

**SOLID WASTE MANAGEMENT AGENCY
JOINT POWERS BOARD MEETING
Administration Conference Room
Buckman Road Recycling and Transfer Station
2600 Buckman Road
May 19, 2011**

I. CALL TO ORDER

A meeting of the City and County of Santa Fe Solid Waste Management Agency Joint Powers Board (SWMA) was called to order by Vice-Chair Virginia Vigil, Chair, on Thursday, May 19, 2011, at approximately 12:00 noon, in the Administration Conference Room at BuRRT, 2500 Buckman Road, Santa Fe, New Mexico.

II. ROLL CALL

MEMBERS PRESENT:

Councilor Rosemary Romero, Chair
Commissioner Kathy Holian
Commissioner Daniel Mayfield
Commissioner Virginia Vigil
[Vacancy]

MEMBERS EXCUSED:

Councilor Ronald S. Trujillo

STAFF PRESENT:

Randall Kippenbrock, Executive Director – SWMA
Jodie Garcia, SWMA
Justin Miller, Legal Counsel
Melessia Helberg, Stenographer

There was not a quorum of the membership at the time Vice-Chair Vigil called the meeting to order. Vice-Chair Vigil opened the meeting for the receipt of reports only. A quorum was established with the arrival of Chair Romero, and the Board moved forward with the action items on the agenda.

III. APPROVAL OF THE AGENDA

MOTION: Commissioner Holian moved, seconded by Commissioner Vigil, to approve the Agenda as presented.

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 CITY AND COUNTY OF SANTA FE
 SOLID WASTE MANAGEMENT AGENCY
 REGULAR BOARD MEETING
 May 19, 2011

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VOTE: The motion was approved unanimously on a voice vote.

IV. APPROVAL OF THE MINUTES – MARCH 17, 2011

MOTION: Commissioner Holian moved, seconded by Commissioner Mayfield, to approve the minutes of the regular meeting of March 17, 2011, as presented.

VOTE: The motion was approved unanimously on a voice vote.

V. MATTERS FROM THE PUBLIC

Mr. Kippenbrock introduced Lisa Merrill, the new Education and Outreach Coordinator for SWMA. He said she will be a great asset to SWMA, noting she comes from Santa Barbara, California, and has several years of great experience in outreach coordination, and will be an asset to SWMA.

Chair Romero and the members of the Board welcomed Ms. Merrill.

VI. MATTERS FROM THE EXECUTIVE DIRECTOR

(C) PROJECT UPDATE ON THE CONSTRUCTION OF THE HAZARDOUS WASTE COLLECTION FACILITY AT THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION.

Mr. Kippenbrock presented information regarding this matter from his Memorandum of May 12, 2011, with attachments, to the SFSWMA Joint Powers Board, which is incorporated herewith to these minutes as Exhibit "1." Please see Exhibit "1" for specifics of this presentation.

Vice-Chair Vigil asked if the facility will be located at the BuRRT site.

Mr. Kippenbrock said yes, and said the facility will be located at the current recycling drop-off site. He said the recycling center will be located near the entrance so people won't have to go through the pay station.

Commissioner Mayfield asked how staff will monitor the recycling center to prevent illegal dumping.

Mr. Kippenbrock said they will monitor the center throughout the day with staff at the front. He said the site will be accessible only during the day 8:00 a.m. to 4:45 p.m., and the gates will be locked at night.

(D) UPDATE ON THE HHW COLLECTION EVENT TO BE HELD SUNDAY, MAY 22, 2011, AT THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION.

Mike Smith, Site Manager, presented information regarding this matter from Randall Kippenbrock's Memorandum dated May 12, 2011, with attachments, to the SFSWMA Joint Powers Board, is incorporated herewith to these minutes as Exhibit "2". Please see Exhibit "2" for specifics of this presentation

Mr. Smith said they had the last planning meeting yesterday, and believe everything is ready to go on Sunday.

Commissioner Holian asked the experience for these events in the past, including traffic and such.

Mr. Kippenbrock said there were approximately 750 vehicles two years ago, and they are anticipating 1,000 vehicles this year.

Commissioner Holian thanked staff for the information, noting she sent the information to her email list and got a lot of positive feedback on it.

Mr. Kippenbrock said Mr. Smith has been on several radio shows, the City's public broadcast station and TV access channel as well. He is looking for a great turnout.

Commissioner Vigil asked if the flyers have been put on the websites for the City and the County, and Mr. Smith said it was sent to both the City and the County for website posting

Mr. Kippenbrock said it also has been in the green line section of *The Santa Fe New Mexican*, saying it has been well publicized over the past two weeks.

Responding to Commissioner Vigil, Mr. Smith said it was sent to Christina at the County, and he will check to be sure it has been posted.

Mr. Kippenbrock said it is on the website on the right side.

VII. MATTERS FROM THE BOARD

B. UPDATE ON NEW LEGISLATIVE CHANGES THAT AFFECT ELECTED OFFICIALS AND EMPLOYEES – GOVERNMENT CONDUCT ACT (SFSWMA ATTORNEY JUSTIN MILLER)

Justin Miller presented information regarding this matter from his Memorandum of May 17, 2011, with attachments, to the SFSWMA Joint Powers Board, which is incorporated herewith to these minutes as Exhibit "3." Please see Exhibit "3." for specifics of this presentation.

Mr. Miller explained the differences between current law and the proposed law, noting it will apply to all units of government. He said the complete text of the new Act is included in the handout [Exhibit "6"].

Mr. Miller noted the new Act is effective July 1, 2011. He spoke with the Attorney General's office and they said that office would be conducting training and education sessions state-wide and are working with the New Mexico Municipal league and the New Mexico Association of Counties. He will monitor that and let this Board know the schedule of those sessions.

Mr. Kippenbrock said the SWMA Agency policy requires all employees to disclose secondary employment, and he has been working to be sure everyone is reporting that.

Mr. Miller said one of the differences is that there are now civil and criminal penalties for failure to comply, noting the criminal penalties come into play with wilful and knowing violations, commenting however that violations likely won't lead to criminal penalties. The point is that there are now real consequences for violation of the Act.

Commissioner Vigil said the County has its own version of the Act, which probably goes beyond the Act. She said we need to do follow-up so that County Legal does a cross-check with SWMA to be sure we are aligned somehow. She asked if there is a problem if the County's Ethics Ordinance supercedes the Act.

Mr. Miller said there is a new provision to the Act which allows local government to enact ordinances which are stricter than the Act. He said local governments are now regulated by this Act as well as by their own local ordinances.

Mr. Miller said he spoke with Geno Zamora, City Attorney, about this, and he is aware of the Act. He said Mr. Zamora said the City just adopted an extensive ethics ordinance. He hasn't spoken with Steve Ross, County Attorney, but he is sure the County knows about this, and will follow up with Mr. Ross in this regard.

Commissioner Mayfield said he read something in the newspaper with regard to the applicability of the Act to city and counties, and that the Attorney General had made a ruling to this effect.

Mr. Miller said this was one of the Attorney General's initiatives, and what was in the newspaper was more of a press release, but he will look into this and report back.

Chair Rosemary Romero arrived at the meeting and assumed the duties of the Chair

VI. MATTERS FROM THE EXECUTIVE DIRECTOR

ACTION ITEMS

(A) PRESENTATION, DISCUSSION AND POSSIBLE ACTION ON A GROUND MOUNTED SOLAR PHOTOVOLTAIC (PV) SYSTEM TO BE INSTALLED AT THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION (CITY OF SANTA FE ENERGY SPECIALIST NICHOLAS SCHIAVO, POSITIVE ENERGY).

A copy of "POSITIVE ENERGY SOLAR ELECTRIC SYSTEMS, Buckman Road Recycling and Transfer Station, City of Santa Fe Photovoltaic Project," is incorporated herewith to these minutes as Exhibit "4."

Mr. Schiavo said an RFP was issued earlier this year for small photovoltaic systems, of 250 kW and less, for a variety of City buildings. Mr. Schiavo introduced Claudia Pavel, Positive Energy, noting Positive Energy was the winner of the RFP.

Mr. Schiavo said they will be doing a photovoltaic system at City Transit, and they would like to build a 200 kW photovoltaic system here at BuRRT. Mr. Schiavo said it would provide about 80% of the energy needs for this facility.

Mr. Schiavo said the proposed project for Transit will go to Public Works and Finance Committees and then to the City Council, which will be a fixed price of 7¢ per kWh for the first 10 years, and 9¢ for the second 10 years, which will save about ½ ¢, "and being a fixed price, every time PNM raises their prices we will be in good shape."

Mr. Schiavo would like to do something similar for this facility – construct a 200 kW system and do a 20 year contract. He said the contracts are set up through a Power Purchase Agreement [PPA], and the City has used this structure in the past for the Wastewater facility, noting that the City is tax exempt, and can't take advantage of the 30% tax credit or the accelerated depreciation. He said a third party will build, own, operate and maintain the system for a 20 year term, and the City purchases all of the kWh at a fixed or agreed price for the term. After 6 years, there is an option to purchase the facility at a reduced rate.

Mr. Schiavo said City Transit has applied with PNM and he has received word that the City will be getting an 11¢ Renewable Energy Credit [REC] for the full 20 year term "which is absolutely important and what makes the financing work out." He said the City will pay 18¢ to the third party, but the net price to the City is 7¢ per kWh.

Commissioner Vigil asked if the contract has been done, or if they are still in discussions.

Mr. Schiavo said the contract has been approved by City Legal, and they would use a similar contract with SWMA.

Commissioner Vigil asked who will receive the financial benefit from the project.

Mr. Schiavo said SWMA would receive the benefit. He said currently, the City pays the electric bill each month for SWMA, and then bills SWMA, so SWMA would receive 100% of the benefit.

Commissioner Vigil asked if the 11¢ benefit would go to the City.

Mr. Schiavo said last year SWMA's electric bill was \$45,427, and the cost will increase in the next year. However, if the City is successful in doing this project through the Renewable Social Benefit Fund, SWMA will receive a financial incentive based on the month of the year and the price of electricity. However, it is safe to say SWMA will not pay more than the \$45,000 next year if this is successful.

Chair Romero asked Mr. Schiavo to go through the presentation which she believes would answer all of the questions.

Commissioner Vigil would like the proposal to go before the Board of County Commissioners and to the County Legal Department.

Mr. Schiavo said time is of the essence in this proposal, noting the current PNM program started on January 1, 2011, and with each passing month the incentives drop.

Commissioner Vigil said it wouldn't be difficult to expedite the process at the County, noting it has to go only to one of the entities.

Mr. Schiavo said he would have to check with City Legal with regard to whether or not the City's approval is needed, because it is the City's RFP and the City's contract.

Commissioner Holian suggested this could come to the BCC as an information item.

Commissioner Vigil said she is unsure about all of this, and the reason she would want County Legal to review everything in terms of whether or not the County has a legal interest whatsoever. She said it may need only cursory review, but she doesn't want to move forward without County Legal input.

Mr. Schiavo asked Commissioner Vigil if he should speak to Steve Ross in this regard, and Commissioner Vigil said yes, noting Mr. Ross should place it on the next Commission agenda if everything is okay.

Ms. Pavel said, in terms of time is of the essence, noting that if the REC drops to 9¢ during the course of this process, there probably won't be a deal – that's how tight the money is right now. She said Positive Energy already has submitted the PNM application for the Transit office in anticipation of capturing the REC rate. She said there is absolutely no cost to the City, County or SWMA for this system – it costs zero dollars. She said they would want to be prepared to submit the application "as soon as it makes sense." She said the drop in the REC rate is of concern, and the reason they are here today. They want to get a sense of "your approval, whether or not it is your official approval, or if it is your recommendation to move forward with it, is of utmost importance because this body probably is the most significant body to make that decision for this array. Because there will be arrays in other parts of the City. If you choose to participate if you have interest, now would be the time to get all the questions answered and to see if you have that interest."

