

RESOLUTION 10-33

INTRODUCED BY:

Councilperson Hamilton-Bruer

Councilperson Gilbert

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CASTLE PINES NORTH
ADOPTING A POLICY MANUAL FOR THE ADVISORY
COMMITTEES OF COUNCIL**

WHEREAS, the City Council adopted Resolution No. 10-33 establishing advisory committees of City Council to promote and protect the best interests of the citizens of Castle Pines North with respect to community needs and to provide for more efficient operation and management of the City; and

WHEREAS, through Resolution No. 10-33, the City Council established the following advisory committees ("Council Committees"):

- A. Public works, utilities, and parks;
- B. Professional services and public safety;
- C. Budget and finance; and
- D. Economic development.

WHEREAS, pursuant to Resolution No. 10-09, the City Council directed the City Attorney to draft a policy manual to create the framework within which the Council Committees will function ("Council Committee Policy Manual"); and

WHEREAS, the City Council desires to adopt the attached Council Advisory Committee Policy Manual.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH, COLORADO, THAT:

Section 1. The City Council hereby adopts the attached Council Advisory Committee Policy Manual.

Section 2. This Resolution is effective upon adoption.

INTRODUCED, READ, AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH by a vote of six (6) in favor and none against this 27th day of April, 2010.


Jeffrey T. Huff, Mayor

ATTEST:

APPROVED AS TO FORM:


Sharon DeRouen, City Clerk


Linda C. Michow, City Attorney

**EXHIBIT A
COUNCIL COMMITTEE
POLICY MANUAL**

CITY OF CASTLE PINES NORTH POLICY MANUAL FOR COMMITTEES OF CITY COUNCIL

SECTION 1. AUTHORITY AND PURPOSE.

1.1 Authority. City Council Resolution No. 10-40 establishes the following advisory Committees of Council:

- Public Works, utilities, and parks ("Public Works Committee");
- Professional services, communications/outreach and public safety ("Public Safety Committee");
- Budget and finance ("Budget Committee"), and
- Economic development ("Economic Development").

Collectively, the Public Works, Public Safety, Budget, and Economic Development Committees shall be referred to herein as the "Council Committees" or "Committees." The City Council of the City of Castle Pines North is authorized pursuant to Resolution No. 10-40 to adopt policies and procedures governing the Council Committees.

1.2 Purpose. The purpose of these policies and procedures ("Policy Manual") is to establish guidelines for the following matters: Committee bylaws, officers, terms, vacancies, removal, personal conduct, absences, method of voting, manner of acting, recording of minutes, form and frequency of reports to City Council, and Committee work plans. The Council Committees shall refer and rely upon this Policy Manual in the conduct of its business.

1.3 Amendment. This Policy Manual may be amended from time to time at the discretion of City Council by majority vote. Such amendments shall be documented in writing and timely provided to each Committee through the Committee's Secretary.

SECTION 2. APPOINTMENT, TERMS AND VACANCIES.

2.1 Membership. Each of the Committees shall have as members at least two (2) members of City Council and, in addition, at least two (2) City residents who are registered electors appointed to membership by City Council. The Mayor is a member of all Committees *ex officio* and is not considered as one of the two (2) members of City Council appointed to the Committee. One of the members of City Council appointed to a Committee shall serve as Committee Chair for a term not to exceed one (1) year. Committees shall consist of an odd number of members to avoid instances of tie votes. All members appointed by City Council shall serve at the pleasure of the City Council and may be removed with or without cause and with or without notice and hearing, at the sole discretion of City Council by majority vote.

2.2 Appointments. Appointments to the Committees shall be made by City Council. Citizen applicants seeking to serve on a Council Committee shall complete and submit an application on a form provided by the City. Receipt of completed applications will be acknowledged by the City Clerk or Deputy City Clerk. City Council may in its discretion conduct interviews of any applicants and shall make appointments based on qualifications and experience relevant to the departments and functions assigned to such Committee.

2.3 Terms. The terms of appointments to the Council Committees shall be three (3) year staggered terms, with Council appointees initially serving two (2) year terms so as to allow for staggered terms.

2.4 Vacancies. Vacancies on Committees shall be filled by appointment of City Council for the duration of the unexpired term. Vacancies shall be posted on the City's website and the procedure for filling vacancies shall follow Section 2.2 above.

