

SUMMARY OF ACTION
SANTA FE SOLID WASTE MANAGEMENT AGENCY
JOINT POWERS BOARD MEETING
SANTA FE COUNTY ADMINISTRATION BUILDING
LEGAL CONFERENCE ROOM
102 GRANT AVENUE, SANTA FE, NM
WEDNESDAY, AUGUST 18, 2016

| <u>ITEM</u> | <u>ACTION</u> | <u>PAGE</u> |
|--------------------------------------|---------------|-------------|
| CALL TO ORDER | | 1 |
| ROLL CALL | QUORUM | 1 |
| APPROVAL OF AGENDA | APPROVED | 2 |
| APPROVAL OF CONSENT CALENDAR | APPROVED | 2 |
| APPROVAL OF MINUTES JULY 21, 2016 | APPROVED | 2 |
| MATTERS FROM THE PUBLIC | NONE | 2 |
| CONSENT CALENDAR | APPROVED | 2-5 |

EXECUTIVE SESSION

| | | |
|--|------------------------|-----|
| DISCUSSION OF THE PURCHASE, ACQUISITION OR DISPOSAL OF REAL PROPERTY OR WATER RIGHTS BY THE SANTA FE SOLID WASTE MANAGEMENT AGENCY, INCLUDING, WITHOUT LIMITATION, THE LEASE OF THE BUCKMAN RECYCLING AND TRANSFER STATION, PURSUANT TO NMSA 1978 10-15-1 (H) (8). | INFORMATION/DISCUSSION | 6-7 |
|--|------------------------|-----|

DISCUSSION OF LIMITED PERSONNEL
MATTERS REGARDING THE EXECUTIVE
DIRECTOR, INCLUDING DISCUSSION
REGARDING AN EMPLOYMENT
AGREEMENT FOR THE EXECUTIVE

NOT DISCUSSED



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

SOLID WASTE MINUTES
PAGES: 10

I Hereby Certify That This Instrument Was Filed for
Record On The 22ND Day Of September, 2016 at 02:40:31 PM
and Was Duly Recorded as Instrument # 1805126
of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy *Laura Hernandez* County Clerk, Santa Fe, NM

**DIRECTOR, PURSUANT TO NMSU
1978 10-15-1 (H) (2).**

| | | |
|---|--------------------------------|----------|
| POSSIBLE ACTION WITH RESPECT TO THE LEASE OF THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION | APPROVED | 7 |
| POSSIBLE ACTION WITH RESPECT TO APPROVAL OF AN EMPLOYMENT AGREEMENT FOR THE EXECUTIVE DIRECTOR | NOT DISCUSSED/NO ACTION | 8 |
| MATTERS FROM THE BOARD | NONE | 8 |
| MATTERS FROM STAFF - AGENCY, CITY, COUNTY | NONE | 8 |
| NEXT MEETING DATE | OCTOBER 20, 2016 | 8 |
| ADJOURNMENT | ADJOURNED | 8 |

**SANTA FE SOLID WASTE MANAGEMENT AGENCY
JOINT POWERS BOARD MEETING
SANTA FE COUNTY ADMINISTRATION BUILDING
LEGAL CONFERENCE ROOM
102 GRANT AVENUE, SANTA FE, NM
WEDNESDAY, AUGUST 18, 2016, 5:00 pm**

I. CALL TO ORDER

The meeting of the Santa Fe Solid Waste Management Agency Joint Powers Board was called to order by Commissioner Kathy Holian, Chair, at 5:00 pm, on Wednesday, August 18, 2016, at the Santa Fe County Administration Building, Legal Conference Room, 102 Grant Avenue, Santa Fe New Mexico.