Ms. Pavel reviewed the information in Exhibit "4." Please see Exhibit "4" for specifics of this presentation.

The Board asked questions and commented as follows:

- Responding to Commissioner Holian, Ms. Pavel said these will be fixed arrays.
- Commissioner Holian asked if they also looked at the Caja del Rio site.

Mr. Schiavo said they did, but his concern is that it doesn't use much electricity, and there is the potential for vandalism.

Ms. Pavel said the BuRRT is the second best site of all they considered in terms of the criteria – amount of electricity, the amenability of the site, what kind of system can be installed, the rate structure and if that can be changed, noting there was a \$4,000 savings at Transit because they were able to move into a different rate class. She said, although that isn't the case here, there will be a savings to do the solar.

Mr. Schiavo said he also wants to know that the facility will be here in 20 years, noting Wastewater and Transit are good choices, but some of the other locations don't make sense.

- Responding to Commissioner Mayfield, Mr. Schiavo said you don't want the systems to get too big, because you are allowed to use only what you can generate in a given month and still receive the REC. It has to be sized to do 90-95% of the use for the smallest month.

Ms. Pavel said you can generate more than you use, but the financial benefit comes back in terms of the electricity and its value in the REC payment. If you generate electricity in the month and don't use it, you still have to pay the 3rd party 7¢ per kWh. She said the average will be an 82% offset per month, noting if there were multiple meters, those could be offset with the same equation.

- Commissioner Vigil said she is a strong supporter of alternative energy. She said, "The issue for me is the devil is always in the details. And, whether the City is moving forward in this, the City and the County both have joint liability in whatever happens here. So, with regard to the alternative issues, the County needs to be more engaged in this, and that is why that direction is given to you. I really think a legal review with regard to this is necessary, and that once that legal review is there... it isn't something that we have now. The idea of moving forward and saving energy is huge, great, I love it and I'm on board, but what happens if there is a liability exposure if the County is engaged. I want the County to have that review and bring it forward. And I think if we get a clean recommendation from them, there should be no problem."

Mr. Schiavo said the PPA is almost identical to the one they used for Buckman for the water system, and he can look at how that signature sheet is set up.

- Commissioner Holian said we can get it on the County agenda for the end of the month.
- Commissioner Vigil agreed, if the legal review can be done before May 31st, if not it would be the second Tuesday in June.

Mr. Schiavo said he doesn't believe that will be a problem.

- Commissioner Vigil said her concerns about this are because of her experience with the Buckman Direct Diversion. She said it would be good to learn what opportunities the County has, noting the County has been looking to move forward with an alternative energy project for the Jail and other buildings.
- Commissioner Holian said the County's two new energy specialists have created an RFP for a PPA, and the number one location for that is the new County Courthouse, but they are looking at the County Jail – actually next to the jail because of security issues. She said they are now ready to post the RFP.
- Commissioner Vigil said this might be good information to convey to the County Commission at its meeting next Tuesday, commenting this is the first she's heard about that.
- Commissioner Holian said the energy specialists are very efficient, noting they've only been on board for a month.
- Commissioner Vigil asked Ms. Pavel if Positive Energy, Inc., would be responding to that RFP.

Ms. Pavel said, "Absolutely." She said they have spoken with the builders of the Courthouse, and have looked at that project. She said it is an issue of time, noting the Courthouse has a very high viability – it is new construction and can be built to suit. However, the issue is that the PNM RECs are decreasing in value.

- Commissioner Vigil asked if this is a competitive process with PNM.

Mr. Schiavo said it is competitive in that the sooner you get the application in, if it is viable, the better the rates that can be locked-in.

- Commissioner Vigil said then it is first come, first served, and Mr. Schiavo said this is correct.

Ms. Pavel said Positive Energy is investing its time, and if she can get a sense of the enthusiasm for the project, she can be prepared to submit the application to PNM within 10 minutes after approval. She said if there is support she can start to prepare the application which will take about two weeks.

- Chair Romero said she is enthused as well, and said then Ms. Pavel could move forward with the application once there is a legal decision from the County, an informational presentation to the BCC, and a vote of SWMA. She said the timely issue is with submitting the application.

Ms. Pavel said she would put the effort into preparing the application and have it ready to submit if it is the sense that this is something SWMA could support.

- Responding to Chair Romero, Ms. Pavel said there is no commitment in submitting the application.

Mr. Schiavo said there are two pieces to this. The first is the submission of the application and for a few thousand dollars we get PNM's review and we lock up a REC price. The other is the actual Purchase Agreement, which is the document all parties would sign and would be binding. However, with the submission of the application, the worst case scenario is that we would be out \$2,500 if everyone says no after reviewing the documents and saying they could never sign the agreement. He thinks it's worth spending the \$2,500 to lock-up a REC rate which will make the project work.

- Chair Romero said then the second part is the approval of the contract to put things in place.

Mr. Schiavo said yes, and he wouldn't ask the SWMA Board to vote on a document you haven't seen and which hasn't been vetted.

MOTION: Commissioner Holian moved, seconded by Commissioner Mayfield, to approve submitting the application, and approve forward with the feasibility for this project, pending a positive legal review, and approval by the various City bodies that will be considering this.

FRIENDLY AMENDMENT: Commissioner Vigil would like to amend the motion to include a positive approval by the Legal Department as proposed to the County Commissioners. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND AND THERE WERE NO OBJECTIONS BY THE OTHER BOARD MEMBERS.**

DISCUSSION ON THE MOTION, AS AMENDED: Mr. Kippenbrock would like to include the second location as an alternate in the event the first choice is not feasible.

Ms. Pavel demonstrated the second choice, the alternative location, on the large drawing.

Chair Romero clarified that the only thing SWMA is doing at this time is giving positive approval to submit the application, and asked if the second site will be included in the application as an option.

Ms. Pavel said all PNM cares about is the electrical equipment and the tie-ins and such, and it won't change anything for that particular application with regard to which site is chosen. However, it would be necessary for permitting.

Chair Romero said then we're really not considering the location, it is the application.

Ms. Pavel said she is hearing that Mr. Kippenbrock would like the second location to be included in the design considerations and Mr. Kippenbrock said this is correct.

VOTE: The motion was approved unanimously on a voice vote.

(B) UPDATE AND POSSIBLE ACTION ON CATALOG CHOICE FOR A RECYCLING PROGRAM OF UNWANTED JUNK MAIL, CATALOGS AND PHONE BOOKS.

Mr. Kippenbrock presented information regarding this matter from his Memorandum of May 12, 2011, with attachments, to the SFSWMA Joint Powers Board, which is incorporated herewith to these minutes as Exhibit "5." Please see Exhibit "5" for specifics of this presentation.

Commissioner Vigil asked if there was discussion about how people with internet service can take advantage of this, and if there is a way through current outreach to educate those citizens, or perhaps having computers for them to access. She always worries about the digital divide, commenting people do get left out.

Commissioner Holian said the libraries have computers people can use.

Commissioner Vigil would like there to be an educational peace to inform those without computers of this service and that they can use the computer at the library to respond/opt out.

Chair Romero said the GCCC has wireless as well.

Commissioner Vigil said there are computers at the senior center in Edgewood and the Eldorado library.

Chair Romero would like staff to figure out ways to let people know they have access to the internet at various public locations, and Mr. Kippenbrock said he will do so.

MOTION: Commissioner Vigil moved, seconded by Commissioner Mayfield, to approve staff's recommendation to approve Option 1 with educational outreach as discussed in this meeting to address residents who do not have access to computers to allow them to opt out.

DISCUSSION: Chair Romero noted the City of Santa Fe logo has changed and they no longer are using the 400th, and asked Mr. Kippenbrock to double-check with the City in this regard.

VOTE: The motion was approved unanimously on a voice vote.

VII. MATTERS FROM THE BOARD

A. DISCUSSION WITH POSSIBLE ACTION ON A COLLABORATIVE EFFORT WITH SANTA FE COUNTY TO HOLD A COMMUNITY PROTECTION DAY FOR REDUCING THE RISK OF WILDFIRES. (COMMISSIONER VIRGINIA VIGIL)

A Memorandum dated May 12, 2011, to the SFSWMA Joint Powers Board, regarding this matter, is incorporated herewith to these minutes as Exhibit "6."

Commissioner Vigil said the County has an agreement with the Solid Waste Agreement for county residents to bring up to 60 tons of debris and other items. She said we are experiencing a high fire risk season and most of the fires are out in the County. One of the issues is how to coordinate an effort to do a Wildland Interface Cleanup Alternative Day.

Commissioner Vigil spoke with the Acting Fire Chief, Dave Sperling, who has assured her this is doable. She doesn't know whether we need approval by SWMA, noting the agreement allows them to come in and do this. She wants to find out if we need approval, and if so, to seek that approval. And if approval is not needed, to let the Board know this is something they want to do and it needs to be done expeditiously because the fire season has just started.

Commissioner Vigil said people who live in forest or urban areas are required by our own ordinance to do certain things to keep hazardous debris away from their homes. This activity would give us the opportunity to collect that debris and bring it to SWMA. She wants to know how we can make this happen legally.

Mr. Kippenbrock said the free disposal policy is basically 600 tons per entity. He said the current policy was designed to assist non-profit groups that clean up illegal roadside dumping, as well as to assist victims of house fires to have a way to dispose of fire related wastes.

Mr. Kippenbrock said this would be an additional disposal category, and asked if the Board would consider part of its equation for 600 tons per year. He said the policy doesn't say it can be used for this purpose, and it has never been a category. He said if the Board agrees to add this category, then the Board needs to take action, noting anything of 10 tons or more needs to be approved by the Board. He said this free program is used by Santa Fe Beautiful, by the Acequia Madre Association, BLM, U.S. Forest Service as well as the County.

Commissioner Vigil said the non-profits in the County haven't taken advantage of this, commenting she really doesn't know how many there are, and if this were the focus, this would be another appropriate means to move forward. She doesn't know that they would get 10 tons, noting this would be leaves, branches and other flammable material in rural residential areas.

MOTION: Commissioner Vigil moved, seconded by Commissioner Holian for purposes of discussion, that this Board approve the 10 tonnage amount for a designated day, as approved by the County, for the removal of debris to prevent forest fires and other kinds of fires.

DISCUSSION: Commissioner Holian asked if this debris would be accepted at Caja del Rio as well as at all of the transfer stations, plus BuRRT.

Mr. Kippenbrock said the details haven't been worked out.

Olivar Barela said there are only two places where the County takes green waste right now which are BuRRT and Eldorado. He said at the meeting they discussed the possibility of providing some bins in Stanley for the people down south, but that would mean having to transport the green waste either to Eldorado or to BuRRT for processing. He said they are going to have green waste at the transfer stations and process it there. He doesn't understand the logistics. He noted there are tremendous piles of processed green waste, and he is under orders to get those huge mulch piles delivered somewhere, noting these are fire hazards as well.

Commissioner Holian said we need an education piece to this effort to make the public aware that the mulch exists so we can start moving it into the community, so people can use it, and prevent it from growing into a fire hazard. She said in creating this program we also have to look at the other end, and what will happen to the material generated from the cleanup day.

Commissioner Vigil said there are other items which are a fire hazard which we need to integrate on this specific day. She doesn't know what other kinds of materials would be appropriate, noting Chief Sperling will be available to help us with that. She said if it is strictly mulch it could go to the County's Solid Waste, but she doesn't believe this initiative deals strictly with mulch. She said we need to specifically identify what items would be acceptable on clean-up day, noting there are other items which are part of the interface ordinance, tires and such which might be acceptable.

Commissioner Vigil said since we're in the defining process, she would like to move forward and accept the 10 tons and have staff work with David Sperling and Olivar Barela with regard to how to narrow the focus on what is acceptable. She does want to move forward with this because County residents don't know it exists, and to promote removing the debris to prevent fires which she believes is very important to the County.