2.5 Removal. All members of Committees shall serve at the pleasure of City Council and may be removed with or without cause and with or without notice and hearing, at the sole discretion of the City Council by majority vote.

2.6 Absences. If a Committee member misses more than twenty-five percent (25%) of all meetings without an excuse approved by a majority of the Committee, or if the individual misses more than fifty percent (50%) of all meetings with or without an excuse in any twelve (12) month period, the member is subject to removal by City Council. It is important for members to notify the Chairperson of absences for the purpose of determining a quorum.

SECTION 3. OFFICERS.

3.1 Officers. At the first meeting of each Committee and annually thereafter, members shall select a Chairperson, Vice Chairperson and Secretary. One of the elected officials serving on a Committee shall serve as an officer the Chairperson of such Committee. The Chairperson shall be the presiding officer of the Committee. In the absence of the Chairperson, or any time at the Chairperson's option, the Vice Chairperson shall be the presiding officer of the Committee. The Chairperson, or in the absence of the Chairperson, the Vice Chairperson, shall approve all other documents where necessary. Committee officers shall perform such other duties as may be required or assigned by the Council Committee or City Council.

3.2 Election of Officers. The officers shall be elected at the first regular meeting of the Committee and thereafter in January of each year or at the next regular meeting following the permanent vacation of any officer's seat on the Committee. Any member may nominate any member, including themselves, and no second shall be required. Any nominee may decline the nomination. After nominations, each officer shall be elected by a majority vote of the Committee. Until one person has received the vote of a majority of all members of the Committee, successive votes will be taken. Once the officers are elected, they will preside in their respective positions over all Committee meetings.

3.3 Temporary Presiding Officer. In the case of the absence of the Chairperson or Vice Chairperson, the Secretary shall call the Committee to order and call the roll of the members. The Committee shall proceed to elect, by a majority vote of those present, a presiding officer of the meeting to act until the Chairperson or Vice Chairperson appears.

3.4 Secretary. The Secretary shall serve as recording secretary of the Committee and shall take roll and keep minutes of the meetings, and perform such other and further duties in the meeting as may be ordered by the Chairperson, Committee, City Manager, or City Council. The Secretary will prepare summary minutes of each meeting. The Chairperson shall sign the summary minutes after their approval and correction, and the Secretary shall attest to

the Chairperson's signature. The Recording Secretary shall furnish each member of the Committee with a copy of the summary minutes of all Committee meetings.

SECTION 4. MEETINGS.

4.1 Meeting Schedule/Location. All meetings of Council Committees shall be open to the public and shall be held, where possible, at the City's facilities. The Committees shall annually adopt a meeting schedule in order to allow City staff ample time to pre-arrange meeting locations and agendas.

4.2 Quorum. At least one (1) City Councilmember and two (2) citizen members of a Committee shall constitute a quorum for the transaction of business at all Committee meetings. A quorum is required for any items to be put to a vote. In the absence of a quorum, a lesser number may adjourn a meeting or continue a meeting to a later time or date. In the event any meeting is continued to a later date, the Secretary shall prepare and cause to be delivered to each member of the Committee timely notice setting forth the date and hour to which such meeting has been continued.

4.3 Open to Public. All Committee meetings shall be open to the public in conformance with the Colorado Open Meetings Law and all agendas shall be posted at least twenty-four (24) hours in advance of any meeting in conformance with the City's duly adopted posting locations. Meetings at which three (3) or more Committee members are present, and during which any public business is discussed or any formal action may be taken, are considered open to the public and shall be noticed as such in conformance with the Colorado Open Meetings Law. Committee members may use electronic mail to communicate with each other and City staff. Electronic mail, however, should not be used to discuss the merits of a particular recommendation or formal action to be taken by the Committee because such correspondence might be deemed a "meeting" under the Colorado Open Meetings Law thereby necessitating public notice and provision for public participation.

4.4 Regular Committee Meetings. The Committee shall conduct regular meetings in accordance with the adopted meeting schedule. Said regular meetings shall occur no more frequently than monthly and no less frequently than on a quarterly basis. Committees may by majority vote cancel any regular meeting except that at least one regular meeting shall be held each quarter.

