

SACRAMENTO METROPOLITAN



AIR QUALITY
MANAGEMENT DISTRICT

RULES OF PROCEDURE

Amended May 23, 2024

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PURPOSE AND APPLICABILITY

These rules are adopted to ensure the orderly and effective conduct of meetings of the Governing Board of the Sacramento Metropolitan Air Quality Management. These rules apply to all regular, special and committee meetings of the Board. The rules are to be interpreted broadly to fulfill their stated purposes.

RULE 1. CHAIR, VICE CHAIR AND BOARD CLERK DESIGNATION AND RESPONSIBILITIES

- a. The Chair and Vice Chair of the Governing Board are elected at the first meeting of each odd-numbered calendar year. In the Chair's absence or inability to act, the Vice Chair will preside. If both the Chair and Vice Chair are absent or unable to act, the members present will select a temporary Acting Chair.
- b. The Chair will preside over the meeting, maintain order, and decide questions of procedure, including procedures not specifically addressed by these rules, subject to appeal to the full Board by any Board member.
- c. The Chair is entitled to vote on all matters, participate in discussions, and make or second a motion without relinquishing the Chair.
- d. Any member of the Board desiring to speak will first be recognized by the Chair.
- e. The Acting Chair, in the absence of the Chair, possesses all powers of the Chair and is subject to all duties.
- f. The Board Clerk is an administrative officer of the District responsible for managing the records, documents, and proceedings of the Board of Directors and its committees including preparing meeting agendas, recording minutes, and ensuring compliance with legal requirements and procedures.

RULE 2. MEETING SCHEDULES

All meetings of the Board and its standing committees are open to the public, except for authorized closed sessions as permitted by law.

- a. **REGULAR MEETINGS:** The regular meeting schedule of the Board is established each year by a majority vote in the summer/fall for the upcoming calendar year. All regular meetings will commence at a time set by the Board.
- b. **SPECIAL MEETINGS:** Special meetings of the Board may be convened in accordance with Government Code Section 54956.
- c. **EMERGENCY MEETINGS:** Emergency meeting of the Board may be convened in accordance with Government Section 54956.5.
- d. **COMMITTEE MEETINGS:** Committee meetings of the Board are scheduled by the Committee Chair as needed.
- e. **MEETING WITHOUT A QUORUM:** A quorum means that a majority of the Board members are in attendance. If there is not a quorum the attending members may meet but may not open a public hearing or vote on any District business, except to (1) fix the time to which to adjourn, (2) adjourn, (3) recess, i.e., a short intermission in a meeting that does not close the meeting, and the Board resumes business immediately after, or (4) take measures to establish a quorum.
- f. **PLACE OF MEETINGS:** Unless specified otherwise, all Regular meetings of the Board are held in the Chambers of the Board of Supervisors of the County of Sacramento at 700 H Street, Sacramento, California.
- g. **CANCELLATION OF MEETINGS:** In the event of unforeseen circumstances, emergencies, lack of a quorum, insufficient agenda items, or to enhance the efficiency of District business, a scheduled meeting may be cancelled at the discretion of the Chair or by the Clerk in the absence of a Chair. The cancellation must comply with prescribed legal procedures and be communicated promptly.

to all Board members and the public. Business from a canceled meeting will be rescheduled if appropriate.

- h. **ADJOURNMENT OF MEETINGS:** Any meeting may be adjourned to a later specific time on the same day or a subsequent day. If all members are absent, the Clerk may adjourn the meeting to a specific day and time.
- i. **ATTENDANCE BY TELECONFERENCE:** Board members have the discretion to teleconference, via a teleconference platform such as a computer or phone, in accordance with Brown Act requirements.
- j. **TELEVISED BROADCAST OF MEETINGS:** The Board affirms its commitment to transparency by requesting that regular Board meetings in the County Board of Supervisors chambers are broadcast whenever possible, barring technical difficulties. A link to recorded meetings is provided on the meeting page of the District's website and recordings of those meetings are made accessible for future playback.

RULE 3. APPOINTMENTS

When a nomination is made for an appointment, the nomination may be acted upon by the Board at the same meeting.

