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CITY AND COUNTY OF SANTA FE
SOLID WASTE MANAGEMENT AGENCY
REGULAR BOARD MEETING
March 17, 2011

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RECORDED/FILED
SF CO. CLERK

MEETING OF THE
SANTA FE SOLID WASTE MANAGEMENT AGENCY
JOINT POWERS BOARD
Legal Conference Room
Santa Fe County Courthouse
102 Grant Avenue
March 17, 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 Councilor Rosemary Romero, Chair, on Thursday, March 17, 2011, at approximately 12:00 noon, in the Legal Conference Room, Santa Fe County Courthouse, 102 Grant Avenue, Santa Fe, New Mexico.

II. ROLL CALL

MEMBERS PRESENT:
Councilor Rosemary Romero, Chair
Commissioner Kathy Holian
Commissioner Daniel Mayfield
Councilor Ronald S. Trujillo
[Vacancy]

MEMBERS EXCUSED:
Commissioner Virginia Vigil

STAFF PRESENT:
Randall Kippenbrock, Executive Director – SWMA
Jodie Garcia, SWMA
Rita Fiore-Lucero, SWMA
Justin Miller, Legal Counsel
Melessia Helberg, Stenographer

There was a quorum of the membership in attendance

III. APPROVAL OF THE AGENDA

MOTION: Commissioner Holian moved, seconded by Councilor Trujillo, to approve the Amended Agenda as presented.

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

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IV. APPROVAL OF THE MINUTES – FEBRUARY 17, 2011

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

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

V. MATTERS FROM THE PUBLIC

Chair Romero asked everyone to introduce themselves.

Regina Wheeler thanked SWMA for sponsoring a Household Hazardous Waste Day.

VI. MATTERS FROM THE EXECUTIVE DIRECTOR

Mr. Kippenbrock said Rita Fiore is retiring in two weeks, and is going to be missed. He said she has done exemplary work and is leaving SWMA in good shape. He said she knew a lot about solid waste and she is going to be difficult to replace. He spoke about what she has helped him to accomplish during her years of service, noting she was the first person hired at SWMA.

Ms. Fiore thanked the City for the opportunity to serve in this position, and the City for its great retirement program which makes it possible for her to retire.

Chair Romero thanked Ms. Fiore for her service.

Councilor Trujillo congratulated Ms. Fiore for her service, and said she is most deserving of her retirement.

Commissioner Holian wished Ms. Fiore success in her retirement, and complimented her for her excellent work.

Commissioner Mayfield wished her well in her retirement.

SFC CLERK RECORDED 12/28/2011

ACTION ITEMS

(A) REQUEST FOR APPROVAL OF AMENDMENT NO 3 TO PROFESSIONAL SERVICES AGREEMENT WITH SCS FIELD SERVICES OF ALBUQUERQUE, NM, FOR THE OPERATION AND MAINTENANCE OF THE LANDFILL GAS COLLECTION SYSTEM AT THE CAJA DEL RIO LANDFILL IN THE AMOUNT OF $51,000.00.

(1) APPROVAL OF BUDGET INCREASE FROM 5503.100700.07000 (LANDFILL GAS COLLECTION RESERVE) TO 52501.510300 (PROFESSIONAL SERVICES IN THE AMOUNT OF $51,000.

Mr. Kippenbrock presented information regarding this matter from his Memorandum of March 11, 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.

Commissioner Mayfield said he generally asks the total dollar amount of a contract. He asked when this contract was issued.

Mr. Kippenbrock said it was issued February 17, 2010, and this is a request for another one year amendment on February 17, 2011, and is the same as in 2010.

Commissioner Mayfield said he understands the original contract was for $116,000, and Mr. Kippenbrock is factoring in $70,000 annually to run this program. He asked why that wasn't anticipated when the contract was issued.

Mr. Kippenbrock said it was and is anticipated, noting he doesn't encumber all of the funds at one time for a four-year contract, and will encumber funds on an as needed basis. He said he will be requesting approximately the same amount to amend the contract next year.