4.5 Special Meetings. Special meetings shall be called by the Committee's Secretary on the written request of the Chairperson or any two (2) members of the Committee on at least forty-eight (48) hours notice to each member of the Committee and the City Manager served personally or left at their usual place of residence. A special meeting may also be called and notice thereof given by the Committee at any regular meeting of the Committee subject to the time and notice requirements set forth herein, provided, however, that further written notice of such special meeting will not be necessary for those Committee members present.

4.6 Continued Meetings. Any meeting of the Committee may be continued to a time and date certain without the need for further posting of said continued meeting.

4.7 Executive Sessions. In accordance with the Colorado Open Meetings Law (C.R.S. § 24-6-401 *et seq.*), the Committee may meet in executive session under the following rules of procedure: (a) an executive session may be convened on a vote by two-thirds of a

quorum present at either a regular or special meeting; (b) attendance at the executive session shall be limited to the members of the Committee and staff members required for advice and information; (c) no formal action shall be taken on any matter under discussion; (d) the items which may be discussed are those dealing with: (1) the purchase, acquisition, lease, transfer, or sale of any property interest; or (2) conferences with the Committee's attorney for the purpose of receiving legal advice on specific legal issues; and (e) the executive session shall be recorded in the same manner its regular meetings are recorded. Other executive session topics, as enumerated in C.R.S. § 24-6-402(4), may be discussed by the Committee; however, it is the Committee's intent that the use of executive session be limited, to the maximum extent possible, to the specific topics identified above.

4.8 Bylaws. Each Committee may adopt bylaws consistent with this Policy Manual and subject to the review and approval of the City Council. Alternatively, Committees may rely on this Policy Manual for guidance with respect to rules of procedure and conduct of meetings.

4.8 Order of Business. The business of all regular meetings of the Committee shall be transacted generally in the following order:

1. Call to order
2. Roll call of members
3. Approval of minutes of preceding meeting(s)
4. General Business
5. Other Business, including member reports and attendance at future meetings
7. Adjournment

4.9 Minutes of Meetings. The Committee shall prepare minutes in a format and using a template provided as an appendix to this Manual. Draft minutes shall be submitted to the Chairperson of the Committee no later than seven (7) days after conclusion of the meeting. Finalized minutes shall be presented to the Deputy City Clerk no later than three (3) business days following the meeting at which they were approved.

SECTION 5. VOTING.

5.1 Procedure in Handling Motions. Committees should conduct meetings in an informal, but professional manner. When a Committee desires to make formal recommendations to Council, or to present their annual work plans to Council, the recommendation or approval shall be made by motion in accordance with the following rules:

- A **Classes of Motions.** When an item is before the Committee, the following types of motions shall govern.
- Main (basic) motions introduce items of business before the Committee. A basic motion might be: "I move to approve a recommendation to City Council that a 5 year capital improvement plan be adopted with the next year's budget."
 - Motions to Amend. A main motion may be changed by moving to amend it. A motion to amend takes the main motion that is before the Council and seeks to change it in some way.

- **Motions to Substitute.** A motion to substitute has the effect of doing away with the main motion and proposing a new, different or "substitute" motion.

B. Debate on Motions.

The basic rule of motions is that they are subject to discussion. Each of the foregoing classes of motions is subject to discussion and debate subject to the decision of the Chairperson to move on and take action. Non-debatable motions are those motions that, when made, must be immediately called on by the Chairperson for a vote by the Committee without debate or discussion. Motions that are not debatable include:

- Motion to adjourn to the next regularly scheduled meeting;
- Motion to recess, with the Chairperson determining the length of recess;
- Motion to fix the time to adjourn;
- Motion to table an item;
- Motion to withdraw a motion; or
- Motion to limit debate.

5.2 Passage and Failure of Motions. A voice vote by "Yes" and "No" shall be taken upon all motions and entered upon the minutes of the Committee proceedings. Any member may explain his or her vote after the motion is made or after the vote is taken. A motion shall pass if it receives the affirmative votes of a majority of Committee members present and voting. Any motion for approval or recommendation of approval failing to receive a majority vote shall result in denial or recommendation of denial as the case may be.

5.3 Tie Votes. In the case of a tie in votes on any affirmative motion (e.g., a motion to recommend approval), the proposed action shall be declared by the Chairperson as denied. However, a tie in votes upon a negative motion (e.g., motion to recommend denial) shall not be construed to constitute approval and, in such event, a Committee member is encouraged to make an affirmative motion to resolve the matter.