II. ROLL CALL

MEMBERS PRESENT

Commissioner Kathy Holian, Chair
Councilor Michael Harris, Vice Chair
Councilor Joseph Maestas, Telephonically
Councilor Renee Villarreal

MEMBERS ABSENT

Commissioner Miguel Chavez, Excused
Commissioner Henry Roybal, Excused

OTHERS PRESENT

Matt O'Reilly, City of Santa Fe
Les Francisco, Santa Fe County
Danita Boettner, SF SWMA
Lynette Kennard, Santa Fe County
Randall Kippenbrock, Director, SWMA
Rosalie Cardenas, SF SWMA
Angelica Salazar, SF SWMA
Shirlee Sittan, SF Environmental Services
Nancy Long, Legal Council
Elizabeth Martin, Stenographer

III. APPROVAL OF AGENDA

MOTION A motion was made by Councilor Villarreal, seconded by Councilor Harris, to approve the motion as presented.

VOTE The motion passed unanimously by voice vote.

IV. APPROVAL OF CONSENT CALENDAR

Councilor Villarreal asked to pull item (7C) for discussion.

Councilor Harris asked to pull item (7A) for discussion.

MOTION A motion was made by Councilor Maestas, seconded by Councilor Villarreal, to approve the Consent Agenda as amended.

VOTE The motion was approved unanimously by voice vote.

**V. APPROVAL OF MINUTES
JULY 21, 2016**

MOTION A motion was made by Councilor Maestas, seconded by Councilor Villarreal, to approve the minutes as presented.

VOTE The motion passed unanimously by voice vote.

VI. MATTERS FROM THE PUBLIC

None

VII. CONSENT CALENDAR

- A. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH BLUE WATER ENVIRONMENTAL CONSULTING, LLC, OF SANTA FE, NM, FOR ENVIRONMENTAL SERVICES FOR THE SOLID WASTE MANAGEMENT AGENCY IN THE AMOUNT OF \$48,750.00 (RFP NO. '16/56/P).**
- B. REQUEST FOR APPROVAL TO AWARD BID NO. '17/01/B - SECURITY SERVICES AT THE CAJA DEL RIO LANDFILL AND BUCKMAN ROAD RECYCLING AND TRANSFER STATION TO U.S. SECURITY ASSOCIATES, INC. OF ALBUQUERQUE, NM, IN THE AMOUNT OF \$90,993.35.**

- C. **REQUEST FOR APPROVAL TO AWARD BID NO. '17/02/B - BIRD FECES CLEANING AND REMOVAL SERVICES FOR THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION TO TYONCK CONTRACTORS, LLC OF ALBUQUERQUE, NM IN THE AMOUNT OF \$43,343.54.**
- (1) **APPROVAL OF BUDGET INCREASE TO 52504.510310 (SERVICE CONTRACTS) FROM 5500.100700 (OPERATING FUND CASH BALANCE) IN THE AMOUNT OF \$43,343.54.**
- D. **REQUEST FOR APPROVAL TO PURCHASE TWO 20 CUBIC YARD ROLL-OFF CONTAINERS FROM WASTEQUIP MANUFACTURING COMPANY, LLC OF ARVADA, CO, THROUGH THE HOUSTON-GALVESTON AREA COUNCIL UNDER CONTRACT NO. RH08-16 FOR THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION IN THE AMOUNT OF \$9,954.60.**
- (1) **APPROVAL OF BUDGET INCREASE TO 52504.570500 (CAPITAL OUTLAY - EQUIPMENT AND MACHINERY) FROM 5502-100700 (EQUIPMENT REPLACEMENT RESERVE FUND CASH) IN THE AMOUNT OF \$9,954.60.**

CONSENT CALENDAR ITEMS FOR DISCUSSION

- VII. A. **REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH BLUE WATER ENVIRONMENTAL CONSULTING, LLC, OF SANTA FE, NM, FOR ENVIRONMENTAL SERVICES FOR THE SOLID WASTE MANAGEMENT AGENCY IN THE AMOUNT OF \$48,750.00 (RFP NO. '16/56/P).**

Councilor Harris said on page 3, Scope of Services, Exhibit A, the first bullet, it says wastewater discharges to the septic tank. Do we have a septic tank on site.

