

**SUMMARY OF ACTION
SANTA FE SOLID WASTE MANAGEMENT AGENCY
JOINT POWERS BOARD**

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SFC CLERK RECORDED 04/13/2016

**SANTA FE SOLID WASTE MANAGEMENT AGENCY
JOINT POWERS BOARD
Santa Fe County Administration Building, Legal Conference Room
102 Grant Avenue
Thursday, January 21, 2016, 5:00 PM**

SFC CLERK RECORDED 04/13/2016

I. CALL TO ORDER

The meeting of the Santa Fe Solid Waste Management Agency Joint Powers Board was called to order by Chair Maestas at 5:00 PM, on Thursday, January 21, 2016, at the Santa Fe County Administration Building, Legal Conference Room, 102 Grant Avenue, Santa Fe, New Mexico.

II. ROLL CALL

MEMBERS PRESENT

Councilor Joseph Maestas, Chair
Commissioner Kathy Holian, Vice Chair
Commissioner Henry Roybal
Commissioner Miguel Chavez

MEMBERS ABSENT

Councilor Patti Bushee
Councilor Signe Lindell

OTHERS PRESENT

Randall Kippenbrock, Executive Director, SWMA
Rosalie Cardenas, SWMA
Adam Schlachter, SWMA
Angelica Salazar, SWMA
Danita Boettner, SWMA
Nancy Long, Legal Counsel
Karen Sweeney
Joe Eigner
Morgan Browning
Lynette Kennard
Shirlene Sitton
Elizabeth Martin, Stenographer

III. APPROVAL OF AGENDA

MOTION A motion was made by Commissioner Holian, seconded by Commissioner Roybal, to approve the agenda as presented.

VOTE The motion passed unanimously by voice vote.

IV. APPROVAL OF CONSENT AGENDA

MOTION A motion was made by Commissioner Roybal, seconded by Commissioner Holian, to approve the Consent Agenda

VOTE The motion passed unanimously by voice vote.

V. APPROVAL OF MINUTES

A. REGULAR MEETING - OCTOBER 22, 2015

MOTION A motion was made by Commissioner Chavez, seconded by Commissioner Holian, to approve the minutes as presented.

VOTE The motion passed unanimously by voice vote.

B. SPECIAL MEETING - OCTOBER 29, 2016

MOTION A motion was made by Commissioner Holian, seconded by Commissioner Roybal, to approve the minutes as presented.

VOTE The motion passed unanimously by voice vote.

VI. MATTERS FROM THE PUBLIC

Mr. Eigner, Eldorado 285 Recycle. He said he wanted to announce that he and Karen Sweeney have retired from their officer positions with the organization. They were the founders of Eldorado 285 Recycle. They intend to stay fairly active. We were founded in 2009/10 and since then have been a number of important studies and efforts to improve recycling in the area. A SWAC report in 2010 made a lot of great recommendations. Sustainable Santa Fe did a report at the same time with great recommendations as well. Neither had specific programs or funding ideas. However, under Mr. Kippenbrock's leadership Lidos Consulting was retained and they did a study. The report came out on December 14, 2015 with specific recommendations. The main recommendations for the county were adopted by SWMA and have been implemented. The compost facility will be opening soon. Santa Fe will have a good commercial scale composting facility.

The City, as of December, finally adopted the recommendations for them and in

about a years time we will have the roll out of blue carts. The County, in 2014, adopted key recommendations to increase support financially by the public for convenience centers. The other main recommendation came before the County Commission last November to set up three large franchise districts with exclusive access by the winning bidders and requiring recycling and trash service for anyone who chooses and is willing to pay for it. However the north district turned out a large opponent group and the County Commission decided not to go ahead with that, to our great disappointment. Two Commissioners wanted to keep it alive and requested staff to look into the possibility. Eldorado was selected as a pilot for the franchise project. Our legal constraints did not allow the Board to approve that. They do not have the authority. They came up with a letter of support from the members of the Board. Recently we have been getting information from County staff that things are going backwards. Not only is franchise dead but the new pilot project with Eldorado is dead. In the original draft in the non district parts of the County those haulers have to offer recycling service also. The rumor is that those provisions have been dropped. We hear that Olivar Barela will likely resign and that Craig O'Hare will retire. It seems that the fine staff seems to be disappearing. We are sure that if the County and City do a good search they will find good, knowledgeable people to come to work for them in these areas that will move the plans forward. Those are our concerns and we thank you for listening to us.

Chair Maestas asked if there was anything he was looking for this Board to do.

