

MINUTES – April 05, 2024
Special Virtual Meeting

This Albuquerque-Bernalillo County Air Quality Control Board (AQCB) meeting was conducted in a virtual format with remote participation via Zoom video conference.

1. CALL TO ORDER

Chair Paul called the meeting to order at 10:01 am. Board Liaison Anita SdeArmijo then called roll and the Chair determined a quorum was present.

Present: 4 – Dennis Armijo, Joseph Galewsky, Maxine Paul, Kitty Richards

Absent: 2- Judy Calman, Elis Eberlein

2. CONSENT AGENDA

Approval of the April 05, 2024 Meeting Agenda

Member Armijo moved to approve the agenda and Vice Chair Richards seconded the motion. The motion passed by the following vote:

For: 4 – Armijo, Galewsky, Paul, Richards

Against: 0 Abstain: 0 Absent: 2- Calman, Eberlein

3. PUBLIC COMMENT

None

4. REPORTS/DISCUSSION/ACTION ITEMS

A. Disclosure:

Statement regarding AQCB member attendance at the March 22, 2024 meeting of the Environmental Improvement Board (EIB) regarding the motions for Stay filed by the New Mexico Automotive Dealers Association and Aútomundo de Garcia, in the matter of in EIB 23-56 (R).

Chair Paul gave a statement regarding the Boards attendance and later loss of quorum at the March 22, 2024 Special Meeting. A recording of the hearing was made available to all board members to review.

Member Calman joined the meeting at 10:05 am.

B. Record Review and Reliance:

Affirmation by Board members that they watched, reviewed, and understood the record of the March 22, 2024 EIB meeting and that they will rely upon it as the record [Section 10-15-3 (B) of the Open Meetings Act (OMA)].

Chair Paul asked each board member if they have watched and reviewed the record from the March 22, 2024 EIB meeting and if they will rely upon it for their decision. Members Armijo, Galewsky, Calman, Chair Paul, and Vice Chair Richards all affirmed that they have reviewed the record and will rely upon it to make their decision at this meeting.

Chair Paul then provided an opportunity for any party to comment. No comments.

C. Meeting Procedure:

Regarding deliberations on the Motions for Stay, filed by New Mexico Automotive Dealers Association and Aútomundo de Garcia, in the matter of the Petition to Repeal Existing Rule 20.11.104 NMAC, Emission Standards for New Motor Vehicles, and Adopt Proposed Replacement 20.11.104 NMAC, New Motor Vehicle Emission Standards, AQCB Petition No. 2023-01.

- The board will discuss and vote whether or not to go into closed session, following procedures outlined in Section 10-15-1 (I) of the OMA. Exceptions to open meetings are outlined in Section 10-15-1 (H).

Chair Paul opened the floor for discussion on whether or not the board should go into closed session. After a quick discussion, Member Calman moved to go into closed session. Vice Chair Richards seconded. The vote passed by the following vote:

For: 5 – Armijo, Calman, Galewsky, Paul, Richards
Against: 0 Abstain: 0 Absent: 1- Eberlein

- If there is a closed session, the Board will announce what was discussed and will take any motions and votes based on the closed session discussion.

The board came out of closed session at 10:40 am. Chair Paul stated that the discussion included questions about the appeal and receiving information from Counsel Sedillo Lopez. She opened the floor for any further discussion.

Member Armijo moved to deny the Motion for Stay as the petitioners did not meet the criteria for a stay. Member Calman seconded. The motion passed by the following vote:

For: 5 – Armijo, Calman, Galewsky, Richards, Paul
Against: 0 Abstain: 0 Absent: 1- Eberlein

5. OTHER BUSINESS

None

6. ADJOURNMENT

Chair Paul adjourned the meeting at 10:40 a.m.

NEXT SCHEDULED BOARD MEETING: April 10, 2024 at 5:30 p.m.

SUBMITTED:

READ AND APPROVED:

Paul J. Rogers
Interim Director
Environmental Health Department

Mr. Joseph Galewsky
Chair
Albuquerque-Bernalillo County Air Quality
Control Board