5.4 Recommendations and Votes Advisory and Non-binding on City and City Council. All recommendations and votes of the Committee are advisory in nature and have no legal binding effect on the City or City Council.

5.5 Parliamentary Procedure. Except as otherwise provided herein, all matters of procedure are governed by *Rosenberg's Rules of Order*, published by the 2003 League of California Cities, a copy of which is attached hereto as an Appendix.

SECTION 6. CONDUCT OF MEMBERS.

6.1. Attendance at Meetings. All committee members shall be expected to attend all regular and special meetings of the Committee of which they are a member in conformance with Section 2.6.

6.2 Conflicts of Interest. Any Committee member shall disclose a personal or financial conflict of interest in accordance with Colorado Revised Statutes, § 24-18-101, *et. seq.*, as amended. As a general matter, Committee members shall not disclose or use confidential information acquired in their official duties to further substantially their financial interests or accept gifts of substantial value which would tend to influence a reasonable person from departing from the faithful and impartial discharge of his or her public duties, or which is offered for the purpose of rewarding the member for an official action. Committee members shall not perform official acts which may have a direct economic benefit on a business or other undertaking in which they have a direct or substantial financial interest.

Committee members who have a personal or private (e.g., financial) interest in a matter pending before the Committee shall disclose such interest to the Committee, shall not vote on the matter, and shall not attempt to influence the decision of other Committee members. Committee members may request legal advice from the City Attorney in determining whether a personal or private interest would prevent the Committee member from voting on a matter.

6.3 Decorum. Members are representatives of the City Council and the City of Castle Pines North and, as such, should conduct Committee meetings in a professional manner with due respect for Committee members and members of the public. Personal attacks should be avoided and all comments should be directed to the issue at hand.

SECTION 7. COMMITTEE WORK PLANS AND REPORTS.

7.1 Purpose. Committees shall prepare annual work plans within sixty (60) days of the first annual meeting of each Committee. The work plan is intended to specify the operational goals for the Committee, strategies to meet the operational goals and timelines for completion. The goals of the Committees shall be closely aligned with achieving the strategic goals of the City Council and should conform to the purposes and intent of City Council Resolution No. 10-09.

7.2 Format. Each Committee work plan shall generally adhere to the following format, which is shown with examples to further guide Committees in drafting work plans:

Public Works, Utilities & Parks Committee – 2010-2011 WORK PLAN

Objectives: [*State objectives*]

Key Deliverables: [*State key deliverables that tie to each activity*]

Activity	Committee Member	Resources Needed	Target Date	Progress
Identify and prioritize capital improvement plan	Susie Q	Public Works Director; Douglas County CIP	December 2010	Copy of Douglas County CIP received

7.3 Council Approval. Prior to implementation, Committee work plans must be reviewed and approved by City Council. In drafting work plans, Committee members may request assistance from City staff and City Council subject to prior approval by Council.

7.4 Committee Reports. All recommendations adopted by a Committee shall be reduced to writing and shall be delivered to the City Council by Committee report or resolution. If the recommendation requests City Council action, the item will be placed on a future City Council agenda, at the discretion of the City Council.

7.5 Reporting Frequency. Each Committee shall report to the City Council on the performance of the Committee and its work plan at least two (2) times per year. The performance report shall be approved by a majority of the members of the Committee prior to submission to City Council.

ADDENDUM

City of Castle Pines North (LOGO)

Minutes of the _____ Council Committee
[Insert location, date of meeting]

1. Roll call [of committee members]

Those Present:

Those Absent:

Also Present: [list any staff; audience members are not listed]

2. Approval of Agenda – identify member making motion to approve/amend agenda and member seconding the motion and final vote on motion.

3. Disclosure of Conflicts – note any Committee members who disclose a conflict of interest

4. General Business

List items of general business by topic; note summary of discussion (not verbatim transcript of discussion); document any vote on recommendations

5. Other Business

List items of other business; note summary of discussion (not verbatim transcript of discussion); document any vote or direction given, by whom, and vote taken.

6. Note Time of adjournment of meeting. Identify member making motion to adjourn, member seconding the motion and final vote on motion.

Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century

by Dave Rosenberg

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that hasn't always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules, *Robert's Rules of Order*, which are embodied in a small but complex book. Virtually no one I know has actually read this book cover to cover.