Chair Romero said the total contract isn't encumbered at once, and it is necessary to come back to the Board annually for each contract renewal.

Mr. Kippenbrock said the $116,000 included start up costs – field testing, reporting and installation of a specialized gas analyzer, etc. He said there is a lot of unscheduled and specialized maintenance. He said this proposed amendment will carry us through February 2012. He said the consultant comes weekly, bi-weekly or monthly to do field measurements, calibration, adjustments or on a non-routine emergency call to help restart the system and to keep it in compliance.

Mr. Mayfield said then this contract "will be ongoing forever."

Mr. Kippenbrock said this is correct, regardless of the contractor, and when it is reissued through the RFP process in one year, it might be another firm.

Commissioner Mayfield asked if it would be possible to cultivate one of our own people and hire another full time employee to do this work in-house.

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Mr. Kippenbrock said the Landfill Manager does the best he can to keep the flare going, but he doesn't have the expertise to do this work. Mr. Kippenbrock said this firm also works with Albuquerque, Waste Management in Rio Rancho, and will soon be working with Sunland Park. He said he will do his best to keep the costs as low as possible, noting there are certain requirements.

Mr. Mayfield asked if it would be possible to train and certificate one of our own employees to perform this duty.

Mr. Kippenbrock said it is possible, but he doesn't know that it's feasible. He said when Mr. Mayfield is at the Landfill next week, he can show him this particular part of the operation.

MOTION: Commissioner Holian moved, seconded by, Chair Romero, to approve Amendment No. 3 to the PSA with SCS Field Services, for the operation and maintenance of the landfill gas collection at the Caja del Rio Landfill in the amount of $51,000, and to approve the budget increase from Landfill Gas Collection Reserve to Professional Services, in the amount of $51,000.

DISCUSSION: Chair Romero said Commissioner Mayfield's point to keep as much in-house as possible is well taken. However, for the record, a lot of these things are mandated by the federal EPA and State Environment Department. She said some of the stringent regulations make it difficult to keep the correct staff at all times. She said there are some things about which we have no choice but to look to outside firms to provide the ongoing expertise, given some of the requirements. She said it is always good to keep an eye on expenditures and keep costs in-house where possible.

VOTE: The motion was approved on a voice vote, with Commissioner Holian, Councilor Trujillo and Chair Romero voting in favor of the motion, and Commissioner Mayfield voting against.

(B) REQUEST FOR APPROVAL TO HOLD A HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENT ON SUNDAY, MAY 22, 2011, AT THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION.

Mr. Kippenbrock presented information regarding this matter from his Memorandum of March 12, 2011, with attachments, to the SFSWMA Joint Powers Board, which is incorporated herewith to these minutes as Exhibit "2." Please see Exhibit "2" for specifics of this presentation.

Chair Romero said the City Council will be happy that we are sponsoring this event, noting some Councilors were upset that we didn't have one last year. She said if we don't do the event, people tend to dump the hazardous waste in arroyos and elsewhere in the County. She said this is one of the reasons she and Councilor Trujillo supported building our own HHWC System, because it is better to have this service available on an ongoing basis than just once a year. She believes this is the right thing to do for the right reasons, given that the facility won't open until October 2011.

Councilor Trujillo asked the genesis for the $61 fee.

Mr. Kippenbrock said that is the average cost per automobile.

Councilor Trujillo said then the cost is the same for a car with one can of paint and a carload of cans of paint, and Mr. Kippenbrock said this is correct.

Councilor Trujillo said not everybody brings the same volume of hazardous household waste, and he would like to renegotiate the price next year.

Mr. Kippenbrock said one we have the new permanent facility, it won't matter how much residents bring to the landfill. He said the City of Albuquerque charges $70 per car. Mr. Kippenbrock believes the cost is reasonable considering that there will be 25 staff persons handling this.

