



DRAFT MINUTES – July 14, 2021
Regular Virtual Meeting

AQCB MEMBERS PRESENT

Ms. Kitty Richards (COUNTY), Chair
Ms. Susan Langner (COUNTY), Vice Chair
Ms. Judy Calman (COUNTY)
Ms. Lauren Meiklejohn (CITY)
Ms. Maxine Paul (CITY)
Ms. Elizabeth Reitzel (CITY)
Mr. Morris “Mo” Chavez (CITY)

AQCB MEMBERS ABSENT

AQCB NON –VOTING MEMBER

Ms. Connie Chavez (Bernalillo County
Planning Commission Liaison)

STAFF PRESENT

Ms. Mara Elana Burstein, EHD Acting
Director, Secretary to the Board
Ms. Susan Chappell, AQCB Attorney
Ms. Stephanie Apodaca, AQCB Liaison
Mr. Andrew Daffern, Field Ops Officer
Ms. Maggie Fitzgerald, Community Liaison
Ms. Noel Begay, EHD Temp Emp.
Ms. Samantha Hults, Deputy City Attorney
Mr. Travis Miller, EH Manager
Ms. Kelsea Raether, Asst. City Attorney

Mr. Damon Reyes, EH Manager
Mr. Dario Rocha, EH Manager
Mr. Lisa Serna-Cordova, Program Analyst
Mr. Dwayne Salisbury, EH Manager
Mr. Isreal Tavarez, EH Manager

MEMBERS of the PUBLIC PRESENT

Ms. Maddy Hayden
Ms. Lara Katz
Mr. Eric Jantz
Ms. Maslyn Locke
Ms. Nora Romero
Ms. Donna Romero
Mr. Martin Schluep
Ms. Liz Kuehn
Ms. Claudia Borchert
Ms. Sandra Ely
Mr. John Maddaus
Ms. Ona Porter
Mr. Michael Jensen
Mr. Dwight Jones
M. David Baake
Ms. Charlotte Alderete-Trujillo
Mr. Charles de Saillan
Mr. Jeff Homer

Due to COVID-19 this meeting was held via Zoom Video Conference.

CALL TO ORDER

Chair Kitty Richards called the meeting to order at 5:31 PM.

Item #1 Approval of July 14, 2021 Agenda (Chair)

Member Reitzel moved to approve the agenda and Member Meiklejohn seconded. The motion passed by a vote of 7-0.

Item #2 Approval of June 9, 2021 meeting minutes (Chair)

Member Meiklejohn moved to approve the June 9, 2021 minutes and Member Calman seconded. The motion passed by a vote of 7-0.

PROGRAM REPORT

Chair Richard Introduced New Board Member Morris “Mo” Chavez to the Board and congratulated Member Paul for being reappointed.

- Member Chavez introduced himself
- Member Paul said a few words on her reappointment

PUBLIC COMMENT

(Suggested five-minute time limit)

There were no public comments.

REPORTS/DISCUSSION/ACTION ITEMS

Item #3 Introduction to California’s Advanced Clean Cars I Regulation

Dario Rocha, Environmental Health Manager, provided an overview presentation on the introduction to California’s Advanced Clean Cars I Regulation.

- Member Paul asked if Mr. Rocha can go over the rules that allow to adopt standards and why they have to be the same as California.
 - Mr. Rocha indicated that it is part D under Clean Air Act. Standards that are developed have to be identical to California’s. California is considering adopting emission standards for model year 2026 and beyond. If that action occurs, EHD will have to adopt the same rules to be consistent with the Clean Air Act.
- Acting Director Mara Burstein stated that Clean Car kickoff is starting July 21st
 - Chair Richard asked if it was the first stakeholders meeting
 - Deputy Director Burstein said yes, and that the invite was sent to stakeholders on the listserv.
 - Chair Richards asked if Part D of the Clean Air Act can be posted to the website
 - Member Reitzel asked if the listserv can be shared or if a list of the groups in which outreach was made for the July 21st kickoff meeting.

Item #4 Action on Bylaw Amendment to clarify the EHD Director’s role as Board Secretary

Board Attorney Chappell asked if the Board Members can look at Draft Amendment #1 of the Bylaws.

- Board Attorney Chappell asked if Board members could look at Amendment 1 of the Bylaws, and reiterated that on April 14, 2021 the Board decided to amend the Bylaws.
 - Member Paul stated that there was a lack of clarity on terms of what the secretary does.

- Board Attorney Chappell stated that it was discussed and the statutes address the role of the Director and or designee is a secretary to the Board
- Chair Richards supported the Amendment

Member Reitzel moved to approve and Amend the Bylaws and Vice Chair Langner seconded. The motion passed by a vote of 6-1. Member Paul abstained from voting.

Item #5 Closed meeting session under the Open Meetings Act, NMSA § 10-15-1(H)(7), for Air Board members and Air Board attorney, only - status update regarding In The Matter of the Petition for a Hearing on the Merits Regarding Air Quality Permit No. 3340-RMD [New Mexico Terminal Services, LLC], ACQB Docket No. 2020-1 Board Attorney Chappell described this notice and discussed that the board will vote on amending their bylaws pursuant to this notice at their next meeting.

Member Paul moved to close the meeting under Section 10-15-1(H)(7) of the Open Meetings Act for an attorney-client privileged discussion. Member Meiklejohn seconded. The motion passed by a vote of 7-0.

The Board then went into closed session.

Upon returning back from closed session Chair Richards stated that the matters discussed in the closed meeting were limited to those stated in the motion to close. And took a roll call vote upon the return of Board members.

Item #6 Discussion and possible action to determine whether or not to hold a public hearing regarding IN THE MATTER OF PROPOSED NEW REGULATION, 20.11.105 NMAC: Emission Standards for New Motor Vehicles—Model Year 2025 and Subsequent.

Board Attorney Sue Chappell gave a brief explanation on this matter on possible action to determine whether or not to hold a public hearing. Board Attorney Chappell then indicated that the Board cannot consider the petition during the meeting since it was not filed at least 15 days before the today's meeting and stated that the Board has 60 days to make a decision on whether or not to hold a hearing.

- Member Meiklejohn asked if the petition will be a conflict or move in accordance with EHD/NMED Clean Cars Kick off.
- Board Attorney Chappell stated that under the procedures she described, the Board cannot discuss anything on the petition at this meeting since it was not timely filed, but suggests that the Board put this item on the August 11, 2021 agenda.
- Member Meiklejohn asked if the Board is allowed to prepare questions for the petitioner.
- Board Attorney Chappell stated, yes.

Chair Richards opened the floor to consider the petition as an agenda item for next month. Member Calman moved to approve. Member Paul seconded. The motion passed by a vote of 7-0

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