Mr. Eiger said no, he just wanted to make sure everyone knew the history and where we stand today.

Chair Maestas asked Ms. Shirlene Sitton to introduce herself.

Ms. Sitton said she has been brought on board as the City Environmental Services Director. She has sixteen years of experience including extensive work in recycling with the State of Texas. She is happy to be here and working with the recycling program here.

Chair Maestas said the City has approved single stream. There have been a few letters to the editor out there. He is working with Randall to get ahead of this transition and get the word out. We are looking at a September roll out for single stream.

Ms. Sitton said it may be a bit longer. Depends on when the trucks arrive.

VII. CONSENT CALENDAR

A. REQUEST FOR APPROVAL TO PURCHASE CATERPILLAR TRIMBLE CONTROL TECHNOLOGY EQUIPMENT FOR THE CAJA DEL RIO LANDFILL FROM WAGNER EQUIPMENT COMPANY OF

ALBUQUERQUE, NM, THROUGH THE BUYBOARD COOPERATIVE PURCHASING UNDER CONTRACT NO. 424-13 IN THE AMOUNT OF \$90,746.00.

(1) APPROVAL OF BUDGET INCREASE TO 52501.570500 (CAPITAL OUTLAY - EQUIPMENT AND MACHINERY) FROM 5500.100700 (OPERATING FUND CASH) IN THE AMOUNT OF \$90,746.00.

B. REQUEST FOR APPROVAL TO PURCHASE MOTOROLA EQUIPMENT FOR THE CAJA DEL RIO LANDFILL FROM MOTOROLA SOLUTIONS OF SCHAUMBURG, IL, UNDER THE NEW MEXICO STATEWIDE PRICE AGREEMENT NO. 60-000-15-00019AI IN THE AMOUNT OF \$37,735.92.

(1) APPROVAL OF BUDGET INCREASE TO 52501.570500 (CAPITAL OUTLAY - EQUIPMENT AND MACHINERY) FROM 5500.100700 (OPERATING FUND CASH) IN THE AMOUNT OF \$37,735.92.

C. REQUEST FOR APPROVAL TO PURCHASE A VIDEO SURVEILLANCE SYSTEM FROM ATI SECURITY OF SANTA FE, NM, UNDER NEW MEXICO STATEWIDE PRICE AGREEMENT NO. 20-000-00-00075AB FOR THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION IN THE AMOUNT OF \$23,423.59.

(1) APPROVAL OF BUDGET INCREASE TO 52504.570500 (CAPITAL OUTLAY - EQUIPMENT AND MACHINERY) FROM 5500.100700 (OPERATING CASH FUND) IN THE AMOUNT OF \$23,423.59.

D. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO EXTEND THE TERM AND INCREASE THE PROFESSIONAL SERVICES AGREEMENT WITH LONG, KOMER & ASSOCIATES, P.A OF SANTA FE, NM, FOR LEGAL SERVICES IN THE AMOUNT OF \$35,000. (RFP NO. '15/28/P).

E. REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO EXTEND THE TERM AND INCREASE THE PROFESSIONAL SERVICES AGREEMENT WITH SCS ENGINEERS OF ALBUQUERQUE, NM, FOR ENGINEERING, OPERATION AND MAINTENANCE SERVICES FOR THE LANDFILL GAS COLLECTION SYSTEM AT THE CAJA DEL RIO LANDFILL IN THE AMOUNT OF \$106,855 (RFP NO. '14/17//P).

(1) APPROVAL OF BUDGET INCREASE TO 52501.510250 (COMPLIANCE CONTRACTS) FROM 5503.100700 (LANDFILL GAS COLLECTION RESERVE FUND CASH) IN THE AMOUNT OF \$106,855.

F. REQUEST FOR APPROVAL OF ANNUAL FINANCIAL REPORT FOR THE YEAR ENDED JUNE 30, 2015 (MORGAN BROWNING, CPA, ACCOUNTING & CONSULTING GROUP).

G. REQUEST FOR APPROVAL OF RESOLUTION 2016 - _____, A RESOLUTION DETERMINING REASONABLE NOTICE FOR PUBLIC MEETINGS OF THE SANTA FE SOLID WASTE MANAGEMENT AGENCY.

H. REQUEST FOR APPROVAL TO PURCHASE JHBL LED HIGH-BAY TWIN LIGHT FIXTURES WITH BULBS FROM ALLIED ELECTRIC OF SANTA FE, NM, FOR THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION IN THE AMOUNT OF \$12,797.95.