Responding to Chair Romero, Councilor Trujillo said he sponsored a Resolution which was adopted by the City Council, dealing with disposing of used oil, noting that anyone in Santa Fe County can take used oil to Jiffy Lube for free.

Chair Romero said we need to educate the public about where they can dispose of what kinds of hazardous materials, and there will be a better opportunity for people to do this once the new facility opens. She spoke about the danger to our children and pets, commenting that her cat died from ingesting anti-freeze.

MOTION: Councilor Trujillo moved, seconded by Commissioner Holian, to approve the Household Hazardous Waste Collection Event, on Sunday, May 22, 2011, at the Buckman Road Recycling and Transfer Station.

DISCUSSION: Responding to Commissioner Mayfield, Mr. Kippenbrock said the event will be 9-4 p.m., with 3 vehicle lanes and 2-3 handlers per car at the disposal area to remove the waste as quickly as possible. He said the individual will not get out of their automobiles. He said there will be a chemist available to identify unknown materials on site. He said the contractor will continue to prepare all of the containers past closing, and finish by the end of the day for shipping to the designated areas.

Mr. Mayfield said then this is the only way people can participate unless they live here. He asked if there is a way they could go to the transfer station and it could be transported to this facility on the day of the event.

Mr. Kippenbrock said people can combine their household waste into one car or pickup load.

Mr. Kippenbrock said he will be sending out a joint City/County press release 3 weeks before the event, noting the City will be doing radio promotions about the event.

Chair Romero said he also could put a notice in the Santa Fe Beautiful newsletter.

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

(C) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH RINCHEM COMPANY, INC., OF ALBUQUERQUE, NEW MEXICO, FOR THE MANAGEMENT OF HOUSEHOLD HAZARDOUS WASTE AT THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION IN THE AMOUNT OF $67,349.70 (RFP #11/11/P).

Mr. Kippenbrock presented information regarding this matter from his Memorandum of March 12, 2011, with attachments, to the SFSWMA Joint Powers Board, which is incorporated herewith to these minutes as Exhibit "3."

Mr. Kippenbrock noted that the selection Committee members for this PSA were: Mr. Kippenbrock, Mike Smith, Regina Wheeler, Olivar Barela, along with Robert Rodarte, Purchasing Manager for the City of Santa Fe.

MOTION: Commissioner Holian moved, seconded by Councilor Trujillo, to approve the PSA with RinChem Company, Inc., for the management of household hazardous waste at the Buckman Road Recycling and Transfer Station [BuRRT], in the amount of $67,349.70.

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

(D) REQUEST FOR APPROVAL FISCAL YEAR 2012 BUDGET

A Memorandum dated March 14, 2011, with attachments, to the SFSWMA Joint Powers Board, is incorporated herewith to these minutes as Exhibit "4.

A copy of pages 166-167 from the Board packet, which were reproduced in color with highlighting, is incorporated herewith to these minutes as Exhibit "5."

Mr. Kippenbrock reviewed the materials in Exhibit "5," noting the brown bars indicate a significant increase/decrease. Please see Exhibits "4," and "5," for specifics of this presentation.

The Board asked questions as follows:

- Councilor Trujillo asked how much SWMA is paying per gallon for diesel fuel.

  Ms. Lucero said she paid $3.65 per gallon this morning for diesel.

- Councilor Trujillo said the State is anticipating more than $5 per gallon by the end of the year.

  Ms. Fiore-Lucero said it may be necessary to make an adjustment at mid-year on the cost of fuel.

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- Chair Romero said we may be looking at increased costs for diesel and gasoline because of what has happened in Japan.

- Councilor Trujillo asked if repair and maintenance includes the loader and such.

  Mr. Kippenbrock said yes, noting the repair and maintenance for pickups and automobiles is budgeted separately.

- Councilor Trujillo asked if SWMA does the buyback.

  Mr. Kippenbrock said that is included, but that is secondary equipment and he'll hold onto it as long as possible. He said there is a compactor which is a backup, noting they only put 500 machine hours a year on it..