Chair Romero said she sees two issues happening. She said there is the issue of those materials which have to be moved from a residence that are organic materials which could be composted in some way. There are other organic materials which are sitting there in Eldorado, and there is the issue of how to get rid of those. She said creating additional mulch from the fire-wise communities and adding it to that pile is a problem with which we need to deal.

Chair Romero said, secondly, there is the cleanup day materials which are not organic, such as cars and other things, noting the County is moving forward to do that kind of cleanup. We could move forward with the cleanup of materials on the cleanup day which is within the 600 tons. She said we already have materials we need to dispose of which adds to the problem at Eldorado.

FRIENDLY AMENDMENT: Mr. Kippenbrock would like the limit to be set up to 100 tons for the special cleanup, and then it would be okay. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND, AND THERE WERE NO OBJECTIONS BY THE OTHER BOARD MEMBERS.**

Commissioner Holian noted there is a property in her District on Rabbit Road where there was a fire which could yield 10 tons itself. She said it isn't only cars, and there probably are 10 tons of trash on this property, noting this property is the "poster child," for why we should be doing this. She said the fire was extremely dangerous, and the firefighters did a fabulous job on that fire.

Commissioner Holian said there are areas in her District where there are fire hazards because of trees, dead pinons and such, and they are doing something. The County Fire Department will go out for a community cleanup day, and take a chipper and help them. She agrees that there are real issues with the problem properties which have a lot of trash, and perhaps we need to target those.

Commissioner Mayfield asked if the motion will allow something at the transfer stations.

Commissioner Vigil said we are allowing them to bring waste here, and the transfer stations currently collecting debris for mulching purposes will continue to do that. However, this is a different category, so that waste would have to be brought here.

Mr. Kippenbrock said his understanding is that he will be working with the County Solid Waste Department to conduct the program and bring the waste to BuRRT.

Commissioner Mayfield said we still incur a cost for the residents to go to the transfer station.

Commissioner Vigil said no, this would be a special for one day for up to 100 tons, at no cost.

Chair Romero said it sounds like Mr. Kippenbrock will work with the County to get it here, but there still is the problem that people could be bringing more mulch.

Commissioner Vigil said that is a different issue, and that is the County's problem, and there is a program to deal with that.

Chair Romero asked, to be clear, when we do this special cleanup, if people will be adding to the mulch problem.

Mr. Barela said it won't to that extent, but more than mulch will be coming to the transfer station and that is what we really need to address, commenting a 10 ton limit wouldn't "cut it." He said they are handling the mulch issue and this won't impact that.

Commissioner Vigil asked if the 600 tons is an annual allocation, and Mr. Kippenbrock said yes.

Commissioner Vigil asked what happens if we get more than 100 tons on the cleanup day.

Mr. Kippenbrock said he will come back to the Board, but nobody will be turned away. Everything will go through the County facility and the County will bring it to BuRRT.

VOTE: The motion, as amended, was approved unanimously on a voice vote.

Commissioner Mayfield said he read in the newspaper recently that there is an issue of medical waste which was disposed of on one of the County properties, and asked for an update.

Mr. Kippenbrock said over the past 20 years, St. Vincent Hospital has brought in unauthorized loads of infectious waste and has been penalized. He said St. Vincent flunked the test because they brought in sharps, used needles, and bloody items. He said the State has been working with St. Vincent to make them come into compliance with its waste to send it to the appropriate facility for handling and disposal. He didn't see the newspaper, but that incident occurred 3-6 months ago, and the State and the hospital have come to an agreement.

Mr. Kippenbrock said the definition of infectious waste is state-by-state, noting Texas is more lenient than New Mexico. He said if there is one bloody item, the entire load can be rejected. He said diabetics are allowed to dispose of sharps with the household trash. However, all regulated facilities – clinics to hospitals and veterinarians – need to handle the waste properly.

Commissioner Mayfield asked if SWMA has the authority to go back to a source who was found to have infectious materials in its waste, and levy a penalty.

Mr. Kippenbrock said for the 3 instances with St. Vincent, SWMA bills for the additional time it requires to resolve the waste. He said once identified, it is cordoned off, the regulator and the hospital are called who, in turn, call their cleanup crew. He said any time we have to spend on the cleanup is billed to the generator of the waste.

Commissioner Mayfield asked if there was a worker's compensation claim related to illegal infectious waste.

Mr. Kippenbrock said as part of equipment maintenance, an employee opened the belly of a landfill compactor to remove debris and punctured his hand on a sharp, and he was sent to be checked for injuries. He said this is a related incident, but not because the person was working around the trash itself.

Chair Romero said NMED has the final say on fining an entity such as the hospital, but SWMA has the ability to bill for its time to process the waste, noting NMED is the only entity which can impose a fine.

Mr. Kippenbrock said this is a statewide issue, noting the issue in Sunland Park 4-5 years ago when the Camino Real Landfill in Sunland Park was getting infectious waste from El Paso which was considered safe in Texas but not in New Mexico.

Mr. Kippenbrock said they intercepted a load of waste from Presbyterian Hospital which came to the landfill which shouldn't, because it was out of the County and contained infectious waste.

Commissioner Mayfield asked if waste from a medical facility is identified before it "comes in the door," or do they use private contractors.

Mr. Kippenbrock said they use a private contractor. However, the problem is that a lot of the waste was put into dumpsters, and the drivers of trucks collecting waste from the dumpsters have no knowledge of what is in the waste until it is ejected at the landfill. That is when it becomes visible – bags, tubing, bedding material – commenting sometimes you see it and sometimes you don't. He said it is important to bear in mind that these types of waste coming from private homes are legal, and they see a lot of those.

Chair Romero said it might be helpful to meet with Alex Valdez, and she would be willing to meet with him, along with other Board members who would like to do so, just to be reassured St. Vincent is doing everything possible to work with its contractors to prevent this from happening. She said it would be helpful to find out what they're doing to monitor and reign-in their contractors on their end.

Mr. Kippenbrock said it isn't on the hauling part, it is happening inside the facility where housekeeping is putting these wastes into the cans.

Chair Romero said then it is very important to meet with them to be sure they are doing everything possible on their end. She asked Mr. Kippenbrock to set up an appointment with Mr. Valdez so we can talk about this issue.

Commissioner Mayfield said the waste also could be coming from a local medical office, and Mr. Kippenbrock said that has happened.

VIII. EXECUTIVE SESSION

A. DISCUSSION OF PENDING OR THREATENED LITIGATION IN WHICH THE SANTA FE SOLID WASTE MANAGEMENT AGENCY IS OR MAY BECOME A PARTICIPANT, PURSUANT TO NMSA 1978, §10-15-1(H)(7); LIMITED PERSONNEL MATTERS REGARDING THE EXECUTIVE DIRECTOR, PURSUANT TO NMSA 1978, §10-15-1(H)(2)

There was no Executive Session

IX. NEXT MEETING DATE

Chair Romero asked Mr. Kippenbrock to check the record to affirm the Vice-Chair of the Board, saying she thought it was Commissioner Holian.

After discussion, it was the consensus among the Board that the next meeting, June 16, 2011, will be held in the Legal Conference Room, at the Santa Fe County Courthouse.

X. ADJOURNMENT

There was no further business to come before the Board, and the meeting was adjourned at approximately 1:45 p.m.

APPROVED BY:

Rosemary Romero, Chair

ATTESTED TO:

Yolanda Y. Vigil
Yolanda Y. Vigil, City Clerk

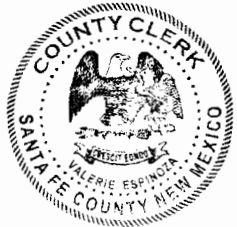
SUBMITTED BY:

Melessia Helberg, Committee Stenographer

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

SOLID WASTE MINUTES
PAGES: 52

I Hereby Certify That This Instrument Was Filed for
Record On The 5TH Day Of July, 2011 at 03:02:12 PM
And Was Duly Recorded as Instrument # **1639395**
Of The Records Of Santa Fe County



Deputy Marcella [Signature])
Witness My Hand And Seal Of Office
Valerie Espinoza
County Clerk, Santa Fe, NM

SFC CLERK RECORDED 8/7/11

MEMORANDUM

To: SFSWMA Joint Powers Board
From: Randall Kippenbrock, P.E., Executive Director *RK*
Date: May 12, 2011
Subject: Project Update on the Construction of the Household Hazardous Waste Collection Facility at the Buckman Road Recycling and Transfer Station.

Staff will present an update on the construction of the permanent household hazardous waste (HHW) collection facility at the Buckman Road Recycling and Transfer Station (BuRRT).

On February 18, 2011, eight (8) sealed bids were opened and read for RFB '11/29/B. The apparent low bidder withdrew within 24 hours after finding a numerical error (\$50,000) in his bid of \$586,183.00. Other bids ranged from \$674,936.25 to \$762,588.00. All bids were rejected in the best interest of the Agency due to the difference between the apparent low bidder and others. The Agency then instructed the design engineering firm, JR Miller and Associates, to revise the plans and specifications in order to reduce the overall construction cost without sacrificing the quality of the construction or greatly impacting the functionality of the HHW building or the recycling drop-off center. Some of these revisions resulted in plan modifications and others included revisions or clarifications to the specifications to provide more flexibility for contractor's suggested alternates. The primary plan revisions in the bid document - RFB '11/36/B - are listed below.

General Building Items

- Wood framed canopy changed to a pre-engineered manufactured canopy by contractor.
 - Design loads have been outlined
 - Design intent has been identified.
- Clarifications of first bid addendum have been addressed and further clarification has been added to the plans.
- Skylights – size, quantity, type and location have been coordinated and updated on the plans.
- Roof access ladder design was simplified.
- Emergency eyewash & shower have been combined to one unit and the floor drain removed.
- Roof drains and overflow drains were simplified and revised on plans.
- Mechanical equipment location and coordination was updated on plans.

Plumbing Items

- Changed from a wall mounted toilet to a floor mounted toilet.
- Replaced two smaller water heaters for one tankless that can serve both functions.

Electrical Items

- Revised lighting fixture types to be from the same manufacturer.
- Included Addendum changes into the plans.

Recycling Drop-Off Center

- Revise the quantity and location of guardrail.

The due date for RFB '11/36/B was April 29, 2011. However, the City of Santa Fe Purchasing Director made the decision not to open bids prior to the bid opening due to discrepancies found in the front-end documents of the bid that were considered materially for protests (i.e., submittal requirements, acknowledgment of receipt of addendum).

The original construction cost estimate prepared by JR Miller in October 2010 was as follows:

HHW Facility	\$536,000
Recycling Drop Area	<u>\$ 83,000</u>
Total Estimate	\$619,000

The second low bid for RFB '11/29/B after the first bidder withdrew was at \$699,000 for the project. The bid included a \$25,000 contingency to cover unforeseen conditions as directed in the bid documents and \$42,000 for taxes. Neither of these were included in the engineer's original construction cost estimate. On a comparable basis the low bid was \$632,000 vs the engineer's estimate of \$619,000.

The Agency requested JR Miller to review the cost estimate. To update their estimate they took the average of the four low bidders (excluding low bidder) for each project to arrive at the best actual construction cost estimate for the original project. They also removed the \$25,000 contingency line item as it was decided it was not advantageous for this project. Their best estimate for the changes to the bid documents indicated a resulting of 5% to 15% with an overall assumption of 7%. They indicated that it is difficult to estimate since there is no one big ticket item and a reduction will be a result of an expected decrease in labor related to changes to the canopy and various supplies and materials. Due to the construction not starting until July, they predict inflation to be a factor in the construction industry based largely on fuel costs. Using the bid data and their numbers they arrive at the following construction cost estimate.

