

BP 2330 Quorum and Voting

Three publicly elected members shall constitute a quorum. The Governing Board shall act by majority number of all the membership constituting the Governing Board for transaction of business.

Absences from Governing Board meetings shall be governed by Government Code Sections 1064 and 1770.

Every motion shall take a second, and the Governing Board President shall have the right, as other members of the Governing Board, to make and second motions, to discuss questions, and to vote thereon.

Voting shall be by voice except when formal resolutions are required, in which case a roll call vote shall be used. A roll call vote may also be taken when requested by any member of the Governing Board. A member's reason for their vote shall be recorded in the minutes if they so request at the time of voting. No action shall be taken by secret ballot. The Governing Board will publicly report any action taken in open session and the vote or abstention of each individual member present.

Actions Requiring a Two-Thirds Vote

In compliance with state statutes, approval of the following actions requires an affirmative vote of two-thirds of all members of the Governing Board (four members of a five-member Governing Board):

- Resolution of intent to sell or lease District real property, which is not or will not be needed by the District for classroom buildings, to any legal entity other than those requiring a unanimous vote.
- Resolution of intent to enter into an oil or gas lease.
- Resolution of intent to dedicate or convey an easement and adoption of resolution authorizing and directing the execution and delivery of deed.
- Action of the Governing Board overruling the disapproval of a planning commission of the acquisition of real property.
- Appropriation of funds from reserve for contingencies.
- Resolution to condemn real property.

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- Resolution to pursue the authorization and issuance of bonds pursuant to paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution.

Actions Requiring a Three-Fourths Vote

Approval of work change order on contracts for construction or rehabilitation when the change order exceeds 15 percent of the original contract price shall require an affirmative vote of three-fourths of all members of the Governing Board (four members of five-member Governing Board).

Actions Requiring a Unanimous Vote

In compliance with state statutes, approval of the following actions requires an affirmative vote of all members of the Governing Board (five members):

- Resolution authorizing leasing of Chaffey Community College District property under a community lease for the production of gas.
- Resolution authorizing a sale or lease of Chaffey Community College District real property to the state, any county, city, or to any college district which is not governed by the Chaffey Community College District Governing Board.

References: Education Code Sections 15266, 72000 subdivision (d)(3), 81310 et seq., 81360, 81365, 81432, and 81511;
Government Code Sections 1064, 1770, 53094 and 54950 et seq.;
Code of Civil Procedure Section 1245.240

Policy

Category: Governance Process

Adopted: 1/26/12
(Replaces former Board Policies 1.10.11, 1.10.12, 1.10.13, 1.10.14)

Revised: 5/24/18, 3/21/19, 7/14/22, 7/27/23