

TIPS FOR MAYORS IN RUNNING EFFECTIVE PUBLIC MEETINGS

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The Problem

Meeting “Dysfunctions”
and
Why We Should Care

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Key Reasons for Dysfunction

- Lack of Professionalism and Courtesy
- Lack of Individual Member Preparation
- Lack of Rules
- Lack of Rule Use or Knowledge of Rules
- Lack of Member Equality
- Lack of the *Right* Leadership

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The Mayor's Role in Meetings?

Chairperson
Responsibility
Obligations
Power
Duties
Fault

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Tip

Avoid Ego Driven Leadership

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Tip

Be the Most Prepared

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Tip

Lead the Respect

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Tip

Promote Equality

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Tip

Make the Record


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Tip

Roadmap the Process


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Tip

Watch your “Language”

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Tip


Recognize the Value of Rules

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Questions?

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Bob's Rules of Order (Summary Version Prepared for Colorado Municipal League 2016 MAYORS' SUMMIT)

1.0 Introduction

Efficient and well run public meetings are a necessity for local government. An efficient and well-run meeting allows all scheduled business to be accomplished, voices to be equally heard, and differences of opinion to be aired amicably. Whether the meeting issues are deeply challenging and emotional or simply ministerial and non-confrontational, a well-run meeting leaves all participants feeling that the decisions made during the meeting are the product of fairness, equality, and respect. Poorly run meetings can undermine confidence in local government by allowing a perceived inequality among participants when engaged in debate and discussion, injecting conflict and argument between the participants, and adding confusion to the decision-making process and uncertainty in the eventual decision.

Unfortunately, efficient and well-run meetings for many Colorado local governments may be the exception and not the rule. *Bob's Rules of Order* seek to bring organization and equality to meetings of Colorado local governments.

The seminal handbook, *Roberts Rules of Order*, is perhaps the most widely known set of rules designed to facilitate and manage meetings. Beginning with the pocket handbook first drafted in 1878, and with significant rewriting and amendment since that time, *Roberts Rules of Order* has evolved into a complex set of rules intended to organize large meetings of every type. Due to the sheer volume and complexity of *Roberts Rules of Order*, it is unreasonable for all meeting participants to fully comprehend and gain a working knowledge of *Roberts Rules of Order*. As a result, *Roberts Rules of Order* is often ineffective for use in conducting the meetings of local government.

"*Bob's Rules of Order*" is intended as a simplified set of rules better suited to manage local government meetings and decision-making. Although *Bob's Rules of Order* calls upon the basic concepts offered by *Robert's Rules*, *Bob's Rules* pares down the available motions to those essential to advance the goal of running an efficient public meeting for Colorado local government.

2.0 Key Terminology

Amendment (or to Amend) - An amendment is a motion to change, to add words to, or to omit words from, a pending main motion. The change is usually to clarify or improve the wording of the original motion and must, of course, be germane to that motion.

Body - The formally constituted organization commissioned with the obligation and duty to act on behalf of the local government.

Chairperson - The person appointed or elected to preside over the meeting.

Floor - The privilege or right to speak to the body.

Member - A person appointed to elected to hold office as a recognized participant of the body.

Motion - A formal proposal seeking specific action by the body typically preceded by the words “I move that ...” Motions are generally introduced by voice but may be presented in writing.

Moving Party - The Member presenting a motion or point for action by the body.

Out of Order - An act or action that fails to comport with these Rules of Order. Acts or actions that comport with these Rules of Order would be recognized as “in order.”

Point - A declaration of a member addressed to the chairperson requesting to bring before the body a matter for immediate decision or resolution. There are three recognized points: (1) Point or Order; (2) Point of Information; and (3) Point of Appeal.

Second - An oral declaration by a Member to express that a motion offered to the body should receive debate or discussion.

3.0 General Rules Governing the Meeting

- Floor Required to Address Body. Except when raising a Point (Point of Order, Point of Information, or Point of Appeal), a Member must first be recognized by the Chairperson and be given the floor in order to address the Body.
- Time Limit for Floor. A Member’s right to the floor should be limited to five (5) minutes. A Member may request that the Chairperson grant additional time. Such request should customarily be granted by the Chairperson unless the Chairperson determines that other Members are waiting to be recognized to obtain the floor or that meeting efficiency necessitates that the requested extension be denied. When one Member is denied a request for an extension of time to speak, no other Member shall be granted an extension of time for the same agenda item.
- Limitation on Obtaining Floor. A Member should only speak once to any motion under debate until such time that all others seeking the floor have been provided an opportunity to speak to the motion.