RULE 4. STANDING AND AD HOC COMMITTEES

- a. **Standing Committees:**
 - 1. A standing committee is a permanent committee of the Board established to consider specific subjects, with regularly scheduled meeting dates and times.
 - 2. The Chair or board member may request the creation of a standing committee; establishing a standing committee requires a majority vote.
 - 3. Standing committee appointments will be made by the Chair at the first meeting of each odd-numbered calendar year.
 - 4. The Budget and Personnel Committee is a standing committee and comprised of the Chair, Vice Chair, Past Chair, and two other members of the Board, for which the Board Chair also serves as the Committee Chair.
 - 5. The Hearing Board Nomination Committee is a standing committee and comprised of three members appointed by the Board Chair, and the committee chair is selected by the committee members.
 - 6. The structure of standing committees may be changed by a majority vote.
 - 7. Standing committees are subject to the Brown Act.
 - 8. Agendas will be prepared, posted, and distributed consistent with the Brown Act, stating the time and place of the meeting.
 - 9. A Board member who is not a member of the committee may attend a standing committee meeting, provided the member attends only as an observer, does not testify or otherwise participate in any discussion, and sits amongst the public.
 - 10. The Board Clerk will maintain and keep a record of standing committees and members.
- b. **Ad Hoc Committees:**
 - 1. An ad hoc committee is a temporary committee of the Board established for a special purpose and of limited duration.
 - 2. The Chair or a board member may request the creation of an ad hoc committee; establishing a standing committee requires a majority vote.
 - 3. The board chair appoints the ad hoc committee members, and the committee members select the ad hoc committee chair.

4. the scope and approximate duration of the ad hoc committee is determined at the time the committee is established.
5. Once an ad hoc committee has been established, the Board Clerk will schedule the first meeting.
6. A Board Member who is not a member of the ad hoc committee may attend an ad hoc committee meeting, provided the member attends only as an observer, does not testify or otherwise participate in any discussion, and sits amongst the public.
7. Ad hoc committees are not subject to the Brown Act.
8. Once an ad hoc committee has completed its purpose, the chair of the ad hoc committee reports back to the Board and announces the dissolution of the ad hoc committee.
9. The Board Clerk maintains and keeps a record of ad hoc committees and membership.

RULE 5. ADDRESSING THE BOARD

- a. Any member of the public wishing to address the Board, whether in person or remotely by computer or phone, is required to make their request to the Clerk. The requester is asked to include their name, address, and the reason for addressing the Board. Upon recognition by the Chair or Clerk, the individual, whether present in the meeting room or participating remotely, may provide their comments.
- b. Members of the public desiring to address the Board during regular meetings on matters on the agenda may speak for up to three minutes. Subject to appeal to the Board, the Chair may, in the interest of facilitating the conduct of business, limit or extend the time allotted to each person addressing the Board.
- c. Members of the public desiring to exercise the right conferred by Government Code Section 54954.3 to address the Board during regular meetings respecting matters over which the Board has jurisdiction, but which are not identified on the posted agenda for that meeting, may do so during the Public Comment portion of the meeting. However, the Board need not provide an opportunity to address a matter for any item previously considered by a Board committee at a meeting open to the public and at which the public had an opportunity to address the committee on the item unless the item has substantially changed. Unless otherwise ordered by the Chair, persons desiring to address an item not on the agenda, may speak for up to three minutes. The Chair may defer or limit the three-minute speaking opportunities if:
 1. a public hearing on the matter will be scheduled during a future meeting;
 2. comments are repetitive or redundant, expressing thoughts already communicated by previous speakers;
 3. comments are from a person who has addressed the same subject matter at a previous regular meeting of the Board; or
 4. for other valid reasons where the intent of subdivision (a) of Government Code Section 54954.3 has been or will be fulfilled within a reasonable time.
- d. Unless determined otherwise by the Board, the total time allocated during a particular meeting to provide an opportunity for all members of the public to address the Board upon matters not identified on the posted agenda may not exceed fifteen minutes.

RULE 6. DISTRICT COUNSEL

All questions of law will be referred to the District Counsel.

RULE 7. REFERRAL TO OTHER AGENCIES

Communications, resolutions, or other matters coming before the Board may be referred to other relevant agencies, as necessary.

RULE 8. BOARD ACTIONS

All actions of the Board will be taken by motion, minute order or resolution.

RULE 9. VOTING

- a. In the absence of a contrary statutory provision requiring affirmative votes of more than a majority, the number of votes required to take action is a majority of the established quorum.
- b. Each Board member will respond "Yes," "No," or "Abstain," to all actions of the Board, by voice vote or roll call vote, unless one or more Board members are participating via teleconference in which case all votes will be by roll call.
- c. An abstention from voting by a Board member on any motion will not count as a vote in favor of or against the motion and will be recorded as an abstention.

RULE 10. RESOLUTIONS

All resolutions must be in writing, except that amendments to resolutions may be offered verbally, and subsequently recorded in writing in the minutes.

RULE 11. AGENDA FORMULATION

Agendas are prepared by the Clerk for each regular or special meeting of the Board, providing a brief general description of each item of business to be transacted or discussed during the public session. The agenda also includes:

- a. An identification of any matters to be considered in closed session that is consistent with the Brown Act.
- b. A statement notifying members of the public of their right to directly address the Board on items within the subject matter jurisdiction of the Board.

RULE 12. AGENDA CATEGORIES

Agenda items are typically listed in one of the categories described below. The Chair may reorder the items or categories at the meeting, or members may request items or categories be reordered through the Chair.