(1) APPROVAL OF BUDGET INCREASE TO 52504.520100 (REPAIR AND MAINTENANCE OF BUILDING) FROM 5500.100700 (OPERATING FUND CASH) IN THE AMOUNT OF \$12,797.95.

I. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO EXTEND THE TERM TO THE PRICE AGREEMENT FOR INDEFINITE QUANTITY OF SCRAP TIRE HAULING AND RECYCLING TO STATE RUBBER & ENVIRONMENTAL SOLUTIONS, DENVER CITY, TX (BID NO. 14/20/B).

VIII. MATTERS FROM THE EXECUTIVE DIRECTOR

Mr. Kippenbrock welcomed Ms. Sitton and said she is the real deal with great experience. She is a good choice.

IX. MATTERS FROM THE BOARD

Commissioner Chavez said if we see Eldorado slipping away is there another area that could be considered.

Commissioner Holian asked did you actually hear that Eldorado is not being considered. She thought it was still in the plan. Do you know why that would happen.

Mr. Eiger said it was because they did not have the authority to approve the plan.

Commissioner Holian said it seemed to her that they could still make the decision.

Mr. Eiger said he thinks so. You will need to talk to the staff.

Commissioner Holian said she will talk to the County Manager on this matter.

Commissioner Chavez said he thinks that is good.

Commissioner Chavez on staffing, where are the gaps in staffing. With Mr. Olivar leaving. There has not been a decision to not fill this position. He does not see that as gaps in staffing. It is just staff moving on. Those positions will be advertised and we will get the best people we can.

Mr. Eiger said also there has never been any staff to enforce the penalties in the Ordinances.

Commissioner Chavez who staffs that.

Commissioner Holian we do have at least one Enforcement Officer.

Mr. Eiger one Enforcement Officer does not have time to do it all such as citations.

Commissioner Chavez said those concerns will be noted.

Ms. Sitton said she wanted to commend Mr. Eiger on all his efforts.

Commissioner Chavez on the second haulers it says they should be using our facilities. Is that happening.

Mr. Kippenbrock said based on our experience what comes to the local landfill it is basic trash. We don't see construction related trash. They can go to any landfill they choose.

Mr. Kippenbrock said we encourage the City to find avenues for major projects to utilize our facility. Local haulers will continue to use our facility. Right now we have two major players who are collecting. Capita Scrap and Santa Fe Waste are in the mix and they use our facility. Roadrunner and Waste Management all have yards in the Albuquerque area and could transport to the Rio Rancho landfill. My guestimate is that there is some leakage in terms of solid waste that we would like to capture. It is usually the larger projects. We generally do not see that waste coming to us. St. Vincent hospital typically transports it to the Albuquerque area.

Commissioner Chavez asked Christus St. Vincent.

Mr. Kippenbrock said yes. He is talking about their construction debris. Not their general waste. The City can control residential and commercial but construction waste is not regulated. It is an open market.

Chair Maestas said he would like to commend Randall and his staff on a great audit. It was pretty clean. Please convey our congratulations to the staff. He did participate in the entrance conference and the closing conference and was very pleased. Way to go.

Chair Maestas asked what is happening with the negotiations on the lease for the BuRRT facility. Could you please give us an update.

Mr. Kippenbrock said we are on standby right now. We need to accommodate green waste and grinding. The map for the expansion will be available to us next week. We are also looking at how we can repair the wetland system. The lease payment method is the major component right now.

Mr. Kippenbrock explained that the City is proposing that we pay the nine years left on the Bond. That would be \$260,000 per year for nine years. We are also looking at the first lease agreement which was vague on who was responsible for repairs. We are doing a combination where we are responsible for the Bond payments and we make the major repairs such as replacing the roof. The structures are all sound and should last us another twenty years.

Commissioner Chavez asked after the nine years and the Bond is paid then will SWMA own everything.

Mr. Kippenbrock said no, there is a ten year renewal on the lease and then we will negotiate payment for the next ten years.

Commissioner Chavez asked are we then paying the Bond in lieu of rent.

Mr. Kippenbrock said yes.

Commissioner Chavez responded by saying that it sounds like it is in the best interest of SWMA to go the route of servicing the Bond in lieu of rent and then after that renegotiate the ten year lease.

Mr. Kippenbrock answered that he thinks so.

Commissioner Chavez asked will we have to identify a funding source for maintenance.

Mr. Kippenbrock answered yes, we will. At our next Board meeting you will receive the BuRRT lease and reserve fund policy. In the reserve fund policy it identifies

cash is our operating fund balance that needs to be moved to needed improvement projects.

