcopy
Bob’s Rules “for Mayors”

3.0 The Presiding Officer

Rule 3.1

The Presiding Officer shall be the exclusive director and facilitator of all meeting conduct.
Rule 3.2

The Presiding Officer serves as the parliamentarian unless the role is assigned to another person.
Bob’s Rules “for Mayors”

Rule 3.3

The Presiding Officer is entitled to the same rights as a Member unless otherwise limited by law.
Rule 3.4

The Presiding Officer may exercise discretion during the meeting subject to a Point of Order or Point of Appeal.
Bob’s Rules “for Mayors”

Rule 3.5

The Presiding Officer shall facilitate the meeting in a fair and neutral manner and, whenever practicable, defer to the Members to initially lead discussion, offer motions, and direct debate.
Bob's Rules “for Mayors”

Rule 4.2

A Member shall be granted the Floor by the Presiding Officer when properly requested in accordance with the Rules and local meeting practice.
Bob’s Rules “*for Mayors*”

Rule 5.4

To be placed on the Floor for the Body’s consideration, the Presiding Officer must acknowledge that the motion was properly stated and seconded in accordance with Rules 5.2 and 5.3.
Bob’s Rules “for Mayors”

Rules 6.1 & 6.2

A Friendly [Amendment / Withdrawal] is authorized only for a debatable motion, and the [amendment / withdrawal] of the motion will be effective unless a Member objects.
Bob's Rules “for Mayors”

Rule 8.1

The Presiding Officer may suspend certain rules.
Bob’s Rules “for Mayors”

Rule 8.3

An inadvertent and non-substantive deviation from a rule by the Presiding Officer or the Body without objection from a Member is authorized and intended.
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