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- No Interruptions or Side Discussions. In order to maintain a clear recorded meeting record, only one person shall speak at any one time. Interrupting a person who has the floor or engaging in side discussions while another person has the floor is out of order.
- Second Required for Debate. All motions must receive a second before debate or discussion may begin. A second does not connote approval of the motion but only that the Member offering the second supports fuller discussion of the motion.
- Chairperson Discretion. The Chairperson may independently decide to deviate from the Rules of Order in order to increase meeting efficiency and to best enable full and informed discussion of a matter before the Body. However, such independent action by the Chairperson remains subject to a Point of Order and Point of Appeal through which a Member can bring the meeting into full compliance with the Rules of Order.
- Voting:

Vote Requirement. A majority vote of the quorum present is required for any motion unless a different requirement is set by these Rules of Order or by applicable law. For example, a supermajority (2/3rds of quorum present) is required for a Motion to Call the Question pursuant to these Rules of Order and a supermajority (2/3rds of a quorum present) is required for a motion for executive session pursuant to the Colorado Open Meetings Law (C.R.S. § 24-6-402(4)).

Aye or Nay Vote Required. A vote of “aye” or “nay” (or another form of clearly affirmative or negative declaration) shall be taken upon every motion. Every Member, when present, must vote aye or nay unless:

- (1) The Member is excused by the Chairperson due to the Member’s declaration of a conflict of interest at the introduction of the agenda item or immediately upon discovery of a legally recognized conflict of interest; or
- (2) The Member is excused by the Chairperson because the member is without sufficient information upon which to enable an informed vote due to an absence at a prior meeting, e.g., the member did not attend the meeting for which meeting minutes are moved for approval.

No Abstention. A vote to “abstain” or any other voting declaration other than aye or nay shall be recorded as a “nay” vote on the pending motion or matter.

No Explanation of Vote. Members shall not explain their vote except during discussion and deliberation prior to the calling of the vote on the question. Any attempt to explain a vote or to condition the vote immediately prior to casting the vote is out of order.

4.0 Chairperson's Privileges & Duties

- Chairperson to Direct Meeting. The Chairperson is privileged to act as the director of the meeting. The Chairperson shall seek to clarify the actions pending before the Body during the meeting and prior to a vote. For example, the Chairperson is encouraged to restate motions, announce expectations for the meeting agenda, and recommend to the Body the proper procedure or rules for a particular course of action. The Chairperson has a continuing right to the floor although, like any other member, shall be held to compliance with the Rules of Order.
- Chairperson as Parliamentarian. The Chairperson is the meeting parliamentarian and shall decide all questions of process and procedure. Such decisions are subject to appeal by a Point of Appeal. The Chairperson may consult with the Body's legal counsel or administrative staff to assist in rendering decisions regarding the application of the Rules of Order.
- Chairperson as Facilitator of Discussion. As the meeting director, the Chairperson should generally encourage and enlist other Members to propose or to second motions and to lead initial debate. Nevertheless, the Chairperson is entitled to the same rights as Members regarding the presentation of motions, seconding motions, and debate and may exercise such privilege as deemed appropriate by the Chairperson.
- Temporary Informal Recesses. The Chairperson may declare a temporary recess without motion or consent of the Body. However, no recess shall be declared which would interrupt a member who has properly secured the floor to speak.

5.0 Moving Party's Privileges

- At any time *prior to* receiving a second on a motion, the Moving Party may unilaterally withdraw or unilaterally amend a motion provided that the Moving Party has the floor. A motion, *once seconded*, belongs to the decision-making Body and the Moving Party's privileges are limited.
- The Moving Party retains the following limited privileges after the motion receives a second if the Moving Party has properly secured the floor to speak:
 - A. The Moving Party may speak to the rationale, purpose, meaning, or need of the motion prior to the opening of full debate to other members of the Body.
 - B. The Moving Party may withdraw his/her seconded motion unless an objection is raised by Point of Order. An objection to the Moving Party's withdraw of the seconded motion will summarily defeat the Moving Party's request to withdraw.
 - C. The Moving Party may accept a proposed amendment (a "Friendly Amendment") unless an objection is raised by Point of Order. An objection to a Friendly

Amendment will summarily defeat the Moving Party's privilege to accept a Friendly Amendment and, in such case, a formal Motion to Amend would be in order.

