

Colorado Open Meetings Law

Effective Governance November 2024

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Empowered cities and towns, united for a strong Colorado.

Contents of this presentation reflects the view of the presenter, not of CML.



COLORADO
MUNICIPAL
LEAGUE

Open Meetings Law

“The formation of public policy is public business and may not be conducted in secret”



Local Public Body

- Board or commission
- Authority
- Advisory, policy-making, rule-making or formally constituted body with a delegated governmental decision-making function



Public Meeting



(or a quorum, if fewer)

Public Meeting



Public business
discussed



Formal action may be
taken



Not Public Meetings

- Social gatherings
- Chance Meetings
- Individual communications
- Events that aren't part of the policymaking process



Exempt Electronic Communications

- Not related to merits or substance of public business
- Scheduling or availability
- Forwarding information
- Responding to outside inquiry
- Question for later discussion



Notice Requirements



If the meeting:

Involves formal action or

A majority or quorum is
(or is expected to be)

in attendance



Full and timely notice

24 hours prior

Designated place

Specific agenda
information where possible



Executive Sessions

- Property transactions
- Legal advice
- Personnel matters
- Confidential matters (by statute)
- Negotiation positions & strategy
- Security arrangements



Executive Sessions

- Citation & subject in motion
- 2/3 vote
- Must record unless attorney determines privilege applies



Executive Sessions

- Stay on topic
- Keep materials and discussion confidential
- Avoid voting
- Discuss and decide in public (no rubber stamp)



Violations



Actions
invalidated



Attorney
fees



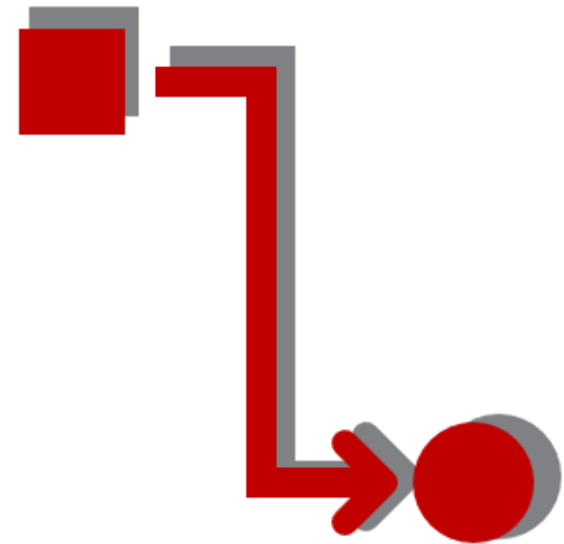
Executive
session
records
disclosed



Loss of
public
trust

Procedural Rules

- How the body makes decisions
- Efficiency
- Compliance
- Decorum & Civility



Motions

- Should be clear and concise
- May require a second
- Chair should clarify or restate the motion
- Debate and secondary motions
- Vote on the motion
- Did it pass or fail?

Principal motion
Motion to recess
Motion to reconsider
Motion to postpone
Motion to continue
Motion to amend
Motion to close debate
Motion to adjourn



Other Actions

- “Friendly amendments”
- Continue or postpone?
- Reconsideration
- Point of order
- Point of information
- Appeal