HHW Facility (average 4 bids excluding \$25,000 contgy)	\$ 560,900
Estimate 7% reduction for changes	(39,200)
Construction cost inflation 2%	<u>10,400</u>
Total HHW construction cost estimate	\$ 532,100
Recycling Drop-Off Site	\$ 82,000
Subtotal Construction Cost Estimate	\$614,100
NMGRT (8.1875%)	<u>\$ 50,279</u>
Estimated Construction Cost	\$ 664,379

JR Miller indicated that the actual bids will be impacted by the current construction climate. They indicated that if there are several bidders, the cost range for low bid may be from \$630,000 to \$670,000.

The front end of the bid documents were revised and are in conformance with the City of Santa Fe Purchasing Department requirements. The general contract for this project assigned as RFB '11/40B has been advertised for bids on May 13, 2011 with bid opening on May 23, 2011. The projected contract award date is planned for June 16, 2011, with six months to substantial completion and an anticipated construction start in July 2011. These are estimated dates and durations and are subject to change.

The engineering is within the current contract budget and there have been no changes to date, however, with the exception of higher printing costs for the plans, specifications, and bid documents.

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SPC CLERK RECORDED 07/05/2011

MEMORANDUM

To: SFSWMA Joint Powers Board
From: Randall Kippenbrock, P.E., Executive Director RLK
Date: May 12, 2011
Subject: Update on the HHW Collection Event to be Held Sunday, May 22, 2011, at the Buckman Road Recycling and Transfer Station.

Staff will present an update on the household hazardous waste (HHW) collection event to be held Sunday, May 22, 2011, at the Buckman Road Recycling and Transfer Station (BuRRT). Items to be discussed include the following:

- Meetings leading up to the HHW event, held with City and County staff members;
- Advertising efforts by all entities; and
- General description of event staffing and traffic flow.

On March 17, 2011, the Board approved a request to hold an HHW collection event on May 22. The Board also approved a Professional Services Agreement to Rinchem Company, Inc. of Albuquerque, NM for \$67,349.70 for the management and disposal of HHW to be collected at the HHW event.

Attached are 2011 HHW flyers that are being used to get the message out.

M:\Memo\Memo.051211.4.wpd

SFC CLERK RECORDED 07/05/2011



Household Hazardous Waste Drop-Off Day 2011

Sunday, May 22 • 9 am – 4 pm
Buckman Road Recycling & Transfer Station
2600 Buckman Road

Disposal of:

Household cleaners, paints, solvents, pesticides, herbicides, auto fluids, batteries, smoke detectors, pool chemicals, hobby chemicals, florescent bulbs, mercury thermometers and medications.

NOT ACCEPTED:

Commercial and small business waste, industrial waste, medical waste, compressed gas cylinders, radioactive materials, ammunition, or asbestos.

**For these wastes please call 820-0208,
ext 420 for more info.**

No Electronic Waste:

BuRRT accepts e-waste every business day, **except
HHW Drop-Off Day.**

www.sfwma.org

**NO WASTE
EXCHANGE**





Disposal Of:

Household cleaners, paints, solvents, pesticides, herbicides, auto fluids, batteries, smoke detectors, glues, cements, pool chemicals, hobby chemicals, florescent bulbs, mercury thermometers and thermostats, medications, and flammable products.

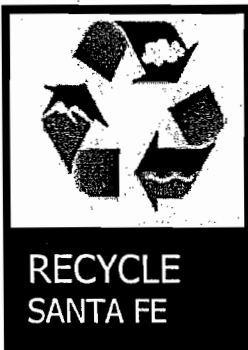
No Electronic Waste

BuRRT accepts e-waste (computers, monitors, keyboards, mice, peripherals, and printers) every business day except HHW Drop-Off Day, May 22nd.

NO WASTE EXCHANGE PROGRAM

Sponsored By:

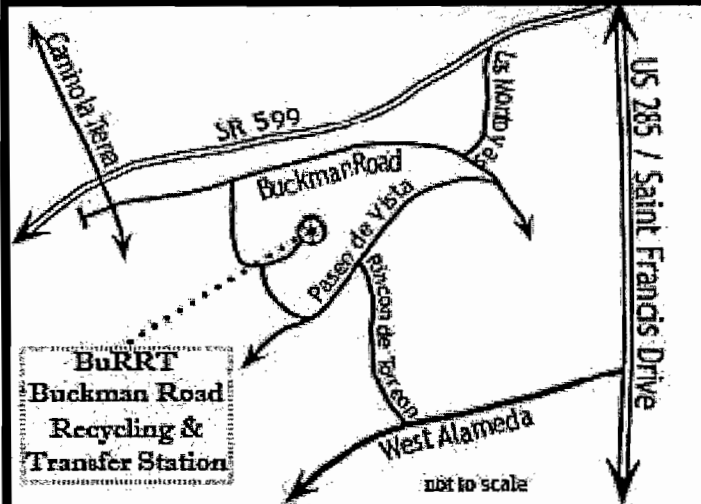
- Santa Fe Solid Waste Management Agency
- City of Santa Fe
- Santa Fe County
- Keep Santa Fe Beautiful



Household Hazardous Drop-Off Day 2011

**Sunday, May 22
9 a.m.- 4 p.m.**

**Buckman Road Recycling and Transfer Station
2600 Buckman Road
For Info call 820-0208, ext 420**



NOT ACCEPTED

Commercial and small business waste, industrial waste, medical waste, propane and helium tanks, compressed gas cylinders, radioactive materials, ammunition, or asbestos. For these wastes please call 820-0208, ext 420 for more information



SE ACEPTAN:

Los limpiadores de la casa, pinturas, solventes, pesticidas, herbicidas, líquidos auto, baterías, detectores de humos, pegán, los cementos, los productos químicos de la piscina, los productos químicos de la manía, los bulbos en flor, los termómetros y los termóstatos del mercurio, las medicaciones, y los productos inflamables.

NO SERAN ACEPTADOS DURANTE ESTE DIA SUS DESECHOS ELECTRONICOS

(como computadores, monitores, teclados, mouses y otros perifericos) usted puede llevar sus desechos eletrónicos al estación BuRRT todos los dias menos el Domingo 22 de Mayo.

NO INTERCAMBIO DE DESECHOS

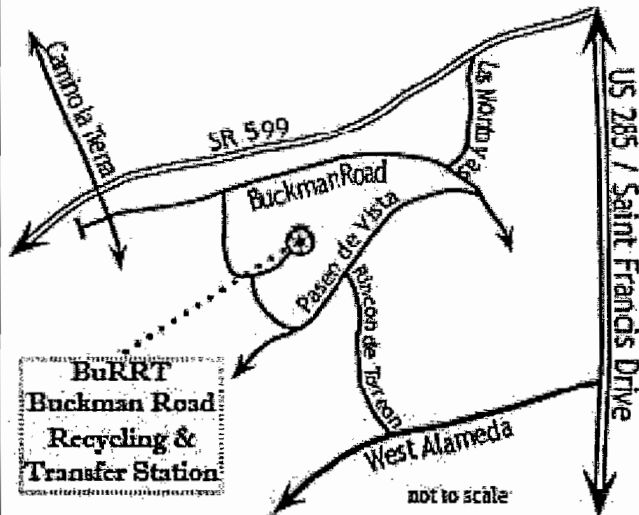
PATROCINADO POR:

- Santa Fe Solid Waste Management Agency
- City of Santa Fe
- Santa Fe County
- Keep Santa Fe Beautiful



DIA PARA ENTREGAR SIN COSTO SUS DESECHOS PELIGROSOS DE LA CASA 2011

**Domingo 22 de Mayo
9 a.m. - 4 p.m.
Buckman Road Recycling and Transfer Station
2600 Buckman Road
Llame 820-0280, ext 420
para info.**



NO ACEPTAMOS:

Desechos ó residuos comerciales, cilindros de gas comprimidos, desechos infecciosos ó radioactivos, municiones ó explosivos. Para informacion de este desechos llame 820-0280, ext 420

TO: SANTA FE SOLID WASTE MANAGEMENT AGENCY
FROM: JUSTIN MILLER
RE: AMENDMENTS TO THE GOVERNMENTAL CONDUCT ACT
DATE: MAY 17, 2011

I. The Governmental Conduct Act

The Governmental Conduct Act was amended by Senate Bill 423, passed in the 2011 legislative session. The amendments go into effect on July 1, 2011. Most significantly for the Solid Waste Management Agency, the Act now applies to all elected or appointed officials and employees of cities and counties, including entities such as SWMA which is a joint powers agency created under the authority of two local government entities.

The Act allows local government entities to adopt rules and regulations that are stricter than those contained in the Act. Therefore, officials and employees of SWMA must also continue to adhere to ordinances of the City of Santa Fe and Santa Fe County.

II. Summary

The following is a summary of the Governmental Conduct Act provisions that are most relevant to the operations of SFSWMA. The full text of the Act, as it will be in effect on July 1, is attached.

- 10-16-2
 - Amends definitions to apply the Act to local government officials and employees.
 - Defines contract as an agreement having a value of more than \$1,000.

- 10-16-3.
 - Officials and employees must treat government position as a public trust, may use powers and resources of office only to advance the public interest and not to obtain personal or private benefits.
 - Full disclosure of real or potential conflicts of interest is a guiding principle. Officials and employees shall make reasonable efforts to avoid undue influence.

SFC CLERK RECORDED 07/05/2011

Exhibit "3"

ATTORNEY CLIENT MEMORANDUM

- 10-16-3.1.
 - Prohibits certain kinds of political activity, such as influencing another official or employee to act for a political purpose and making employment decisions contingent on political activity.
 - Prohibits using public property for unauthorized purposes.

- 10-16-4.
 - It is unlawful for an official or employee to take an official act for the primary purpose of enhancing their financial position.
 - Official or employee is disqualified from engaging in an official act if it affects their financial position, unless they are less impacted than the benefit to the general public.
 - Contrast with former § 3-10-5, allowing other members of governing body to disqualify official from voting after disclosure of financial interest.
 - Officials and employees shall not acquire a financial interest when the interest will be affected by an official act.

- 10-16-4.1
 - Prohibits accepting honoraria for activities related to public service.

- 10-16-4.2
 - Requires officials and employees to disclose all outside employment.

- 10-16-6
 - Prohibits the use or disclosure of confidential information for private gain.

- 10-16-7
 - Prohibits an agency from contracting with an official or employee unless the contract is awarded through a competitive process.

- 10-16-8
 - Prohibits an agency from contracting when a former official or employee represents the contractor and the former official or employee was involved in developing the contract.
 - Prohibits former officials and employees from representing a person when the former official or employee participated in the matter while working for the government.
 - Prohibits a former official or employee from representing someone before the agency where they worked for one year after leaving government.

ATTORNEY CLIENT MEMORANDUM

- 10-16-13
 - Prohibits acceptance of a bid from someone who participated in developing the specifications for the contract.
- 10-16-13.2
 - Prohibits sales to and contracting with employees supervised or regulated by an official or employee.
- 10-16-14
 - The Act is enforced by the Secretary of State, who may refer violations to the Attorney General or other prosecutors.
- 10-16-17
 - A knowing and willful violation of the Act is a misdemeanor, punishable by a fine up to \$1,000 and imprisonment up to one year.
- 10-16-18
 - A violation may result in a civil decision providing injunctive relief, and fines of \$250 per violation not to exceed \$5,000.
- NEW SECTION
 - An employee participating in a contracting process may not become an employee of the contractor.
- NEW SECTION
 - Allows local governments to adopt stricter regulations than those in the Act.

III. Sections of law repealed by Senate Bill 432

Senate Bill 432 repealed several sections of law that previously addressed conduct of municipal and county officials and employees. These sections will no longer apply as of July 1, 2011.