- D. During debate, to further explain or clarify the meaning, intent, or purpose of the motion or to otherwise respond to a Point of Information.

6.0 Classes & Priority for Points and Motions

There are three classes for motions and points: (1) Privileged; (2) Main; and (3) Subordinate. The class determines the priority or importance of the motion or point and, therefore, determines whether the motion or point is "in order" when made, i.e., if the motion or point proposed is appropriate for the Body to consider at the time it is presented.

- **PRIVILEGED** motions, which include all three Points, do not require a pending main motion on the floor and do not relate directly to a pending question. Privileged motions or points may be raised at anytime. Privileged *points* do not require the floor; privileged *motions* require the floor. Privileged motions oftentimes involve an administrative or ministerial aspect of the meeting that needs to be resolved independently of the business then-pending before the Body. The following motions or points are recognized as privileged and are listed *in order of precedence*:
 - Point of Order
 - Point of Information
 - Point of Appeal
 - Motion to Recess
 - Motion for Executive Session
- A **MAIN** motion formally presents to the Body an item for action. A Main motion can be made only when no other motion is pending. If a Main motion is presented when another pending motion or point is before the Body, it is out of order.

Although there are as many Main motions as there are subject matters that a Body may consider, there are four (4) commonly recognized *specific* Main motions used in local government decision-making:

- Motion to Adjourn
 - Motion to Reconsider
 - Motion to Postpone an Agenda Item to a Date Certain
 - Motion to Postpone Indefinitely
- A **SUBORDINATE** motion is related to and supplements or builds upon the Main motion. A Subordinate motion must be dealt with before the Main motion can be voted on. A Subordinate motion is in order only when there is a pending main

motion on the floor. Once a seconded Subordinate motion is pending on the floor, neither a MAIN motion nor another Subordinate motion is in order.

There are three (3) recognized Subordinate motions:

- Motion to Amend (a Main Motion)
- Motion to Continue Matter Before the Body to Date Certain
- Motion to Call the Question (Close Debate)

7.0 Points and Motions in Detail

A. Points

There are three "Points:" (1) Point of Order; (2) Point of Information; and (3) Point of Appeal. Points do not require a second. They are each "privileged" and may be raised at anytime.

- **Point of Order** (or to "raise a question of order" as it is sometimes expressed), is an opportunity for a Member to express an opinion that the rules or procedures of the Body are being violated. The appropriate means of asserting such opportunity is for the member to wait for a break in the discussion and state "Point of Order" and wait to be recognized by the Chairperson. Any existing debate or discussion should cease. Upon the Chairperson's recognition, the member must succinctly state the general rule or procedure believed to be in violation. A point of order should not interrupt another speaker, does not require a second, is not debatable, is not amendable, and cannot be reconsidered. For example:

Member Jones was granted the floor and proposed a motion to approve a site plan. Member Jones then proceeded to discuss the rationale for his motion.

Member Jones: [has the floor and is engaged in debate on a motion, he pauses in his debate]

Member Smith: "Point of Order."

Chairperson: "Excuse me a moment, Mr. Jones. The Chairperson recognizes Ms. Smith."

Member Smith: "I believe we are debating a motion that did not receive a second. I believe that this is out of order because a motion requires a second before debate."

Chairperson: "You are correct Ms. Smith, I do not recall a second was offered. Therefore, let us cease debate. Do I have a second on the motion? [A second is offered]. Thank you for your

Point of Order, Ms. Smith. Mr. Jones, you have the floor and may commence debate.”

- **Point of Information** is a *request to receive information* on a specific question, either about process, meeting conduct, clarification of a motion, or about a fact during of debate. A Point of Information is not an opportunity for a member to provide information to the Body and should never be used as a means of continuously interrupting the flow of debate. Using a Point of Information to provide information or to interrupt debate would be out of order. As an example of the proper use of a Point of Information:

Member Quinn has the floor and is engaged in debate on a seconded motion.

