

Section 1000

BP 1100 Public Meetings

Reference: Education Code Section 72000(c)(4), 72129 and Government Code Sections 54952 – 54957.

1100.1 Compliance with the Law

Meetings of the Board of Trustees will be called and held in compliance with the applicable provisions of the Government Code and the Education Code of the State of California. All actions authorized or required by law will be taken only at such meetings. All meetings will be held within the territory of the Copper Mountain College Community College District.

All meetings of the Board will be open to the public except for portions held to discuss matters that may or must be considered in closed session.

1100.2 Annual Organizational Meeting

The Board will hold an annual organizational meeting on a day within fifteen calendar days of the last Friday in November. Public notice will be given at least seventy-two hours prior to this meeting.

Included in this meeting will be the election of officers for the year, setting the dates, times, and locations of the regular meetings for the year, and conducting other organizational business as necessary.

1100.3 Regular Meetings

Regular meetings of the Board, normally held monthly, will be on the dates, times, and places set at the Annual Organizational Meeting. An agenda will be posted at a place where members of the public, including District employees, may view the same at least seventy-two hours prior to the time of the regular meetings. The dates, times, and places of the regular meetings set at the Organizational Meeting may be changed with at least seventy-two hours notification.

1100.4 Special Meetings

A special meeting may be called at any time by the Board Chair or by a majority of the Board members in accordance with procedures prescribed by

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law. An agenda will be posted at a place where members of the public, including District employees, may view the same at least twenty-four hours prior to the special meeting.

(ECS 72129, Govt. Code 54956)

1100.5 Adjourned Meetings

The Board may, at any time in any meeting, adjourn to an adjourned meeting at a specified time and place, and such time and place will be posted within twenty-four hours after the time of adjournment. Notice provisions are the same as for special meetings. The adjourned meeting will take up its business at the point in the agenda where the motion to adjourn was acted upon.

(Govt. Code 54955)

1100.6 Emergency Meetings

In case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with the twenty-four (24) hour notice requirement.

Emergency situation means any of the following:

1. Work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the members of the Board.
2. Crippling disaster that severely impairs public health, safety, or both, as determined by a majority of the members of the Board.

(Govt. Code 54956.5)

1100.7 Closed Session

Closed Sessions or meetings may be called and held in compliance with the Brown Act when deemed necessary for the discussion of matters permitted by law. Such matters may include discussions relative to personnel, possible pending or existing litigation, employee negotiations, property transactions and any other lawful matters.

(Govt. Code 54954.5, 54957.7)

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1100.8 Rules of Order. Unless otherwise prescribed herein or in pertinent Administrative Procedures, meetings of the Board will be conducted in accordance with the latest edition of Modern Rules of Order, published by the American Bar Association.

1100.9 Agenda.

- A. The Superintendent/President will prepare the agenda for each meeting, in consultation with the Board Chair. The agenda will be confirmed or modified by the full board at each meeting before any business is conducted.
- B. The order of business will be consistent, as determined by consultation between the Superintendent/President and Board Chair. Normally the sequence will be:

Call to Order, Pledge of Allegiance

Roll Call

Confirmation of Agenda

Approval of Minutes

Reports from Board, Superintendent/President and Staff, College organizations, and CMC Foundation

Public Comments

Consideration of Consent Agenda

Information/Discussion Items (described in enough detail to permit public to anticipate planned topics), from Superintendent/President, Vice Presidents for Academic Affairs, Military, Community & Economic Development and Student Services, and Chief Business Officer, and Human Resources Manager.

Action items, grouped by Board, Superintendent/President, Military, Community & Economic Development, Academic Affairs, Student Services, and Human Resources.

Suggestions for future agendas

Closed Session, if required. (Note: Closed session will be placed sequentially where most appropriate. Opportunity for public comment pertaining to closed session matters will be listed separately preceding closed session.)

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Adjournment

1100.10 Quorum. The presence of three or more members (excluding the student member) at a scheduled meeting will constitute a quorum.

1100.11 Main Motion. Every substantial action taken by the Board must be preceded by a motion made and seconded by members. Discussion of the issue may precede the motion.

1100.12 Voting

Although his/her participation in deliberations is strongly encouraged, the student trustee will not have a voting role.

Three affirmative votes of the Board will be necessary to pass any motion, resolution, or order, except as follows:

Action requiring a two-thirds vote:

Approval of the following actions requires an affirmative vote of two-thirds of all members of the Board (four members on a five-member board):

1. Resolution of intention to sell or lease real property to any legal entity other than those requiring a unanimous vote. (See section below under unanimous voting.)
2. Resolution of intention to enter into an oil and gas lease. (See section under unanimous voting for further restriction.)
3. Resolution of intention to dedicate or convey an easement and adoption of resolution authorizing and directing the execution and delivery of a deed.
4. Resolution to condemn real property.

Action requiring a three-fourths vote:

Approval of change orders on contracts for reconstruction or rehabilitation when the change order exceeds 15 percent of the original contract price will require an affirmative vote of three-fourths of all members of the Board (four members of a five-member board). Note: For a five-member board, the two-thirds and three-fourths requirements result in the same four vote requirement for affirmation.

Action requiring a unanimous vote of all members of the board (excluding student member):

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1. Resolution authorizing leasing of district property under a community lease for the production of gas.

2. Resolution authorizing sale or lease of college district real property to the State, any county or city, or to any school district not governed by the CMCCD Board.

1100.13 Public Participation in Board Meetings

The Board is committed to providing members of the public with opportunities to express their views on subjects within the purview of the Board.

Persons desiring to speak on items appearing on the agenda may do so during the Public Comments section of the agenda or when their specific item of interest comes up for consideration.

Persons interested in speaking on subjects or items not on the agenda may also do so during the Public Comments section of the agenda. Board members are prohibited from making substantial comments in response to citizens' remarks about non-agendized topics. The Board Chair can, however, request staff to take appropriate action and to report back at a future meeting.

To facilitate the orderly conduct of the public meeting and the timely accomplishment of district business, the following procedure will be followed concerning public speakers:

1. A member of the audience may speak only after recognition by the Chair of the Board.
2. A person wishing to speak must fill out a request form that will be provided by the Secretary to the Board. The form will identify the requesting person and the topic or agenda item to be discussed.
3. Three minutes will be allotted per speaker, with a maximum of 20 minutes for any one subject. Times may be extended at the discretion of the Board Chair.
4. Profanity, obscenity, and abusive or defamatory language will not be tolerated. The Board Chair has the responsibility and authority to maintain order and, in the event of serious or persistent disruption, he/she may take appropriate action such as removing the offending party(ies), and recessing or adjourning the meeting.

Adopted: July 20, 1999

Amended: May 20, 2010

Amended: October 14, 2010