- § 3-10-4: financial interests of municipal officers and employees
- § 3-10-5: disclosure of interest and disqualification from voting
- § 4-44-22: disqualification of county officials for financial interest
- § 4-44-23: prohibition on use of confidential information by county officials or employees
- § 4-44-24: restrictions on contracts with former county officials and employees
- § 4-44-25: disclosure of financial interest
- § 4-44-26: disclosure for persons of retainer or contract
- § 4-44-27: enforcement procedures

2011 JUL 11 10:00 AM
STATE OF MICHIGAN
CLERK OF THE SUPREME COURT
300 N ZEEB RD
LANSING MI 48226

GOVERNMENTAL CONDUCT ACT, AS AMENDED BY SENATE BILL 432

10-16-1. SHORT TITLE

Chapter 10, Article 16 NMSA 1978 may be cited as the "Governmental Conduct Act".

10-16-2. DEFINITIONS.--As used in the Governmental Conduct Act:

A. "business" means a corporation, partnership, sole proprietorship, firm, organization or individual carrying on a business;

B. "confidential information" means information that by law or practice is not available to the public;

C. "contract" means an agreement or transaction having a value of more than one thousand dollars (\$ 1,000) with a state or local government agency for:

- (1) the rendition of services, including professional services;
- (2) the furnishing of any material, supplies or equipment;
- (3) the construction, alteration or repair of any public building or public work;
- (4) the acquisition, sale or lease of any land or building;
- (5) a licensing arrangement;
- (6) a loan or loan guarantee; or
- (7) the purchase of financial securities or instruments;

D. "employment" means rendering of services for compensation in the form of salary as an employee;

E. "family" means an individual's spouse, parents, children or siblings, by consanguinity or affinity;

F. "financial interest" means an interest held by an individual or the individual's family that is:

- (1) an ownership interest in business or property; or
- (2) any employment or prospective employment for which negotiations have already begun;

G. "local government agency" means a political subdivision of the state or an agency of a political subdivision of the state;

H. "official act" means an official decision, recommendation, approval, disapproval or other action that involves the use of discretionary authority;

I. "public officer or employee" means any elected or appointed official or employee of a state agency or local government agency who receives compensation in the form of salary or is eligible for per diem or mileage but excludes legislators;

J. "standards" means the conduct required by the Governmental Conduct Act;

K. "state agency" means any branch, agency, instrumentality or institution of the state; and

L. "substantial interest" means an ownership interest that is greater than twenty percent.

10-16-3. ETHICAL PRINCIPLES OF PUBLIC SERVICE; CERTAIN OFFICIAL ACTS PROHIBITED; PENALTY.

A. A legislator or public officer or employee shall treat the legislator's or public officer's or employee's government position as a public trust. The legislator or public officer or employee shall use the powers and resources of public office only to advance the public interest and not to obtain personal benefits or pursue private interests.

B. Legislators and public officers and employees shall conduct themselves in a manner that justifies the confidence placed in them by the people, at all times maintaining the integrity and discharging ethically the high responsibilities of public service.

C. Full disclosure of real or potential conflicts of interest shall be a guiding principle for determining appropriate conduct. At all times, reasonable efforts shall be made to avoid undue influence and abuse of office in public service.

D. No legislator or public officer or employee may request or receive, and no person may offer a legislator or public officer or employee, any money, thing of value or promise thereof that is conditioned upon or given in exchange for promised performance of an official act. Any person who knowingly and willfully violates the provisions of this subsection is guilty of a fourth degree felony and shall be sentenced pursuant to the provisions of Section 31-18-15 NMSA 1978.

10-16-3.1. PROHIBITED POLITICAL ACTIVITIES.

A public officer or employee is prohibited from:

A. directly or indirectly coercing or attempting to coerce another public officer or employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for a political

purpose:

B. threatening to deny a promotion or pay increase to an employee who does or does not vote for certain candidates, requiring an employee to contribute a percentage of the employee's pay to a political fund, influencing a subordinate employee to purchase a ticket to a political fundraising dinner or similar event, advising an employee to take part in political activity or similar activities; or

C. violating the officer's or employee's duty not to use property belonging to a state agency or local government agency, or allow its use, for other than authorized purposes."

**10-16-4. OFFICIAL ACT FOR PERSONAL FINANCIAL INTEREST
PROHIBITED; DISQUALIFICATION FROM OFFICIAL ACT; PROVIDING A PENALTY.**

A. It is unlawful for a public officer or employee to take an official act for the primary purpose of directly enhancing the public officer's or employee's financial interest or financial position. Any person who knowingly and willfully violates the provisions of this subsection is guilty of a fourth degree felony and shall be sentenced pursuant to the provisions of Section 31-18-15 NMSA 1978.

B. A public officer or employee shall be disqualified from engaging in any official act directly affecting the public officer's or employee's financial interest, except a public officer or employee shall not be disqualified from engaging in an official act if the financial benefit of the financial interest to the public officer or employee is proportionately less than the benefit to the general public.

C. No public officer during the term for which elected and no public employee during the period of employment shall acquire a financial interest when the public officer or employee believes or should have reason to believe that the new financial interest will be directly affected by the officer's or employee's official act."

10-16-4.1. HONORARIA PROHIBITED.

No legislator, public officer or employee may request or receive an honorarium for a speech or service rendered that relates to the performance of public duties. For the purposes of this section, "honorarium" means payment of money, or any other thing of value in excess of one hundred dollars (\$100), but does not include reasonable reimbursement for meals, lodging or actual travel expenses incurred in making the speech or rendering the service, or payment or compensation for services rendered in the normal course of a private business pursuit.

10-16-4.2. DISCLOSURE OF OUTSIDE EMPLOYMENT.

A public officer or employee shall disclose in writing to the officer's or employee's respective office or employer all employment engaged in by the officer or employee other than the employment with or service to a state agency or local government agency."

10-16-5. REPEALED

10-16-6. CONFIDENTIAL INFORMATION.

No legislator or public officer or employee shall use or disclose confidential information acquired by virtue of the legislator's or public officer's or employee's position with a state agency or local government agency for the legislator's, public officer's or employee's or another's private gain."

10-16-7. CONTRACTS INVOLVING PUBLIC OFFICERS OR EMPLOYEES.

A. A state agency shall not enter into a contract with a public officer or employee of the state, with the family of the public officer or employee or with a business in which the public officer or employee or the family of the public officer or employee has a substantial interest unless the public officer or employee has disclosed through public notice the public officer's or employee's substantial interest and unless the contract is awarded pursuant to a competitive process; provided that this section does not apply to a contract of official employment with the state. A person negotiating or executing a contract on behalf of a state agency shall exercise due diligence to ensure compliance with the provisions of this section.

B. Unless a public officer or employee has disclosed the public officer's or employee's substantial interest through public notice and unless a contract is awarded pursuant to a competitive process, a local government agency shall not enter into a contract with a public officer or employee of that local government agency, with the family of the public officer or employee or with a business in which the public officer or employee or the family of the public officer or employee has a substantial interest.

C. Subsection B of this section does not apply to a contract of official employment with a political subdivision. A person negotiating or executing a contract on behalf of a local government agency shall exercise due diligence to ensure compliance with the provisions of this section."

**10-16-8. CONTRACTS INVOLVING FORMER PUBLIC OFFICERS OR EMPLOYEES;
REPRESENTATION OF CLIENTS AFTER GOVERNMENT SERVICE.**

A. A state agency shall not enter into a contract with, or take any action favorably affecting, any person or business that is:

(1) represented personally in the matter by a person who has been a public officer or employee of the state within the preceding year if the value of the contract or action is in excess of one thousand dollars (\$1,000) and the contract is a direct result of an official act by the public officer or employee; or

(2) assisted in the transaction by a former public officer or employee of the state whose official act, while in state employment, directly resulted in the agency's making that contract or taking that action.

B. A former public officer or employee shall not represent a person in the person's dealings with the government on a matter in which the former public officer or employee participated personally and substantially while a public officer or employee.

C. A local government agency shall not enter into a contract with, or take any action favorably affecting, any person or business that is:

(1) represented personally in the matter by a person who has been a public officer or employee of that local government agency within the preceding year if the value of the contract or action is in excess of one thousand dollars (\$1,000) and the contract is a direct result of an official act by the public officer or employee; or

(2) assisted in the transaction by a former public officer or employee of that political subdivision of the state whose official act, while in employment with that political subdivision of the state, directly resulted in the agency's making that contract or taking that action.

D. For a period of one year after leaving government service or employment, a former public officer or employee shall not represent for pay a person before the state agency or local government agency at which the former public officer or employee served or worked.

10-16-9. CONTRACTS INVOLVING LEGISLATORS; REPRESENTATION BEFORE STATE AGENCIES.

A. A state agency shall not enter into a contract for services, construction or items of tangible personal property with a legislator, the legislator's family or with a business in which the legislator or the legislator's family has a substantial interest unless the legislator has disclosed the legislator's substantial interest and unless the contract is awarded in accordance with the provisions of the Procurement Code [13-1-28 NMSA 1978], except the potential contractor shall not be eligible for a sole source or small purchase contract. A person negotiating or executing a contract on behalf of a state agency shall exercise due diligence to ensure compliance with the provisions of this subsection.

B. A legislator shall not appear for, represent or assist another person in a matter before a state agency, unless without compensation or for the benefit of a constituent, except for legislators who are attorneys or other professional persons engaged in the conduct of their professions and, in those instances, the legislator shall refrain from references to the legislator's legislative capacity except as to matters of scheduling, from communications on legislative stationery and from threats or implications relating to legislative actions.

10-16-11. CODES OF CONDUCT.

A. By January 1, 1994, each elected statewide executive branch public officer shall adopt a general code of conduct for employees subject to his control. The New Mexico legislative council shall adopt a general code of conduct for all legislative branch employees. The general codes of conduct shall be based on the principles set forth in the Governmental Conduct Act [Chapter 10, Article 16 NMSA 1978].

B. Within thirty days after the general codes of conduct are adopted, they shall be given to and reviewed with all executive and legislative branch officers and employees. All new public officers and employees of the executive and legislative branches shall review the employees' general code of conduct prior to or at the time of being hired.

C. The head of every executive and legislative agency and institution of the state may draft a separate code of conduct for all public officers and employees in that agency or institution. The separate agency code of conduct shall prescribe standards, in addition to those set forth in the Governmental Conduct Act [Chapter 10, Article 16 NMSA 1978] and the general codes of conduct for all executive and legislative branch public officers and employees, that are peculiar and appropriate to the function and purpose for which the agency or institution was created or exists. The separate codes, upon approval of the responsible executive branch public officer for executive branch public officers and employees or the New Mexico legislative council for legislative branch employees, govern the conduct of the public officers and employees of that agency or institution and, except for those public officers and employees removable only by impeachment, shall, if violated, constitute cause for dismissal, demotion or suspension. The head of each executive and legislative branch agency shall adopt ongoing education programs to advise public officers and employees about the codes of conduct. All codes shall be filed with the secretary of state and are open to public inspection.

D. Codes of conduct shall be reviewed at least once every four years. An amended code shall be filed as provided in Subsection C of this section.

E. All legislators shall attend a minimum of two hours of ethics continuing education and training biennially.

10-16-13. PROHIBITED BIDDING.

No state agency or local government agency shall accept a bid or proposal from a person who directly participated in the preparation of specifications, qualifications or evaluation criteria on which the specific competitive bid or proposal was based. A person accepting a bid or proposal on behalf of a state agency or local government agency shall exercise due diligence to ensure compliance with this section.

10-16-13.1. EDUCATION AND VOLUNTARY COMPLIANCE.

A. The secretary of state shall advise and seek to educate all persons required to perform duties under the Governmental Conduct Act [Chapter 10, Article 16 NMSA 1978] of those duties. This includes advising all those persons at least annually of that act's ethical principles.

B. The secretary of state shall seek first to ensure voluntary compliance with the provisions of the Governmental Conduct Act. A person who violates that act unintentionally or for good cause shall be given ten days' notice to correct the matter. Referrals for civil enforcement of that act shall be pursued only after efforts to secure voluntary compliance with that act have failed.

10-16-13.2. CERTAIN BUSINESS SALES TO THE EMPLOYEES OF STATE AGENCIES AND LOCAL GOVERNMENT AGENCIES PROHIBITED.