Mr. Kippenbrock said yes, at both facilities.

Councilor Harris asked then do the toilets and sinks go there.

Mr. Kippenbrock responded yes they do.

Councilor Harris asked what is the function of the wet lands.

Mr. Kippenbrock responded that is for the liquid. The septic tank is for solids.

The liquids are discharged into the wet lands system.

Councilor Harris asked wouldn't you have a leech field to handle liquids like they do in residential areas.

Mr. Kippenbrock answered no, this is an industrial site and a leech field is not applicable to an industrial site.

Councilor Harris said you pump solids and fluids from the facilities to the tank and fluids go to wet lands system.

Mr. Kippenbrock said yes.

Councilor Harris said at some point we need to discuss the condition of the wet lands system. It is a large collection pond. Since we don't have to deal with other issues we are only using it for fluids from the septic system now so maybe we can do a much smaller collection pond.

Mr. Kippenbrock said possibly.

Councilor Harris said he is looking at the negotiations on the lease, this goes with capital improvements and he did not realize there was a septic system there. He wondered if there is any kind of process where we could develop a standard leech field.

Mr. Kippenbrock said the regulations say no.

Councilor Harris said we have a good relationship with NMED. It seems this may be a lesser issue. Thank you for the information. Maybe down the road we can explore that and see if there is a less expensive solution.

MOTION A motion was made by Councilor Harris, seconded by Councilor Villarreal, to approve the item.

VOTE The motion was approved unanimously by voice vote.

VII. C. REQUEST FOR APPROVAL TO AWARD BID NO. '17/02/B - BIRD FECES CLEANING AND REMOVAL SERVICES FOR THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION TO TYONCK CONTRACTORS, LLC OF ALBUQUERQUE, NM IN THE AMOUNT OF \$43,343.54.

(1) APPROVAL OF BUDGET INCREASE TO 52504.510310 (SERVICE CONTRACTS) FROM 5500.100700 (OPERATING

FUND CASH BALANCE) IN THE AMOUNT OF \$43,343.54.

Councilor Villarreal said it is unfortunate that we have to do this major operation. Is the cleaning agent Clorox based.

Mr. Kippenbrock said it will be an approved agent.

Councilor Villarreal asked they will do this at a time when staff is not around and they will leave time for it to air out.

Mr. Kippenbrock answered yes, that is the plan.

Councilor Villarreal asked there won't be any removing of pigeons.

Mr. Kippenbrock answered no, the mitigation plan may incorporate some spikes or some sort of thing to keep them from nesting there.

Councilor Villarreal asked is there a plan for the pigeons.

Mr. Kippenbrock answered it will be done over several days. We will keep that in mind.

Councilor Villarreal said it says in the contract on page 18 that the Agency is asking the contractor to submit treatment options. We need to find a solution for the future.

Mr. Kippenbrock said none of the companies who submitted provided any options.

Councilor Villarreal asked will they charge us for recommendations.

Mr. Kippenbrock said not for recommendations, but if they do the work they will.

Councilor Villarreal said she is hoping we can figure this out without killing any pigeons. She would like to see a forward thinking solution.

MOTION A motion was made by Councilor Villarreal, seconded by Councilor Harris, to approve both sections of this item.

VOTE The motion passed unanimously by voice vote.

VIII. EXECUTIVE SESSION

Chair Holian said there may be no reason to go into Executive Session unless other Board members do not agree. We are close to an agreement on item A. She would like for the full Board to be present when item B is discussed. We can put that off until next meeting. Close to agreement on lease.

Councilor Villarreal said she is ok with voting later but if we have questions today she would like to talk about it today.

Councilor Harris said it is appropriate when voting that all are present. For him, it was very helpful to have the back up information that was provided such as the list of accomplishments. That helped to ease some concerns. About the lease, we are down to one phrase aren't we.

Chair Holian said we can go to item 9 and make a motion on that after the Executive Session.

