

**SACRAMENTO METROPOLITAN AIR QUALITY
MANAGEMENT DISTRICT**

For Agenda of: April 28, 2005

To: Board of Directors

From: Larry Greene
Air Pollution Control Officer

Subject: **Report Back on Rules of Procedure
(March 24, 2005 AQMD Board Meeting)**

Recommendation:

That your Board approve a language clarification regarding the majority vote requirement in the District's Rules of Procedure.

Background:

At the March 24, 2005 meeting of the AQMD Board of Directors, your Board unanimously approved an update to the District's Rules of Procedure. The question was raised as to whether or not the Rules required a language clarification regarding Rule 15, "Majority Vote Required".

The recent revision contained the following language:

- "Except for actions requiring an approval by more than a simple majority vote, all actions of the Board shall be taken by either:*
- (a) A concurring majority of not less than a majority of the votes on the Board, if all members are present, or*
 - (b) A majority of the quorum present, if all members are not present."*

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The inclusion of the phrase "if all members are present" complicates the rule language and could lead to confusion in the future. Consequently, the following language is proposed:

- "Except for actions requiring an approval by more than a simple majority vote, all actions of the Board shall be taken by either:*
- (a) If all members are present, a concurring majority of not less than a majority of the votes on the Board, or*
 - (b) If a quorum is established, a majority of the members present."*

Conclusion:

It is recommended that your Board approve the above language changes to clarify the intent of the Rule.

Respectfully submitted,

Approved as to form,

Larry Greene
Air Pollution Control Officer

Katherine Pittard
District Counsel