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A. A public officer or employee shall not sell, offer to sell, coerce the sale of or be a party to a transaction to sell goods, services, construction or items of tangible personal property directly or indirectly through the public officer's or employee's family or a business in which the public officer or employee has a substantial interest, to an employee supervised by the public officer or employee. A public officer or employee shall not receive a commission or shall not profit from the sale or a transaction to sell goods, services, construction or items of tangible personal property to an employee supervised by the public officer or employee. The provisions of this subsection shall not apply if the supervised employee initiates the sale. It is not a violation of this subsection if a public officer or employee, in good faith, is not aware that the employee to whom the goods, services, construction or items of tangible personal property are being sold is under the supervision of the public officer or employee.

B. A public officer or employee shall not sell, offer to sell, coerce the sale of or be a party to a transaction to sell goods, services, construction or items of tangible personal property, directly or indirectly through the public officer's or employee's family or a business in which the public officer or employee has a substantial interest, to a person over whom the public officer or employee has regulatory authority.

C. A public officer or employee shall not receive a commission or profit from the sale or a transaction to sell goods, services, construction or items of tangible personal property to a person over whom the public officer or employee has regulatory authority.

D. A public officer or employee shall not accept from a person over whom the public officer or employee has regulatory authority an offer of employment or an offer of a contract in which the public officer or employee provides goods, services, construction, items of tangible personal property or other things of value to the person over whom the public officer or employee has regulatory authority."

10-16-13.3. PROHIBITED CONTRIBUTIONS; FINANCIAL SERVICE CONTRACTORS.

A. A business that contracts with a state agency or local government agency to provide financial services involving the investment of public money or issuance of bonds for public projects shall not knowingly contribute anything of value to a public officer or employee of that state agency or local government agency who has authority over the investment of public money or issuance of bonds, the revenue of which is used for public projects in the state.

B. A public officer or employee of a state agency or local government agency that has authority over the investment of public money or issuance of bonds, the revenue of which is used for public projects in the state, shall not knowingly accept a contribution of anything of value from a business that contracts with that state agency or local government agency to provide financial services involving the investment of public money or issuance of bonds for public projects.

C. For the purposes of this section:

(1) "anything of value" means any money, property, service, loan or promise, but does not include food and refreshments with a value of less than one hundred dollars (\$ 100) consumed in a day; and

(2) "contribution" means a donation or transfer to a recipient for the personal use of the recipient, without commensurate consideration.

10-16-14. ENFORCEMENT PROCEDURES.

A. The secretary of state may refer suspected violations of the Governmental Conduct Act [Chapter 10, Article 16 NMSA 1978] to the attorney general, district attorney or appropriate state agency or legislative body for enforcement. If a suspected violation involves the office of the secretary of state, the attorney general may enforce that act. If a suspected violation involves the office of the attorney general, a district attorney may enforce that act.

B. Violation of the provisions of the Governmental Conduct Act by any legislator is grounds for discipline by the appropriate legislative body.

C. If the attorney general determines that there is sufficient cause to file a complaint against a public officer removable only by impeachment, he shall refer the matter to the house of representatives of the legislature. If within thirty days after the referral the house of representatives has neither formally declared that the charges contained in the complaint are not substantial nor instituted hearings on the complaint, the attorney general shall make public the nature of the charges, but he shall make clear that the merits of the charges have never been determined. Days during which the legislature is not in session shall not be included in determining the thirty-day period.

D. Violation of the provisions of the Governmental Conduct Act by any public officer or employee, other than those covered by Subsection C of this section, is grounds for discipline, including dismissal, demotion or suspension. Complaints against executive branch employees may be filed with the agency head and reviewed pursuant to the procedures provided in the Personnel Act [10-9-1 NMSA 1978]. Complaints against legislative branch employees may be filed with and reviewed pursuant to procedures adopted by the New Mexico legislative council. Complaints against judicial branch employees may be filed and reviewed pursuant to the procedures provided in the judicial personnel rules.

E. Subject to the provisions of this section, the Governmental Conduct Act may be enforced by the attorney general. Except as regards legislators or statewide elected officials, a district attorney in the county where a person resides or where a violation occurred may also enforce that act. Enforcement actions may include seeking civil injunctive or other appropriate orders.

10-16-15. Repealed.

10-16-16. Recompiled.

10-16-17. CRIMINAL PENALTIES.

Unless specified otherwise in the Governmental Conduct Act [Chapter 10, Article 16 NMSA 1978], any person who knowingly and willfully violates any of the provisions of that act is guilty of a misdemeanor and shall be punished by a fine of not more than one thousand dollars (\$1,000) or by imprisonment for not more than one year or both. Nothing in the Governmental Conduct Act shall preclude criminal

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prosecution for bribery or other provisions of law set forth in the constitution of New Mexico or by statute.

10-16-18. ENFORCEMENT; CIVIL PENALTIES.

A. If the secretary of state reasonably believes that a person committed, or is about to commit, a violation of the Governmental Conduct Act [Chapter 10, Article 16 NMSA 1978], the secretary of state shall refer the matter to the attorney general or a district attorney for enforcement.

B. The attorney general or a district attorney may institute a civil action in district court if a violation has occurred or to prevent a violation of any provision of the Governmental Conduct Act. Relief may include a permanent or temporary injunction, a restraining order or any other appropriate order, including an order for a civil penalty of two hundred fifty dollars (\$250) for each violation not to exceed five thousand dollars (\$5,000).

NEW SECTIONS

1. PROHIBITED EMPLOYMENT.

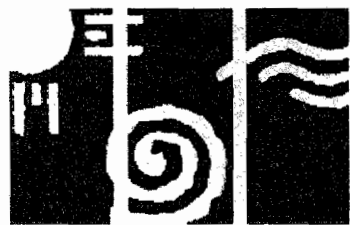
It is unlawful for a state agency employee or local government agency employee who is participating directly or indirectly in the contracting process to become or to be, while such an employee, the employee of any person or business contracting with the governmental body by whom the employee is employed.

2. STATE AGENCY OR LOCAL GOVERNMENT AGENCY AUTHORITY.

Nothing in the Governmental Conduct Act shall be construed to preclude a state agency or local government agency from adopting and publishing ordinances, rules or standards that are more stringent than those required by the Governmental Conduct Act.

REPEALED SECTIONS OF LAW

- § 3-10-4: financial interests of municipal officers and employees
- § 3-10-5: disclosure of interest and disqualification from voting
- § 4-44-22: disqualification of county officials for financial interest
- § 4-44-23: prohibition on use of confidential information by county officials or employees
- § 4-44-24: restrictions on contracts with former county officials and employees
- § 4-44-25: disclosure of financial interest
- § 4-44-26: disclosure for persons of retainer or contract
- § 4-44-27: enforcement procedures



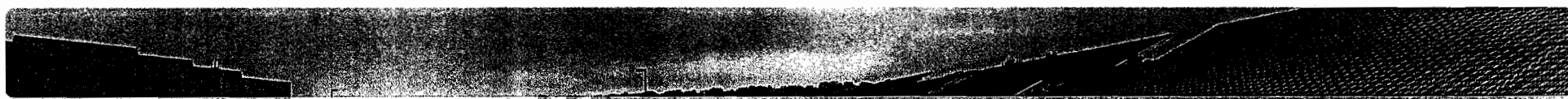
POSITIVE ENERGY

S O L A R E L E C T R I C S Y S T E M S

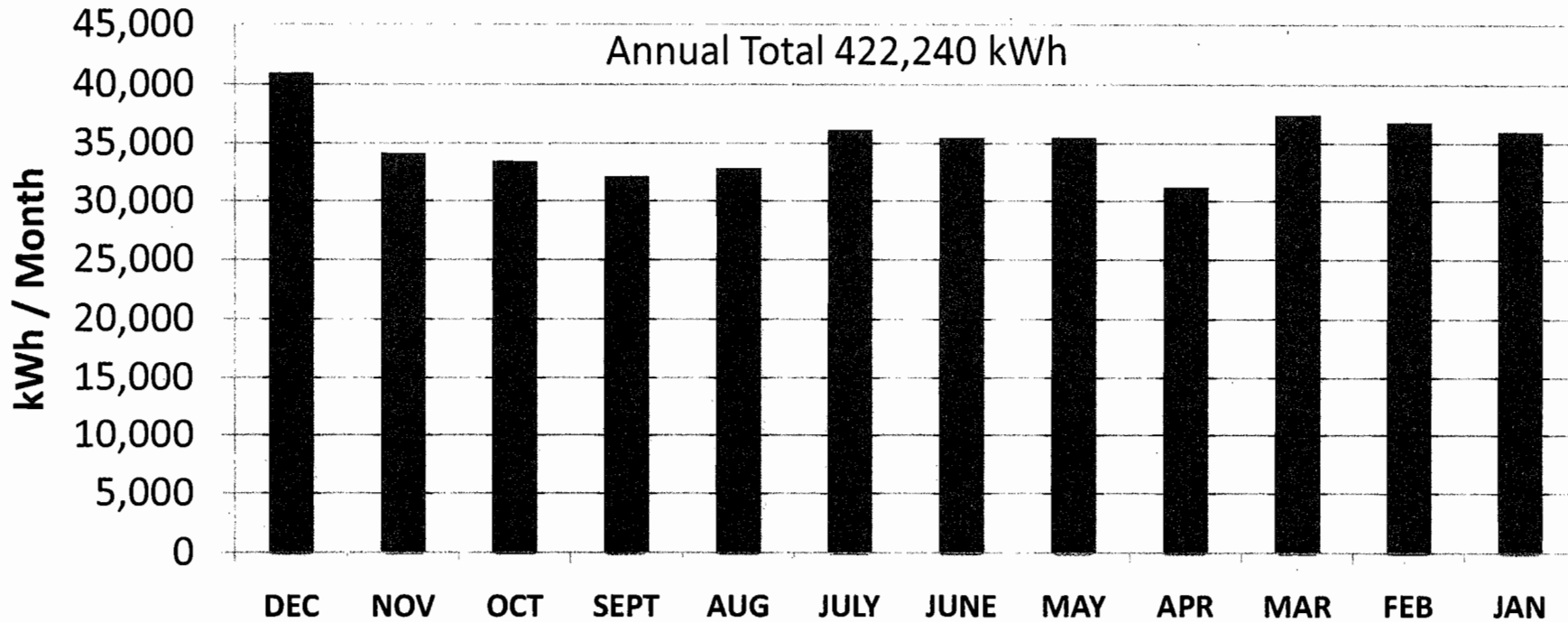
Buckman Road Recycling and Transfer Station

City of Santa Fe Photovoltaic Project

Exhibit "4"



Buckman Road Recycling and Transfer Station 2010 Monthly Electrical Energy Consumption

