

A Note on Votes Required for Action as Referenced in Judge Rosenberg's Video

Judge Rosenberg raises the issue of how many votes does it take to pass a matter. Here are some general rules to keep in mind:

- For an action of a county board of supervisors to be valid and binding, the action must be approved by a majority board (typically three out of the five members of the board of supervisors). *See* Cal. Gov't Code § 25005.
- For general law cities, resolutions, orders for the payment of money, and all ordinances require a recorded majority vote of the total membership of the city council. *See* Cal. Gov't Code § 36936.
- Cities with charters may prescribe their own vote requirements. *See O.T. Johnson Corp. v. City of Los Angeles*, 198 Cal. 308, 326 (1926) (state law requiring that ordinances have titles did not apply to charter cities); *Adler v. City Council of the City of Culver City*, 184 Cal. App. 2d 763, 776-77 and n.1 (1960) (zoning procedures were municipal affair within charter city's authority).

State law also creates specific voting requirements for particular kinds of actions. *See generally* Subramanian, Malathy, "Voting Requirements: Absences, Vacancies, Abstentions and Disqualifications," (May 4, 2006).

Of course, local officials are always well-advised to consult with local agency counsel about how these general principles apply in any given situation.

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The Institute welcomes feedback on this resource:

- *Email:* info@ca-ilg.org Subject: Note on Rosenberg's Rules
- *Fax:* 916.444.7535
- *Mail:* 1400 K Street, Suite 205 • Sacramento, CA • 95814