Worse yet, the book was written for another time and purpose. If you are running the British Parliament, *Robert's Rules of Order* is a dandy and quite useful handbook. On the other hand, if you're running a meeting of a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order. Hence, the birth of "Rosenberg's Rules of Order."

This publication covers the rules of parliamentary procedure based on my 20 years of experience chairing meetings in state and local government. These rules have been simplified and slimmed down for 21st century meetings, yet they retain the basic tenets of order to which we are accustomed.

"Rosenberg's Rules of Order" are supported by the following four principles:

1. Rules should establish order. The first purpose of the rules of parliamentary procedure is to establish a

framework for the orderly conduct of meetings.

- 2. Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate and those who do not fully understand and do not fully participate.
- 3. Rules should be user-friendly.** That is, the rules must be simple enough that citizens feel they have been able to participate in the process.
- 4. Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of the rules of procedure is to encourage discussion and to facilitate decision-making by the body. In a democracy, the majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself (but not dominate) and fully participate in the process.

The Chairperson Should Take a Back Seat During Discussions

While all members of the governing body should know and understand the rules of parliamentary procedure, it is the chairperson (chair) who is charged with applying the rules of conduct. The chair should be well versed in those

rules, because the chair, for all intents and purposes, makes the final ruling on the rules. In fact, all decisions by the chair are final unless overruled by the governing body itself.

Because the chair conducts the meeting, it is common courtesy for the chair to take a less active role than other members of the body in debates and discussions. This does *not* mean that the chair should not participate in the debate or discussion. On the contrary, as a member of the body, the chair has full rights to participate in debates, discussions and decision-making. The chair should, however, strive to be the last to speak at the discussion and debate stage, and should not make or second a motion unless he or she is convinced that no other member of the body will do so.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, published agenda; informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon road map for the meeting. And each agenda item can be handled by the chair in the following basic format.

First, the chair should clearly announce the agenda item number and should clearly state what the subject is. The chair should then announce the format that will be followed.

Second, following that agenda format, the chair should invite the appropriate people to report on the item, including any recommendation they might have. The appropriate person may be the chair, a member of the governing body,

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire to move on.

a staff person, or a committee chair charged with providing information about the agenda item.

Third, the chair should ask members of the body if they have any technical questions for clarification. At this point, members of the governing body may ask clarifying questions to the people who reported on the item, and they should be given time to respond.

Fourth, the chair should invite public comments or, if appropriate at a formal meeting, open the meeting to public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of each public speaker. At the conclusion of the public comments, the chair should announce that public input has concluded (or that the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion from the governing body members. The chair should announce the name of the member who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member who seconds the motion. It is normally good practice for a motion to require a second before proceeding with it, to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and a vote on the motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion. This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the members of the governing body. If there is no desired discussion or the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or a very brief discussion, the vote should proceed immediately, and there is no need to repeat the motion. If there has been substantial discussion, it is normally best to make sure everyone understands the motion by repeating it.

Debate on policy is healthy; debate on personalities is not. The chair has the right to cut off discussion that is too personal, too loud or too crude.

Ninth, the chair takes a vote. Simply asking for the "ayes" and then the "nays" is normally sufficient. If members of the body do not vote, then they "abstain." Unless the rules of the body provide otherwise or unless a super-majority is required (as delineated later in these rules), a simple majority determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and should announce what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members, if any, who voted in the minority on the motion. This announcement might take the following form: "The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring 10 days' notice for all future meetings of this governing body."

Motions in General

Motions are the vehicles for decision-making. It is usually best to have a motion before the governing body prior to discussing an agenda item, to help everyone focus on the motion before them.

Motions are made in a simple two-step process. First, the chair recognizes the member. Second, the member makes a motion by preceding the member's desired approach with the words: "I move ..." A typical motion might be: "I move that we give 10 days' notice in the future for all our meetings."

The chair usually initiates the motion by:

1. Inviting the members to make a motion: "A motion at this time would be in order."
2. Suggesting a motion to the members: "A motion would be in order that we give 10-days' notice in the future for all our meetings."
3. Making the motion.

As noted, the chair has every right as a member of the body to make a motion, but normally should do so only if he or she wishes a motion to be made but no other member seems willing to do so.