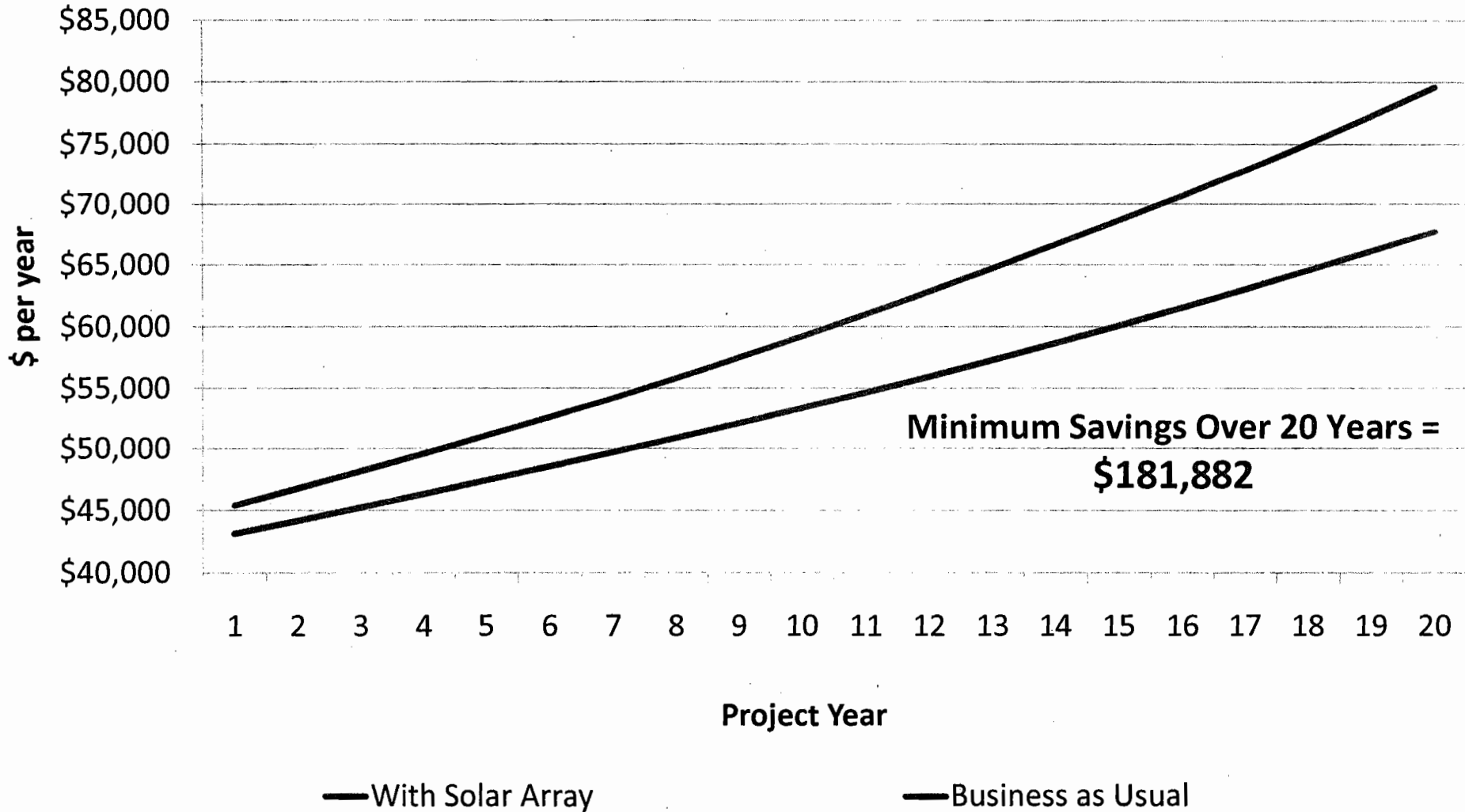


**Total Electricity Cost paid to PNM in 2010 =
\$45,427**



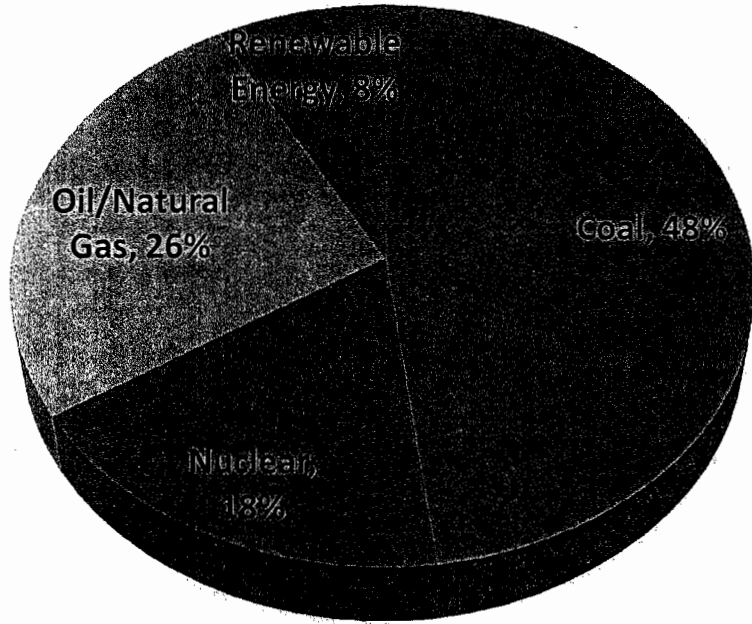
Savings Over Time

Estimated Annual Cost Comparison*



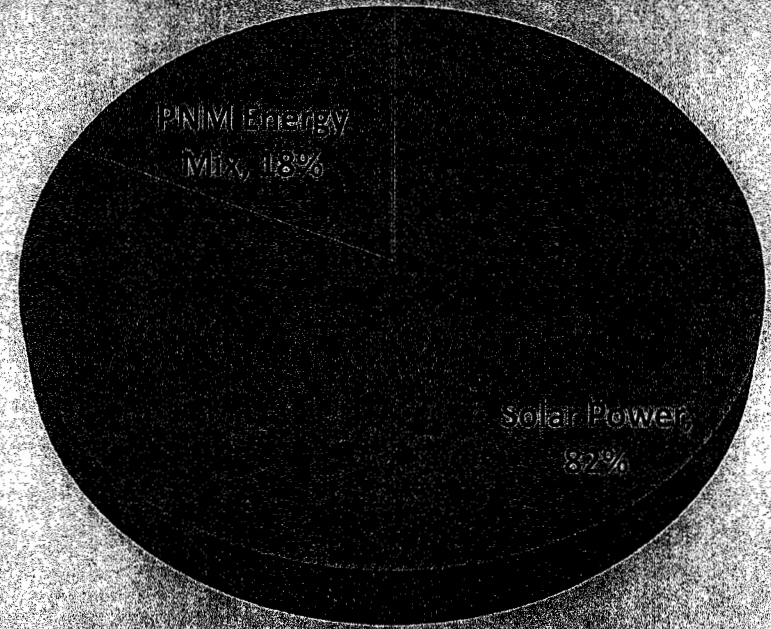
* Assumes 2% PPA annual rate escalation, and 3% PNM annual rate escalation

Electrical Generation Supply Mix



Business as Usual

VS.



With Solar



Continual Electric Rate Increases

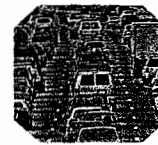


Escalating Environmental Impacts

Annually:

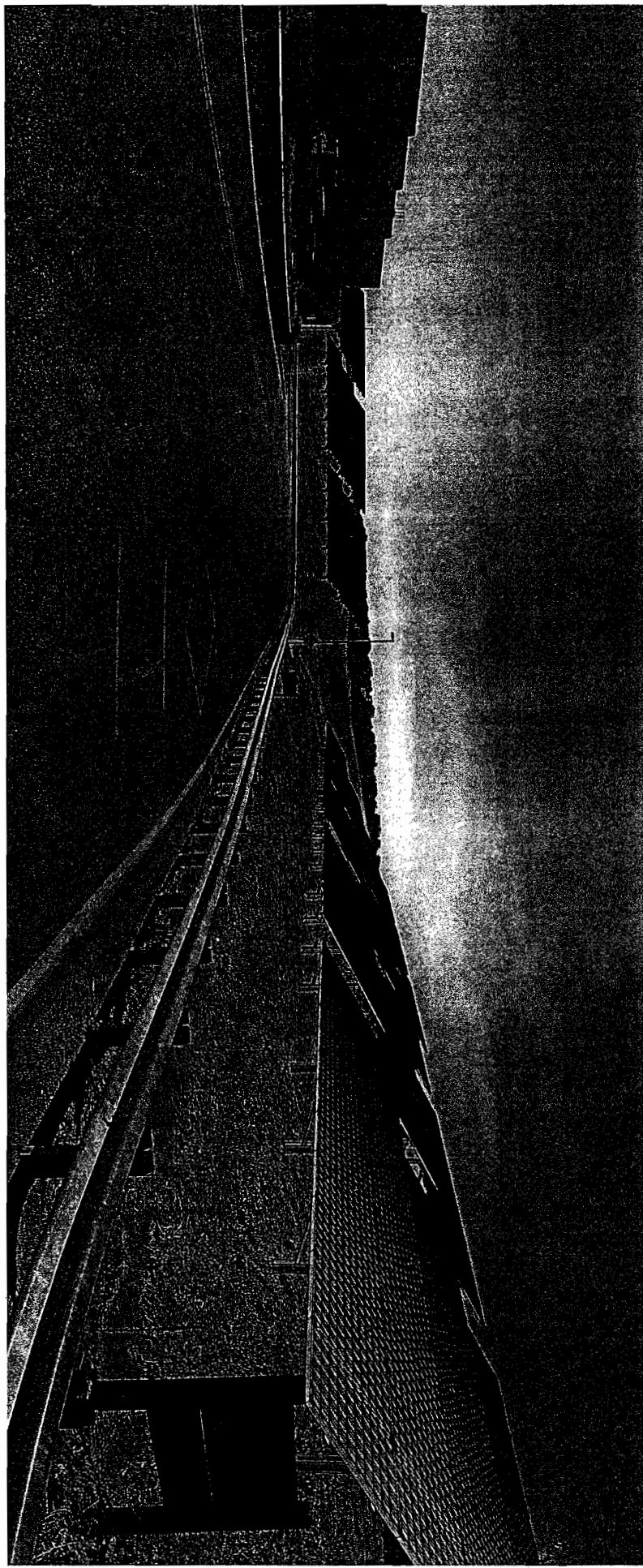


128,288 Gallons of Water Saved



449,007 lbs of CO2 Offset

Proposed Array Location



Proposed Array Location



MEMORANDUM

To: SFSWMA Joint Powers Board
From: Randall Kippenbrock, P.E., Executive Director (RUK)
Date: May 12, 2011
Subject: Update and Possible Action on Catalog Choice for a Recycling Program of Unwanted Junk Mail, Catalogs and Phone Books.

BACKGROUND AND SUMMARY:

On January 20, 2011, the Board approved the Agency to enter negotiations with Catalog Choice, a non-profit organization, for a one-year pilot program for \$10,000 for a recycling program to reduce unwanted junk mail, catalogs and phone books delivered to citizens and businesses.

Staff is negotiating with Chuck Teller, Catalog Choice Executive Director, to provide a recycling program via online service on the City, County and Agency's websites that allows citizens and businesses to reduce unwanted mail and phone books delivered to their homes or workplace. Staff requested that Catalog Choice remove the donation request button from the home page and interior pages of the site to prevent any conflict of interests and the potential appearance of impropriety arising from the perception of violating the New Mexico Anti-Donation Law by sponsoring or helping Catalog Choice raise money. Catalog Choice agreed to remove the donation request from the site. However, in order to offset the cost of running the site and keep the annual fee low, Catalog Choice provides optional premium services to its members to it easier to protect the privacy and reduced unwanted mail. One of the services is Unlisting Service, a valet level program in which Catalog Choice will submit opt-out requests on behalf of the member to the top data brokers. Catalog Choice is developing a new premium service that members can use to send them their junk mail and they will opt-out on their behalf. Currently, these two programs are provided as a benefit of a donation. However, Catalog Choice will direct these programs as an optional fee service not associated with a donation.

Catalog Choice provided in their proposal two cost options. The first option is to allow Catalog Choice to offer the premium service to members who use the Santa Fe sponsored site. The annual operating fee is \$10,000 with the set up and customization fees waived. The second option would require Catalog Choice to customize the Santa Fe sponsored site to remove the premium service. The annual operating fee is \$10,000 and a one-time \$10,000 set up and customization fee.

Under either option, Catalog Choice will develop a revised home page and review it with the Agency.

ACTION REQUESTED:

Staff recommends Option 1 to allow Catalog Choice to offer the premium service to members who use the Santa Fe sponsored site. The annual operating fee is \$10,000 with the set up and customization fees waived.