Member Frank: “Madam Chairperson, Point of Information”

Chairperson: “Excuse me a moment, Ms. Quinn. The Chairperson recognizes the Mr. Frank.”

Member Frank: “Ms. Quinn said there were 5,000 vehicles per day recorded at the Main Street intersection, but our Traffic Engineer said it was 1,500. What is the correct number?”

- **Point of Appeal** is a request of a member to challenge a decision of the Chairperson concerning the application of the Rules of Order. A Point of Appeal shall customarily be in order immediately following the Chairperson’s decision and may be declared out of order and unavailable where the Body has relied upon the Chairperson’s decision and continued the proceeding in reliance upon, or in accordance with, the Chairperson’s decision. The member making the Point of Appeal may briefly state his or her reason for the Point, and the Chairperson may briefly explain his or her ruling, but there shall be no further debate on the appeal. As an example of the use of a Point of Appeal:

Chairperson: “We have on the floor a Motion to Call the Question.” The vote on a Motion to Call the Question will require a majority vote of the quorum present.”

Member Thomas: “Point of Appeal”

Chairperson: Mr. Thomas has raised a Point of Appeal. Mr. Thomas has the floor. Mr. Thomas, what is your appeal?”

Member Thomas: I appeal the Chairperson’s decision regarding the vote on the Motion to Call the Question. A Motion to Call the Question requires a 2/3rds vote pursuant to our Rules of Order at page 3.

Chairperson: “My decision regarding the required vote is being appealed. I believe that closing debate is a rather simple matter only requiring a majority vote like a majority of all of our motions.”

Chairperson: “We shall have a vote on the appeal. Mr. Thomas appeals my decision regarding a vote on a Motion to Call the Question requires a simple majority of this quorum. Mr. Thomas asserts it should be a 2/3rds vote. The question we are now voting on is ‘Shall the decision of the Chairperson be sustained?’”

The Members vote to not sustain (overturn) the Chairperson’s decision.

Chairperson: “My decision is overturned on appeal. I stand corrected and will now declare that the Motion to Call the Question on the floor requires a vote of 2/3rds of the members of the Body. Let us proceed to the consideration of the Motion to Call the Question.”

B. Motions

- **Motion to Recess** **(Privileged)**
A Motion to Recess is intended to offer a temporary cessation in the meeting to accommodate matters such as restroom breaks or to consult with legal counsel or administrative staff. The motion should state approximate amount of time for the requested recess as a convenience to other members and the public in attendance. Not debatable and requires an immediate vote. Majority vote of quorum present required for approval.
- **Motion for Executive Session** **(Privileged)**
A Motion for Executive Session must include the citation to Colorado Revised Statute subsection authorizing session and a brief description of subject matter (e.g., “I move to hold an executive session pursuant to C.R.S. § 24-6-402(4)(b) to receive legal advice on the right to impose a condition on the proposed development”). Not debatable and goes to immediate vote. Supermajority of 2/3rds of quorum present required for approval pursuant to the Colorado Open Meetings Law.
- **Motion to Adjourn** **(Main)**
Motion to Adjourn is available to cease further action of the Body and immediately terminate the meeting. A Motion to Adjourn is debatable and

requires a majority vote of quorum present required. Caution should be exercised when

- **Motion to Reconsider** **(Main)**
A Motion to Reconsider is available to suspend the prior vote on a motion and cause the matter to be reopened for another consideration. A Motion to Reconsider is only in order at the same meeting at which the decision to be reconsidered was made or at the *next* regular meeting of the Body. The motion must be made by a member on the prevailing side of the original motion to be reconsidered. The required second on the motion need not be a member from prevailing side. The motion is debatable but only for the reasons to explain or justify reconsideration and not for the purpose of debating the merits of the original motion.

A supermajority vote of 2/3rds of the quorum present is required for approval. If the motion to reconsider is approved, the final vote and decision on the prior motion is effectively voided and the matter is reopened. All proceedings, testimony, evidence, and debate on the matter remain part of the official record. The Body should debate and decide the appropriate method to reconsider the matter (e.g., setting a new date for continued debate or discussion, posting or publication of new notice of the reopened matter, etc.). Reconsideration of quasi-judicial matters will always require the setting of a new hearing date and new notice for the reopened public hearing in accordance with the applicable law governing the original matter.

