

BP 2330 Quorum and Voting

09/25/23



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
BOT 1st Reading

Point Person	Date Requested	Anticipated Date of Recommendation:	Recommendation Received:
J Torres	8/7/2023	Recommendation Received	9/12/2023
Reason(s) for Review/Changes			
> Legal Update 42: The Service updated this policy to clarify voting requirements related to the sale or lease of surplus real property.			

Review Level

Level 1

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

- 09/06/2023 BPPAC Approval
- 09/18/2023 PPAC Approves Review Level
- 09/19/2023 Level 1 to Constituents for Information Only
- 10/19/2023 BOT First Reading
- 11/09/2023 BOT Final Approval

Action Requested

1. Please review this Chapter Lead recommendation based on the reasons above.
2. Staff recommended changes are **shown in red**.
3. Legal changes are **shown in blue** and should only be considered **optional** if indicated.
4. If there are no changes showing, this item is being presented for information only.
5. For questions on this recommendation, please contact J Torres or kgoodric@sbccd.edu.

RECOMMENDATION STARTS ON NEXT PAGE



Reason(s) for Review/Changes

> Legal Update 42: The Service updated this policy to clarify voting requirements related to the sale or lease of surplus real property.

~~(Replaces current SBCCD BP 2130)~~

Four Board members, other than the Student Trustees, shall constitute a quorum for the transaction of business. The Board of Trustees shall act by majority vote of all voting members of the Board. In the event of a minimum quorum, all four Board members must vote in favor of motions to pass motions.

No action shall be taken by secret ballot. The Board will publicly report any action taken in open session and the vote or abstention of each individual member present.

The following actions require a two-third majority of all members of the Board:

1. Resolution of intention to sell or lease District real property, which is not or will not be needed by the District for school classroom buildings (except where a unanimous vote is required);
2. Resolution of intention to dedicate or convey an easement;
3. Resolution authorizing and directing the execution and delivery of a deed;
4. Action to declare the District exempt from the approval requirements of a planning commission or other local land use body;
5. Resolution providing for the transfer from the reserve for contingencies to any expenditure classification;
6. Resolution to condemn real property;
7. 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.

The following actions require a unanimous vote of all members of the Board:

- A. Resolution authorizing a sale or lease of District real property to the state, any county, city, or to any other school or community college district;
- B. Resolution authorizing lease of District property under a lease for the production of gas.
- C. Any authorization to change an existing construction contract.

References:

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

End of Recommendation for BP 2330 Quorum and Voting

AP 2330 Quorum and Voting

09/25/23



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
BOT 1st Reading

Point Person	Date Requested	Anticipated Date of Recommendation:	Recommendation Received:
J Torres	8/7/2023	Recommendation Received	9/12/2023

Reason(s) for Review/Changes
> Minor Clerical Edit

Review Level

Level 1

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

- 09/06/2023 BPPAC Approval
- 09/18/2023 PPAC Approves Review Level
- 09/19/2023 Level 1 to Constituents for Information Only
- 10/19/2023 BOT First Reading
- 11/09/2023 BOT Final Approval

Action Requested

1. Please review this Chapter Lead recommendation based on the reasons above.
2. Staff recommended changes are shown in red.
3. Legal changes are shown in blue and should only be considered optional if indicated.
4. If there are no changes showing, this item is being presented for information only.
5. For questions on this recommendation, please contact J Torres or kgoodric@sbccd.edu.

RECOMMENDATION STARTS ON NEXT PAGE



Reason(s) for Review/Changes

> Minor Clerical Edit

~~From current SBCCD BP 2130 titled Quorum/Majority~~

Meeting Dismissed for Lack of a Quorum

Parliamentary procedures for conducting a meeting adjourned for lack of a quorum shall include:

1. Call to order by the Chairperson for the meeting;
2. Recitation of Pledge of Allegiance to the American Flag;
3. Roll call by the Chairperson;
4. Declaration of adjournment by the Chairperson for lack of a quorum.

A record of the permanent minutes of this meeting shall be recorded in the permanent files of the District and will include:

1. The time the meeting was convened;
2. Names of members of the Board of Trustees, administrators, and guests in attendance;
3. The time the meeting was adjourned for lack of a quorum.

References:

Education Code Sections 72000(d)(3), 81310 et seq, [81360](#), 81365, 81432, and 81511;
Government Code Sections 53094 and 54950 et seq.;;
Code of Civil Procedure Section 1245.240

End of Recommendation for AP 2330 Quorum and Voting