

1 or committee. At least once a year, each public board, commission or committee shall determine what
2 is reasonable notice to the public; provided that in no event shall notice be less than the notice required
3 for Council (i.e. Albuquerque City Council) meetings.”; and

4 **Whereas**, the *Joint Air Quality Control Board Ordinance*, Chapter 9, Article 5, Section 1-3,
5 (C) ROA 1994 and Bernalillo County Ordinance 94-5, Section 3 (C), require that: “The Board shall
6 meet in public facilities with public seating available. The Board shall meet monthly if a quorum is
7 available unless a meeting is unnecessary or delayed for good reason. The Board shall hold a minimum
8 of six monthly meetings a year. Special additional meetings may be held as needed. Notice of time,
9 place and agenda of meetings shall be published according to the requirements of law. Meetings, work
10 sessions and hearings shall be open to the public.”; and

11 **Whereas**, the Air Board met in regular meeting in the Department of Municipal Development
12 Capital Implementation Program Conference Room, Seventh Floor, Room #7096 of the Albuquerque-
13 Bernalillo County Government Center at One Civic Plaza NW, near the intersection of 5th Street and
14 Marquette Avenue NW, Albuquerque, New Mexico 87102 on December 9, 2015, consistent with the
15 notice requirements of the New Mexico Air Quality Control Act to consider AQCB Resolution 2015-4.

16 **THEREFORE, BE IT RESOLVED THAT THE AIR QUALITY CONTROL BOARD HEREBY**
17 **ADOPTS THESE PUBLIC NOTICE REQUIREMENTS WHICH ARE CONSISTENT WITH**
18 **THOSE OF THE ALBUQUERQUE CITY COUNCIL AS ADOPTED ON SEPTEMBER 21,**
19 **2015 BY THE COUNCIL IN RESOLUTION R-15-242, ENACTMENT NO. R-2015-091.**

20 **Section 1. Location of Meetings.** Meetings of the Air Board shall normally be held in the
21 Vincent E. Griego Chambers, Basement Level of the Albuquerque-Bernalillo County Government
22 Center at One Civic Plaza NW, near the intersection of 5th Street and Marquette Avenue NW,
23 Albuquerque, New Mexico 87102, or other adequate city, county, or other publicly-owned location

1 after notice as required by law.

2 **Section 2. Regular Meetings.** Generally regular meetings will be held on the second
3 Wednesday of each month at 5:30 p.m. The agenda will normally be available on the Friday prior to the
4 meeting, but at least seventy-two (72) hours prior to the meeting. The agenda may be obtained from the
5 Albuquerque Environmental Health Department (“Department”), Suite #3023, Albuquerque-Bernalillo
6 County Government Center or the Air Board website at [www.cabq.gov/airquality/air-quality-control-](http://www.cabq.gov/airquality/air-quality-control-board)
7 [board](http://www.cabq.gov/airquality/air-quality-control-board).

8 **Section 3. Special Meetings.** Special meetings may be called by the Chairman or by three
9 members of the Air Board with seventy-two (72) hours’ notice. The notice shall include information on
10 how members of the public may obtain a copy of the agenda. The agenda shall be available to the
11 public at least seventy-two (72) hours before any special meeting.

12 **Section 4. Emergency Meetings.** Emergency meetings will be called only under circumstances
13 when an unexpected occurrence or condition, or the state resulting therefrom requires immediate
14 consideration or action to protect the health, safety and property of citizens or to protect the public
15 body from substantial financial loss. The Air Board will avoid emergency meetings whenever possible.
16 Emergency meetings may be called by the Chairman with twenty-four (24) hours’ notice, unless the
17 threat of personal injury or property damage requires less notice. The notice for all emergency meetings
18 shall include an agenda for the meeting or information on how the public may obtain a copy of the
19 agenda.

20 **Section 5. Location of Notice for Regular Meetings.** For the purpose of regular meetings
21 described in Section 2 of this resolution, notice requirements are met if notice of the date, time and
22 location is published in one or more newspapers of general circulation in Albuquerque or posted in the
23 lobby of the Albuquerque-Bernalillo County Government Center. The Department shall also provide

1 copies of the above information as well as copies of the agendas to those broadcast stations licensed by
2 the Federal Communications Commission (“FCC”) and newspapers of general circulation in
3 Albuquerque, provided these entities have made a written request for notice of public meetings. Such
4 notice may be provided to the Government Access Cable TV Channel to be transmitted. The
5 Department may also provide notice to the State Records Center for publication in the New Mexico
6 Register.

7 **Section 6. Location of Notice for Special Meetings and Emergency Meetings.** For the
8 purpose of special meetings and emergency meetings described in Sections 3 and 4 of this resolution,
9 notice requirements shall be met by posting notice of the date, time, place and agenda in the lobby of
10 the Albuquerque-Bernalillo County Government Center. The Department shall also provide telephone
11 notice to those broadcast stations licensed by the FCC and newspapers of general circulation in
12 Albuquerque that have made a written request for notice of public meetings.

13 **Section 7. Hearing Notice.** For the purpose of hearings where testimony is sought from
14 proponents, opponents and interested parties, notice requirements shall be in accordance with the New
15 Mexico State Air Quality Control Act and Air Board procedural regulations. The Air Board staff shall
16 provide written notice to newspapers of general circulation in Albuquerque and Bernalillo County at
17 least thirty (30) days prior to the date of all hearings involving the adoption of, amendment to, and or
18 the appeal of a regulation of the Air Board. Notice of a hearing of the Air Board can be combined with
19 the notice for a meeting. In addition, notice of proposed rulemaking shall be published in the New
20 Mexico Register at least thirty (30) days prior to the date of the hearing.

21 **Section 8. Cancellations and Changes of Venue and Meeting Time.** Cancellations and
22 changes to meeting times and locations may be announced at prior meetings of the Air Board or
23 following notice requirements of this Resolution.

1 **Section 9. Accessibility.** In addition to the information specified above, all notices shall include

2 the following language:

3 “NOTICE TO PERSONS WITH DISABILITIES: If you have a disability and require special assistance
4 to participate in this process, please call 311 (Voice) and special assistance will be made available to
5 you to receive any public meeting documents, including agendas and minutes. TTY users may request
6 special assistance by calling the New Mexico Relay at 1-800-659-8331.”

7
8
9
10
11
12
13
14
15
16 PASSED AND ADOPTED THIS 9th DAY OF December, 2015

17 BY A VOTE OF ___ FOR, AND ___ AGAINST.

18 Absent: _____

19
20
21 _____
22 Ms. Kelsey Curran, Chair
23 Albuquerque-Bernalillo County
24 Air Quality Control Board

25
26
27 Attest:

28
29
30 _____
31 Dario Rocha,
32 Secretary to the Air Quality Control Board