Commissioner Chavez asked don't we have a building assessment so that we really now how much the maintenance will be.

Mr. Kippenbrock said yes we do. Matt O'Reilly sent out his team to inspect the buildings to determine what it would take to keep them on par for the next twenty years.

Commissioner Chavez said another improvement we have talked about is dust suppression. Is that in the works.

Mr. Kippenbrock said yes, it is part of our next several years of planning. There are other projects as well.

Mr. Kippenbrock said the price of recycling is very depressed. We are getting a rebate of \$8.00 a ton. When we negotiated we thought it would be \$9.00 or \$10.00. I don't see it getting above \$10.00 any time soon. When we did our recycle audit in late October, we felt the amount of materials would continue to increase. We have since learned that our community is sorting out a lot of cardboard. When you try to load that up, it commingles and it is difficult to obtain a payload on each trailer. We are looking at another audit in March to pull out the cardboard and sell it on our own. Currently we are in the low nine to eleven tons per load. We could get to thirteen tons if we pull our cardboard. That would maximize the pay load. We are going to continue to monitor this agreement. We will be working on trying to clear up some of the language based on where we are located now and not where the material is sold. It will work out.

Chair Maestas said he wanted to commend Randall on his scrap tire contract. You are doing a great job. The numbers are increasing quite a bit.

Mr. Kippenbrock said we are offering tire amnesty on the first weekend of each month. We have collected over 1,000 tires over the last twelve months.

Chair Maestas said he did want to mention that he and Randall have been talking about a policy on reserves and that is an issue. The Agency makes some major capital purchase. We need to know what the reserve is and have a policy for moving money to make these purchases. We will try to have something ready for you to adopt. We really don't have the budget in the operating fund. We transfer money to pay for things. It is important that we remain solid. We have several reserves and we need to make sure we have policies on all of them. We need your recommendations and comments. It may be a good idea to send out the draft ahead of the meeting where we will discuss it.

Commissioner Chavez said it would be helpful if we could get the information on the assessment of the buildings. Include the trucks and big machines on a separate list. We need to draw some distinction.

Mr. Kippenbrock said we have that information from Mr. O'Reilly and will send it out to you. We have four reserves and are going to add a fifth one.

Commissioner Chavez said we don't want any big surprises.

Mr. Kippenbrock said there will not be any major surprises.

Commissioner Chavez said we understand that there are some variables and we need a range of what those might be so there are not big surprises and the fewer small ones there are the better.

Chair Maestas said there was a reference in the audit about how the Agency is doing with implementing the recommendations from the assessment. They said we would see an additional savings when it is all implemented. Maybe we should have a standing agenda item for the implementation of recommendations and a timeline for implementation. He would like to see that for the next meeting. Also include the status of the agency.

X. MATTERS FROM THE AGENCY STAFF

Mr. Schlachter said he wants to announce one of their new outreach plans. He is doing a weekly radio show called "Talking Trash". He invited everyone to come on the show. He will make that happen. Monday, January 25, 2016, Lisa Randall from the Santa Fe School Board will be on his show. He is open after that.

Ms. Salazar said that Randall mentioned a potential rent of BuRRT. To clarify that the Bond payment we are talking about is not the entire Bond payment. It is a portion of it.

Ms. Sitton said it is important to know that you have to touch a resident seven to nine times with a message. The problem is in changing the program last summer and then again with carts and glass, if we focus a lot on what it is now with a new program coming up on the horizon it could be confusing. We will be talking about it before we have the cart capacity for the program and we will overwhelm the staff. We are going to run out of bins at the rate we have residents picking them up. There is some intentionality in not stressing what the current program is when there are changes on the horizon.

Chair Maestas said that is a great point. One of the initial proposals was how to pay for it and we decided to raise rates. In the course of deliberations we found that commercial was subsidizing residential. The final rate structure will help plug that gap and pay for single stream recycling.

XI. MATTERS FROM THE CITY

None

XII. MATTERS FROM THE COUNTY

None

XIII. NEXT MEETING DATE: FEBRUARY 18, 2016

XIV. ADJOURNMENT

The meeting was adjourned at 6:00 pm.

Joseph M. Maestas
Councilor Joseph Maestas, Chair

Attested
Yolanda Y. Valenzuela
Yolanda Y. Valenzuela, Clerk

Elizabeth Martin
Elizabeth Martin, Stenographer

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
SOLID WASTE MINUTES
PAGES: 11

I Hereby Certify That This Instrument Was Filed for
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Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy *Geraldine Salazar* County Clerk, Santa Fe, NM