The Three Basic Motions

Three motions are the most common:

1. **The basic motion.** The basic motion is the one that puts forward a decision for consideration. A basic motion might be: "I move that we create a five-member committee to plan and put on our annual fundraiser."
2. **The motion to amend.** If a member wants to change a basic motion that is under discussion, he or she would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

3. **The substitute motion.** If a member wants to completely do away with the basic motion under discussion and put a new motion before the governing body, he or she would "move a substitute motion." A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

Motions to amend and substitute motions are often confused. But they are quite different, and so is their effect, if passed.

A motion to amend seeks to retain the basic motion on the floor, but to modify it in some way.

A substitute motion seeks to throw out the basic motion on the floor and substitute a new and different motion for it.

The decision as to whether a motion is really a motion to amend or a substitute motion is left to the chair. So that if a member makes what that member calls a motion to amend, but the chair determines it is really a substitute motion, the chair's designation governs.

When Multiple Motions Are Before The Governing Body

Up to three motions may be on the floor simultaneously. The chair may reject a fourth motion until the three that are on the floor have been resolved.

When two or three motions are on the floor (after motions and seconds) at the same time, the *first* vote should be on the *last* motion made. So, for example, assume the first motion is a basic "motion to have a five-member committee to plan and put on our annual fundraiser." During the discussion of this motion, a member might make a second motion to "amend the main motion to have a 10-member committee, not a five-member committee, to plan and put on our annual fundraiser." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we not have an annual fundraiser this year." The proper procedure would be as follows.

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passes*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be complete. No vote would be taken on the first or second motions. On the other hand, if the substitute motion (the third motion) *failed*, the chair would proceed to consideration of the second (now the last) motion on the floor, the motion to amend.

If the substitute motion failed, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would now move to consider the main motion (the first motion) as *amended*. If the motion to amend failed, the chair would now move to consider the main motion (the first motion) in its original format, not amended.

The challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee) or, if amended, would be in its amended format (10-member committee). And the question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are *not* debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

A motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. This motion requires a simple majority vote.

A motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess, which may range from a few minutes to an hour. It requires a simple majority vote.

A motion to fix the time to adjourn.

This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

A motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to

be placed on "hold." The motion may contain a specific time in which the item can come back to the body: "I move we table this item until our regular meeting in October." Or the motion may contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

A motion to limit debate. The most common form of this motion is to say: "I move the previous question" or "I move the question" or "I call for the question." When a member of the body makes such a motion, the member is really saying: "I've had enough debate. Let's get on with the vote." When such a motion is made, the chair should ask for a second to the motion, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body. Note that a motion to limit debate could include a time limit. For example: "I move we limit debate on this agenda item to 15 minutes." Even in this format, the

the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions occur when the body is taking an action that effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super-majority) to pass:

Motion to limit debate. Whether a member says, "I move the previous question," "I move the question," "I call for the question" or "I move to limit debate," it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body, such as the chair, nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers, and it requires a two-thirds vote to pass.

pend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself: the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to reconsider is made.

A motion to reconsider requires a majority vote to pass, but there are two special rules that apply only to the motion to reconsider.

First is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting of the body. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted *in the majority* on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body may second the motion). If a member who voted *in the minority* seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of the minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If you are running the British Parliament, *Robert's Rules of Order* is a dandy and quite useful handbook.

motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super-Majority Votes

In a democracy, decisions are made with a simple majority vote. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means

Motion to object to the consideration of a question. Normally, such a motion is unnecessary, because the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to sus-

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. And at the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every

It is usually best to have a motion before the governing body prior to discussing an agenda item, to help everyone focus.

lege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

Order. The proper interruption would be: "Point of order." Again, the chair would ask the interrupter to "state your point." Appropriate points of order

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Motions to amend and substitute motions are often confused. But they are quite different, and so is their effect, if passed.

speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focus on the item and the policy in question, not on the personalities of the members of the body. Debate on policy is healthy; debate on personalities is not. The chair has the right to cut off discussion that is too personal, too loud or too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body. Can a member of the body interrupt the speaker? The general rule is no. There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be: "Point of privilege." The chair would then ask the interrupter to "state your point." Appropriate points of privi-

relate to anything that would not be considered appropriate conduct of the meeting; for example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, "Let's return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair's determination may be appealed.

Special Notes About Public Input

The rules outlined here help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.

Public input is essential to a healthy democracy, and community participation in public meetings is an important element of that input. The challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items. The rules presented here for conducting a meeting are offered as tools for effective leadership and as a means of developing sound public policy. ☞