AQD Exibit # 4a

ORDINANCE 90-19

AMENDING ORDINANCE 302, SECTION 2 OF THE ORDINANCES OF THE COUNTY OF BERNALILLO RELATING TO THE COMPOSITION OF THE METROPOLITAN ENVIRONMENTAL HEALTH ADVISORY BOARD, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COMMISSION, THE GOVERNING BODY OF THE COUNTY OF BERNALILLO, NEW MEXICO.

Section 1. Section 2 is amended to read as follows:

A. The Metropolitan Environmental Health Advisory Board will consist of seven (7) members, three (3) of whom shall be appointed by the County Commission of the County of Bernalillo and four (4) of whom shall be appointed by the Mayor.

B. Members shall serve for three-year terms, except that three (3) of the initial terms shall be for two-year terms. The three (3) members to serve an initial term of two (2) years shall be those members previously determined by lot in accordance with the original City and County Ordinances creating the Environmental Health Advisory Board.

C. In years in which three (3) terms expire, two (2) of the vacancies shall be filled by individuals appointed by the Mayor and one (1) of the vacancies shall be filled by an individual appointed by the Bernalillo County Commission. In years in which four (4) such terms expire, two (2) of the vacancies shall be filled by individuals appointed by the Mayor and two (2) vacancies shall be filled by

individuals appointed by the Bernalillo County Commission.

D. City-appointed members shall be residents of the City of Albuquerque, and County-appointed members shall be residents of the County of Bernalillo.

E. At least a majority of the membership of the Board shall be individuals who represent the public interest and meet the requirements of state and federal guidelines set forth in the New Mexico Air Quality Control Act, §74-2-1, et. seq., NMSA 1978, and the federal Clean Air Act, 42 U.S.C.A. §7401, et. seq., as amended. Further, to the extent that it does not conflict with this paragraph, Board members shall be representative of such groups as environmental health, engineering, legal, education, scientific, environmental, or industrial interests.

F. The Director of the Department of Environmental Health is an ex-officio member of the Board, but does not have a vote.

G. A quorum of four members is required for the conduct of business. The Board will adopt rules to govern its proceedings.

H. The Board will meet in appropriate public facilities providing seating arrangements for the expected public. The Board shall meet monthly, unless a special need requires that additional meetings be held. Notice of time, place, and agenda of meetings must be published as prescribed by law. Meetings shall be open to the public as required by law.

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I. Minutes of Board meetings shall be kept and filed with the City Clerk and County Clerk. Additional copies, as indicated, shall be forwarded to the Chief Administrative Officer and the County Manager.

Section 2. EMERGENCY CLAUSE. This ordinance is hereby declared to be an emergency measure on the ground of urgent public need and is, therefore, to become effective immediately upon its passage and publication as provided by law.

Done this 21st day of AUGUST 1990, in the City of Albuquerque, New Mexico.

BERNALILLO COUNTY COMMISSION

Eugene Gilbert
Chairman

Albert "Al" Valdez
Vice-Chairman

Patricia "Pat" Cassidy
Member

Henry Gabaldon
Member

Jacqueline Schaefer
Member

ATTEST:

Gladys M. Davis
County Clerk

I, MAGGIE TOULOUSE OLIVER, County Clerk of Bernalillo County, New Mexico, hereby certify that the foregoing is true, correct and full copy of the instrument hereunto set out as appears of record in my office.

Dated this 18th day of May 2010
MAGGIE TOULOUSE OLIVER
Bernalillo County Clerk

By Deputy Clerk

2884Y