- a. Announcements: Teleconference location/Brown Act Announcements
- b. Board Clerk Announcements: Information on when and where the Public can view the meeting live or at a later date and how the public may address the Board.
- c. Brown Act: Invoke teleconferencing provisions as provided by the Brown Act.
- d. Special Presentations: Ceremonial items.
- e. Consent Calendar: One or more matters not likely to be subject to debate or inquiry by the Board or the public; typically approved in one motion.
- f. Discussion Calendar: Items requiring an oral presentation and discussion before action is taken.
- g. Public Hearings: Duly noticed hearing as mandated by local, state, or federal law, providing an opportunity for public review and comment of a proposed action by the Board.
- h. Closed Session: Confidential discussions with the Board as permitted by the Brown Act.
- i. Board Ideas, Comments, and AB 1234 Reports: Board of Directors may:
 1. provide brief oral or written reports summarizing meetings or conferences attended at the District expense, as required by Assembly Bill 1234.
 2. request management or staff to report on various issues.
 3. request the placement of item(s) on a future Board meeting agenda.
- j. Public Comment: Matters not on the agenda: Verbal or written comments from the public regarding matters not on the agenda but within the subject matter jurisdiction of the District.

RULE 13. AGENDA POSTING AND DEADLINES

- a. The Clerk publicly posts an agenda 72 hours in advance of all regular meetings and 24 hours in advance for special meetings. All meeting agendas are posted on the electronic kiosk at the County of Sacramento Building, outside the doors of the Sacramento Metro Air District Office, and on the District web page.
- b. Emergency meetings are noticed one-hour prior to the meeting to media outlets that have requested notice in writing.
- c. The Board may not take action on an item of business that does not appear on the posted agenda for a meeting, except as authorized by Government Code Section 54954.2.

RULE 14. COMMUNICATIONS TO THE BOARD

- a. The Clerk receives all correspondence and takes one of the following actions:
 1. refer it to the appropriate officer or agency.
 2. receive and file the item, indicating or including it on the next agenda.
 3. forwards a copy of the correspondence to Board members.
- b. The Clerk also notifies the Chair of the Board in all instances of urgency.
- c. A Board member who individually receives correspondence of general interest within the jurisdiction of the District will provide a copy to the Clerk to be handled as outlined above.

RULE 15. FINDINGS

Formal written findings are prepared for adoption by the Board as part of its decision regarding any matter in which formal written findings are required by statute, ordinance, or other law. After the hearing and decision by the Board regarding any matter in which formal written findings are required, the hearing may be closed, and the findings acted on or the matter continued to a future meeting. The decision will not be final until the Board has acted on the findings. Before taking action on the findings, the findings may be changed or modified by the Board.

RULE 16. RECONSIDERATION OR RESCISSION

- a. A motion to reconsider may be made regarding any prior Board action taken at the same or a prior meeting. If the motion to reconsider is approved, the prior Board action remains unaffected unless, after reconsideration, the Board acts to modify the prior action.
- b. A motion to rescind may be made in response to any prior Board action taken at the same or a prior meeting. If the motion to rescind is approved, the effect is to nullify and vacate the prior Board action.
- c. A motion to reconsider or a motion to rescind may not be made to any prior Board action if the action involved is a matter over which the Board has lost jurisdiction or if reconsideration or rescission of the section would not comply with any applicable legal requirement.
- d. A motion to reconsider or rescind may be made only by a member who has voted with the majority in acting on the matter to which the motion relates.

RULE 17. POSTPONEMENT

- a. The Board may postpone or continue any pending matter at any time, either on its motion or at the request of any person interested in the matter.
- b. Every request for postponement must include a statement of the reasons for the request.
- c. A request for postponement from a person interested in the matter must be made in writing at the earliest opportunity before the time the matter is to be heard if feasible.
- d. An oral request must be promptly confirmed in writing.

- e. In ruling on a request for postponement, the Board may consider any relevant circumstances, including the reasons for the request, the timing of the request, and any inconvenience to other interested parties caused by the postponement.

RULE 18. RULES ARE PROCEDURAL

Any Board action taken by the required number of affirmative votes is effective for all purposes and is not invalidated or limited in its effect due to a claim that the procedure followed by the Board was not compliant with these rules.

RULE 19. AMENDMENT OR SUSPENSION OF RULES

- a. Any Rule of Procedure may be amended or repealed at any time by a resolution approved by a majority vote. Any such amendment or repeal is effective immediately or at a later time specified in the resolution.
- b. Any Rule may be temporarily suspended by unanimous consent of all Board members.
- c. The Air Pollution Control Officer, in consultation with District Counsel, may make minor administrative changes to the Rules of Procedure, consistent with the intent of these Rules. The Air Pollution Control Officer, in consultation with District Counsel, has the authority to modify the Rules of Procedure to ensure compliance with the law.