- **Motion to Postpone an Agenda Item to Date Certain** **(Main)**
A Motion to Postpone an Agenda to a Date Certain pertains to a matter that is not presently on the floor but is scheduled for later consideration on the Body's agenda. The motion must identify a date and time certain for the agenda item to be reset for Body consideration. If the Moving Party desires to *indefinitely* postpone an item, a Motion to Postpone indefinitely is the appropriate motion (see below). The Motion to Postpone an Agenda Item to a Date Certain is debatable. A majority vote of quorum present required for approval.

- **Motion to Postpone Indefinitely** **(Main)**
A Motion to Postpone Indefinitely will effectively kill a motion and removes the matter from consideration without directly voting it down. The motion is debatable. A majority vote of quorum present required for approval. If

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approved, the matter will not be brought back to the Body unless the Body instructs that the item return for a future agenda.

- **Motion to Amend (a Main Motion) (Subordinate)**
A Motion to Amend (a Main Motion) is applicable only to a Main motion on the floor. The motion must provide specificity as to the intended amendment. The motion is debatable. A majority vote of a quorum present required for approval. A motion to amend is not in order when another motion to amend is already pending (made and seconded) before the Body; e.g., the Body will deal with only one Motion to Amend at a time to avoid confusion.
- **Motion to Continue Matter to Date Certain (Subordinate)**
A Motion to Continue a Matter (before the Body) to a Date Certain postpones to holdover the current motion to a date, time, and place stated in the motion. The motion is debatable. A majority vote of a quorum present required for approval.
- **Motion to Call the Question (Subordinate)**
A Motion to Call the Question (also phrased as to “Close Debate”) will close further debate and require vote on the motion pending before the Body. The motion applies only to the motion on the floor. The motion is not debatable. Due to the fact that such a motion will forestall the Body’s ability to discuss the merits of the pending matter, a supermajority vote of 2/3rds of the quorum present is required for approval in order that the Body evidences a strong intent that continuing debate is not necessary to decide the matter.

8.0 Suspension of Rules

A. Chairperson May Suspend

Subject to challenge by Point of Appeal, the Chairperson may elect to suspend operation of any rule provided by these Rules of Order; provided, however, that the Chairperson shall not be authorized to suspend or alter the vote required on any motion or matter.

B. Motion to Suspend

Any member may move to suspend the applicability of a rule of order by proposing a main motion; provided, however, that no motion may suspend or alter the vote required on any motion or matter. Such motion shall be presented only as a Main motion which motion

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shall require a second, be subject to debate, and shall require a majority vote of the quorum present for adoption.

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Summary of Requirements for Motions and Points

MOTION	Type	Second Required?	Debatable?	Vote Required
Point of Order	Privileged	No	No	No Vote Required
Point of Information	Privileged	No	No	No Vote Required
Point of Appeal (to challenge the Chairperson's decision)	Privileged	No	Only as needed to explain the Decision and the applicable Rule subject to challenge	Majority of quorum present
Motion to Recess	Privileged	Yes	No	Majority of quorum present
Motion for Executive Session	Privileged	Yes	No	2/3rds of quorum present
Any Main Motion	Main	Yes	Yes	Majority of quorum present unless otherwise required by law, rule, or regulation
Motion to Adjourn	Main	Yes	Yes	Majority of quorum present
Motion to Reconsider	Main	Yes	Yes	2/3rds of quorum present
Motion to Postpone an Agenda Item	Main	Yes	Yes	Majority of quorum present
Motion to Postpone Indefinitely	Main	Yes	Yes	Majority of quorum present
Motion to Amend (a Main Motion)	Subordinate (to a Main Motion)	Yes	Yes	Majority of quorum present
	Subordinate	Yes	Yes	Majority of quorum present

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Motion to Continue Matter Before the Body to Date Certain	(to a Main Motion)			
Motion to Call the Question (Close Debate)	Subordinate (to a Main Motion)	Yes	No	2/3rds of quorum present

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