Councilor Maestas said we have a quorum and there is no guarantee we will have everyone at the next meeting so can we agree that we will take action at the next meeting regardless of what the attendance is as long as we have a quorum.

Chair Holian said she will do her best. We are not having a meeting in September.

Councilors Harris and Villarreal asked why not. We should meet for item B even if that is the only thing.

Councilor Harris said he wants to get it resolved.

Councilor Villarreal said she does as well.

MOTION A motion was made by Councilor Villarreal, seconded by Councilor Harris, to go into Executive Session for the purpose of discussing item B only.

VOTE The motion was approved unanimously by roll call vote.
Commissioner Holian yes, Councilor Maestas yes, Councilor Villarreal yes,
Councilor Harris yes.

The Board went into Executive Session at 5:25 pm.

A. DISCUSSION OF THE PURCHASE, ACQUISITION OR DISPOSAL OF

REAL PROPERTY OR WATER RIGHTS BY THE SANTA FE SOLID WASTE MANAGEMENT AGENCY, INCLUDING, WITHOUT LIMITATION, THE LEASE OF THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION, PURSUANT TO NMSA 1978 10-15-1 (H) (8).

B. DISCUSSION OF LIMITED PERSONNEL MATTERS REGARDING THE EXECUTIVE DIRECTOR, INCLUDING DISCUSSION REGARDING AN EMPLOYMENT AGREEMENT FOR THE EXECUTIVE DIRECTOR, PURSUANT TO NMSA 1978 10-15-1 (H) (2).

MOTION A motion was made by Chair Holian, seconded by Councilor Harris, to come back into the regular meeting after discussing item B only in Executive Session.

VOTE The motion was passed unanimously by voice vote.

The Board came back into the regular meeting session at 5:55 pm.

IX. POSSIBLE ACTION WITH RESPECT TO THE LEASE OF THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION

Ms. Long said the lease agreement before you is a counter offer made to the City which they accepted at their Council meeting. This lease agreement is incorporated into these minutes herewith as Exhibit "1".

Ms. Long said the document included the changes you had requested. She reviewed the changes requested by the Board and the City. The effective date of the lease is October 1, 2016. All of the changes were acceptable. We are where you can approve the lease and send it back to the City with the one change that it be open 7 days a week, subject to the observance of Agency holidays.

Councilor Harris said it is great that we are close. He will support this at the meeting of the Governing Body.

Councilor Villarreal said this has been a long time coming.

MOTION A motion was made by Chair Holian, seconded by Councilor Harris, to approve the lease agreement with the City of Santa Fe with the addition of language on item 6 saying the facility will be open 7 days a week and honor observed Agency Holidays.

VOTE The motion was passed unanimously by voice vote.

X. POSSIBLE ACTION WITH RESPECT TO APPROVAL OF AN EMPLOYMENT AGREEMENT FOR THE EXECUTIVE DIRECTOR

There was no discussion and no action taken.

XI. MATTERS FROM THE BOARD

Councilor Villarreal said thank you staff for the shortened packet

XII. MATTERS FROM STAFF - AGENCY, CITY, COUNTY

None.

XIII. NEXT MEETING DATE - OCTOBER 20, 2016

Councilor Villarreal said she wants to meet in September. We owe it to Randall to address this issue. We have a commitment to Randall.

Councilor Harris said if the Commissioners can attend it would good to get it resolved. If that is up in the air he can wait until October.

Chair Holian said she will do what she can to make the meeting happen in September.

XIV. ADJOURNMENT

MOTION A motion was made by Councilor Maestas, seconded by Councilor Harris, to adjourn the meeting.

VOTE The motion passed unanimously by voice vote.

The meeting adjourned at 6:10 pm.



Attested to By:

Geraldine Salazar
Geraldine Salazar, Santa Fe County Clerk

Kathy Holian
Kathy Holian, Chair

Elizabeth Martin
Elizabeth Martin, Stenographer

9-21-2016