



# Albuquerque-Bernalillo County Air Quality Control Board



Paul J. Rogers, Director

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## MINUTES – November 13, 2024

This Albuquerque-Bernalillo County Air Quality Control Board (“Board”) meeting was conducted in a hybrid format with both in-person and remote participation via Zoom video conference.

### 1. CALL TO ORDER

Chair Galewsky called the meeting to order at 5:30 p.m.

Board Liaison Anita SdeArmijo called roll and the chair determined a quorum was present.

Present: 6 – Judy Calman, Jane Cudney-Black, Thomas De Pree, Elis Eberlein, Joseph Galewsky, Kitty Richards

Absent: 1 – Dennis Armijo

Air Program Administrator Catalina Lehner gave the Zoom overview.

Member Armijo joined the meeting at 5:33 p.m.

### 2. CONSENT AGENDA *(Items may be removed at the request of any Board Member)*

A. Approval of the November 13, 2024 Meeting Agenda

B. Approval of the October 9, 2024

Chair Galewsky asked if there were any objections to the consent agenda. Member Eberlein pointed out a missing vote count on the October 9<sup>th</sup> minutes. Member Richards moved to approve the consent agenda with the change of adding the vote count. Member Cudney-Black seconded. The motion passed by the following vote:

For: 7 – Armijo, Calman, Cudney-Black, De Pree, Eberlein, Galewsky, Richards  
Against: 0      Abstain: 0      Absent: 0

### 3. AIR QUALITY PROGRAM (AQP)

Ozone Presentation and Discussion

Air Program Meteorologist Jeff Stonesifer gave a presentation about the high ozone episode of 2024. He then answered questions from the board, along with colleagues Dwayne Salisbury and Patrick Hudson.

### 4. FIRST PUBLIC COMMENT OPPORTUNITY

Xavier Barraza of the Los Jardines Institute gave a public comment at 45:35 regarding the Sonoma Tech study, which was mentioned in Mr. Stonesifer’s presentation.

## 5. DISCUSSION & ACTION ITEMS

### A. Resolution 2024-1, Determining Reasonable Notice of Public Meetings of the AQCB

Ms. Lehner gave a summary of Resolution 2024-01 and answered questions. Member Armijo moved to adopt resolution 2024-01. Member Eberlein seconded and the motion passed by the following vote:

For: 7 – Armijo, Calman, Cudney-Black, De Pree, Eberlein, Galewsky, Richards  
Against: 0    Abstain: 0    Absent: 0

### B. Resolution 2024-2, Setting the Official List of Regular AQCB Meetings for the Year 2025

Ms. Lehner gave a brief statement about resolution 2024-02. Member Cudney-Black moved to approve Resolution 2024-02. Member Armijo seconded and the motion passed by the following vote:

For: 7 – Armijo, Calman, Cudney-Black, De Pree, Eberlein, Galewsky, Richards  
Against: 0    Abstain: 0    Absent: 0

### C. Creation of a Committee Regarding the Open AQCB Attorney Position

Council Sedillo Lopez stated that she when she last spoke with the city's attorney, no one had applied for the position and that she would stay on until one is hired.

After a brief discussion, Members Armijo and Richards volunteered to be on the subcommittee.

### D. The Board will consider whether or not to go into closed session with the Board Attorney to discuss i) pending litigation: AQCB and BCC of Bernalillo County vs. CoA (202-CV-2-23-09295) and GCC Rio Grande et al vs AQCB and CoA (D-202-CV-2023-09435), and ii) appeals of Clean Cars II regulations and the HEEI regulation.

- The board will discuss, make a motion with reasonable specificity, 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).

After a brief discussion, Member Richards moved to go into closed session regarding the pending litigation. Member Eberlein seconded. The motion passed by the following vote:

For: 5 – Armijo, Calman, Eberlein, Galewsky, Richards  
Against: 0    Abstain: 2 – Cudney-Black, De Pree    Absent: 0

- If there is a closed session, the Board will announce what was discussed and will make any motions based on the closed session discussion. *Topics discussed during a closed session are limited to those expressly excepted from the open meeting requirements.*

The board was in closed session from 6:50 p.m. to 7:35 p.m. Chair Galewsky stated that only the pending litigation was discussed and no decisions were made.

## 6. SECOND PUBLIC COMMENT OPPORTUNITY

No comments

**7. OTHER BUSINESS**

Possible Future Agenda Items

- Hearing for 20.11.63 NMAC and 20.11.64 NMAC
- Invite to Dr. Aaron Naeger for a future presentation
- Discussion and possible action on replacing board attorney

**8. ADJOURNMENT**

Chair Galewsky adjourned the meeting at 7:39 p.m.

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

**SUBMITTED:**

DocuSigned by:  
*Paul J. Rogers*  
1053020EDD984BF... 12/11/2024 | 11:36 AM MST

Paul J. Rogers, Director  
Environmental Health Department

**READ AND APPROVED:**

Signed by:  
*Joseph Galewsky*  
2C3D74E88623474... 12/11/2024 | 10:13 AM MST

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