Attachment: Catalog Choice Scope of Work

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SFC CLERK RECORDED 07/05/2011



Mr. Randall Kippenbrock
Santa Fe Solid Waste Management Agency
Santa Fe, NM 87504

Tuesday, May 10, 2011

Dear Randall:

Catalog Choice is pleased to submit the following scope of work and budget to the Santa Fe Solid Waste Management Agency, in association with the City and County of Santa Fe, to deploy a co-branded Consumer Mail and Phonebook Choice service for all three agencies. Below I have included a short overview of our organization and the program, our scope of work, an updated ROI analysis and baseline data for the County. You can pull out the scope and any other material below to be added to the agreement professional services agreement as we discussed.

Program Overview

Catalog Choice, a 501(c) 3 nonprofit corporation, has developed an innovative zero waste program that allows citizens and businesses to reduce unwanted mail and phone books delivered to their home or workplace. The Consumer Choice service is an online service that your residents and businesses can use to remove their names from direct marketing mailing lists and phonebook distribution lists. The primary service allows a citizen of your community to search for the title of a company and opt-out of their marketing material at no cost. Businesses that use direct mail as a marketing tool can also activate a free account to manage their presence on Catalog Choice, provide opt-out and opt-down choices to their customers, and use our secure service to efficiently integrate consumer choices into their business practices.

Recent Success

We recently launched our sponsored service in six communities across the United States. The most recent site was launched in association with the City of Seattle. In less than one week, we have processed over 100,000 opt-out choices and more than doubled the participation in the City of Seattle by adding over 16,000 new accounts. Furthermore, CBS Early Show recently profiled our service as the leading junk mail removal site in the United States.

Donations and Premium Services

As we have discussed, Catalog Choice will remove the donation request from the home page and interior pages of the site. In order to offset the cost of running the service and keep the annual fee for our community partners low, Catalog Choice provides optional premium services to its members that make it even easier to protect their privacy and reduce unwanted mail. Our first premium service, the Unlisting Service is a "valet" level program in which Catalog Choice will submit opt-out requests on behalf of the Member to the top Data Brokers. Information about the Unlisting Service is available here (<http://blog.catalogchoice.org/2010/09/18/whats-covered-in-the-unlisting-service/>). We are developing a new premium service, referred to as MailStop, in which we provide preaddressed envelopes that individuals can use to send us their junk mail and we will opt-out on their behalf. This program is in development. Information about MailStop is available at <http://www.mailstopenvelope.com>. Currently, our premium services are provided as a benefit of a donation. We are in the process of repurposing these services as a optional fee service not associated with a donation.

The cost proposal set forth below provides Santa Fe with two options. Under Option 1, Catalog Choice will be permitted to offer premium services to members who use the Santa Fe sponsored site. Under Option 2, Catalog Choice will not offer any premium services on the Santa Fe sponsored site. If Santa Fe chooses Option 1, the annual operating fee is \$10,000 and Catalog Choice will waive the \$10,000 set up and customization fee. If Santa Fe chooses Option 2, the annual operating fee will be \$10,000 and there will be a one-time \$10,000 set up and customization fee.



Under either option, Catalog Choice will develop a revised home page and review it with your Agency. For selected interior pages of the site, we will propose new text to redirect users of the service to other web pages where they can learn about our premium services additional tools to protect their privacy and reduce unwanted mail. We will review these changes with your Agency before adding them to the site.

The benefits of deploying the sponsored service are as follows:

1. **Cost Savings:** Further reduce solid waste disposal costs by removing unsolicited mail and phone books from the distribution channel. See the ROI analysis on Page 4 of this proposal.
2. **Quantified Results:** Detailed reporting on local participation, solid waste diversion and environmental benefits.
3. **Website Traffic:** Increased use of your website and ability to promote other community services.
4. **Citizen engagement:** A hands-on solution that will allow you to make additional progress towards your communities' zero waste goals.
5. **Reduce identity theft:** By protecting the unauthorized use of your name and address and removing unwanted credit card solicitations, stopping unwanted mail is an important step in reducing the risk of identify theft.
6. **Leadership and Credit:** Join Berkeley; Kansas City; Marion County, Oregon (Salem area) and other leading communities as national leaders by offering an opt-out program.

Scope of Work

Catalog Choice will setup and operate the service on behalf of the Santa Fe Solid Waste Management Agency, City of Santa Fe and Santa Fe County. The following outlines the site setup, operations, promotions and reporting aspects.

Setup

Working with your organizations, Catalog Choice will:

1. Establish the co-branded website using a URL mutually agreed by your agencies and Catalog Choice. The website will run off of the Catalog Choice domain (<http://santafe.catalogchoice.org>) and not have any impact on your IT systems.
2. Prepare a co-branded logo for the site to be approved by your agencies. See example screen shot on Page 5 of this proposal.
3. Revise the home page and remove donation requests from the site.
4. Assist in preparing informational banners (home page marquee and 300x250) for the site.
5. Work with your agency, the City and County to promote the program and add navigation to the subdomain from each organization's web site to the co-branded opt-out portal.

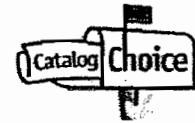
Operations

Catalog Choice will operate the co-branded site on a 24-hour, seven days a week basis, subject to normal and customary down times for updates, upgrades, maintenance or fixes/corrections. Catalog Choice will manage and respond to all customer service inquiries submitted by users through the website. The service will support title-specific opt-out and opt-down options for direct mailers as well as opt-out options for telephone directories. The co-branded site will include donation solicitations to off-set the full cost of the program and other related services.

Outreach and Promotion

Catalog Choice will work with your organization to promote the service using online and offline channels.

Based on our experience launching these programs in several other communities, Sante Fe to designate a City Leader, like a Council Member, to act as the spokesperson and take responsibility (and credit) for community awareness and outreach. We also need your agency, the City and County agencies to



dedicate time and resources to promote the service on an on-going basis.

We will work with you to support the outreach program through:

1. Press releases for local media, articles in community newsletters and other community outreach channels
2. Emails to your constituents
3. Periodic email newsletters to the existing Catalog Choice members that live in Santa Fe County (see chart below for current members count by community)
4. Social media channels (Facebook and Twitter)
5. Invite-a-Friend email service within Catalog Choice
6. Outreach to green businesses, schools and other large employers in the City/County

Baseline Participation Data

Santa Fe Zip Codes	Catalog Choice Member Accounts as of 5-10-2011
87010	29
87015	74
87056	6
87501	473
87502	61
87504	78
87505	550
87506	246
87507	248
87508	411
87535	16
87540	23
87567	21
87574	27
87592	10
87594	35
Total	2,308

Reporting & Analysis

Catalog Choice will provide your agency with a secure online account to access the following site statistics and related information:

1. Website traffic
2. Resident participation rates by zip code
3. Solid waste savings
4. Environmental benefits
5. Per capita benchmarks with other communities

Your agency will not have access to any personally identifiable information, account information of individual users or businesses or individualized statistics.



Sponsorship Agreement

Fee

The annual operating cost is \$10,000 for the service. As noted above, there is a one-time set up fee of \$10,000 to revise the Home Page and remove the Donation requests throughout the website. We will waive the set up and customization fee if Catalog Choice is permitted to include premium services on the site as approved by your Agency. We propose a one-year pilot program. If the City/County does not wish to continue the program after the first year we will de-commission the site and seamlessly redirect all users to the main Catalog Choice site and their service will operate normally.

License Agreement

The terms and conditions of the service will be governed by your professional services agreement with the caveat that Catalog Choice maintains all of the rights to our software application and data. We can provide contract language upon request.

We look forward to the opportunity to work with your community. If you have any questions, please contact me at 510-868-0513 or chuck@catalogchoice.org. I will look for the professional services agreement from you legal counsel.

Sincerely,

/s

Chuck Teller
Executive Director
Catalog Choice
1845 Berkeley Way
Berkeley, CA 94703



ROI Analysis

Mail & Phone Book Preference Registry Return on Investment and Environmental Cost Benefit Analysis

Analysis	Per Household	Sante Fe, NM	
		Household Participation Rate (6)	
		Current: 3.76%	Breakeven: 9.0%
Average cost to collect and dispose of household and business solid waste assumed to be 5.05 per pound (1)	\$0.050		
Households using the Service	1	2,308	5,526
Annual Pounds of Solid Waste Created by Advertising Mail and Telephone Directories (2)	120 pounds	276,960	663,120
Annual Cost to collect & dispose of Advertising Mail and Phonebooks	\$6.00	\$13,848	\$33,156
Percentage of Advertising Mail and Phonebooks that are not recycled (3)	62%		
Pounds of Unwanted Material	75	172,638	413,345
Annual Collection & Landfill Cost of Unwanted Advertising Mail & Phonebooks	\$3.74	\$8,632	\$20,667
Average Participation Rate per Household (4)	50%		
Pounds of Unwanted Material Eliminated by Preference Registry	37	86,319	206,672
Collection and Disposal Cost Savings attributed to Preference Registry		\$4,316	\$10,334
Financial Benefit of Mail Preference Registry at annual cost of \$10,000			\$334
Program Cost per Ton of Solid Waste Saved			\$96.77
Annual Global Environmental Benefits (5)			
Trees Saved	0.30	691	1,653
Greenhouse Gases lbs CO2 equivalent	126	291,241	697,313
Gallons of Water	304	701,430	1,679,420
Pounds of Solid Waste	45	103,238	247,180

- (1) Average of collection, landfill tipping fees and net recycling processing fees. Assumes cost is \$100 per ton.
 (2) USPS Household Diary Study, 2008. Figures based on National averages. Advertising mail volume is higher in higher income households. Telephone directories estimated at 20 pounds per household based on interviews with directory publishers.
 (3) EPA 2008 Municipal Solid Waste Generation study estimates that 41% of unwanted mail and 21% of telephone directories are recycled.
 (4) Participation rate is based on analysis of Catalog Choice Member data.
 (5) Based on environmental impacts measured by the Environmental Defense Fund's Paper Calculator. Reflects the global benefits of reduced demand for paper. Includes full life-cycle benefits through the paper life cycle, from harvest to disposal.
 (6) Based on household estimate of 61,400. Source: <http://hber.unm.edu/demo/msahwest.htm>

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Example Screenshot

Mail Preference Service

Sign In | Register

1 MANAGE MAIL & PHONE BOOKS

Search by company name or your zip code

Control the catalogs, coupons, credit offers, phone books, fliers, circulars, newsletters, and other unsolicited mail you receive.

More Questions?
We'd be happy to explain. Read more about how it works, or check out our frequently asked questions.

2 GET UNLISTED FOR BONUSES

Stop marketers from sharing your name

REVISE

Annual **REVISE** proactively removes you from lists bought and sold by marketers

Stop it at The Source
Learn more about our **unlisting service** and how you can reduce clutter, save natural resources, and protect your privacy.

Live in Santa Fe County?

Apply for **REVISE** and get a **FREE** copy of the **REVISE** book. **REVISE** is the only way to get your name off the list. **REVISE** is the only way to get your name off the list.

Join over one million people and 30 million for a free **REVISE book today.**

Great for Home or Office

Get out of unwanted mail that comes to your home and office.

[Learn More >](#)

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SFC CLERK RECORDED 07/05/2011

MEMORANDUM

To: SFSWMA Joint Powers Board Members
From: Randall Kippenbrock, P.E., Executive Director *R.K.*
Date: May 12, 2011
Subject: Discussion with Possible Action on a Collaborative Effort with Santa Fe County to Hold a Community Protection Day for Reducing the Risk of Wildfires (Commissioner Virginia Vigil).

Commissioner Virginia Vigil has requested this item be placed on the agenda. The item is to discuss with possible action on a collaborative effort with Santa Fe County to hold a Community Protection Day (Firewise Day) for reducing the risk of wildfires in Santa Fe County.

It is the Agency's understanding that the County has a 2008 Community Wildfire Protection Plan.

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