- Commissioner Mayfield said on 163 of the presentation, you say that you are anticipating less tonnage coming into the facility.

  Mr. Kippenbrock said this is correct, noting 151,000 is proposed in the next fiscal year. He said there has been a slight decrease over the past two years, noting the model indicates no growth for the foreseeable future. He said in 2007, the landfill was at 200,000 tons annually. He said the 25% decline is due mainly to the lack of construction. He said reduction in construction and demolition [C&D] materials has been a factor across the country, so it is a common trend. He sees a decrease in tonnage in the long run due to a increase in diversion. He said the cost to run the landfill will be $6 million annually no matter what fees are charged.

- Chair Romero said the City has experienced an increase in revenue in Land Use because of permitting of smaller projects. She said one thing the City and County can do is to require any large construction projects to use this landfill, noting the C & D from the County Courthouse went to Rio Rancho.

-- Chair Romero said she introduced a Resolution which was adopted by the Council, mandating any C & D materials from the new Pavilion project must come to the City Landfill.

- Chair Romero said we also need to revisit accepting waste from outside the County.

- Commissioner Mayfield asked the tipping fee when the landfill was at 200,000 tons,.

  Mr. Kippenbrock said it was approximately $30 per ton. He said from 1997 to 2008, it was $25 per ton. He said when he came on board in 2004, it was difficult to know "exactly where were at," in terms of funding the required reserves. He said that is when they developed the financial model which was designed to fund all reserves. However, when the tonnage started to decline in 2007, the tipping fee was increased to $32.50 based on 178,000 tons in 2009. He said the decline continued, and said last year, they wanted to increase it to $37.50, but that wasn't approved.

- Commissioner Mayfield asked what can we do to lower the tipping fees.

  Mr. Kippenbrock said, per the current solid waste plan, there are two things we can do. The first is to ensure that all solid waste generated in this geographical area uses the landfill. The only flow control is collection by the County Transfer Stations and the municipal collection for residential and commercial. He said C & D is not controlled, and is up to the contractor generally, commenting that even on good days about 10% of the C & D is leaving the County.

  Mr. Kippenbrock said the second thing we can do is to enter into a MOU or JPA to open the landfill to portions of Rio Arriba, and a portion of San Miguel for only the Pecos area. He said in the last year, perhaps 25-30% of Espanola is in Santa Fe County, and we should be able to accept waste from that area. He said the cost would be at the same rate we are charging our Santa Fe customer.

- Councilor Trujillo said we tried to open the landfill to waste from Los Alamos County, but some of the Councilors do not want to do that because of concern about radioactive material.

Commissioner Holian said she has to leave very soon, and asked if we could vote on the proposed budget, and the group could continue its discussion on the budget.

Commissioner Mayfield said he still has questions about the budget.

- Commissioner Mayfield asked if solid waste disposal is included with the billing for sewer.

- Chair Romero said it is included in the utility billing, commenting that the cost is fairly high for a single household, noting that Espanola at $12 per month which doesn't include recycling. She said it is an expensive facility to operate, and we need to work on efficiencies, and things we can do to reduce the cost, such as finding a market for the methane gas and such.

- Commissioner Holian said the majority of the cost of the transfer stations is the cost to keep them open, noting tipping fees cover only 10-20% of the cost. She said there are four transfer stations in Commissioner Mayfield's area – Pojoaque, Nambe, Jacona and Tesuque. She said if we really want to save money there, we need to work on the hours of operations, and how we staff and operate those, as well as to evaluate whether some of those could be closed.

- Commissioner Mayfield said he appreciates her perspective, noting he and Commissioner Holian have discussed the illegal dumping, saying he believes this is happening because they can't afford to "throw their trash." He appreciates the work staff has done on the budget.

- Commissioner Mayfield asked for an explanation of 530400 which is $1,000 for food.

- Chair Romero said that is something which can be researched, noting it may be possible to eliminate this $1,000 from the budget..

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- Commissioner Mayfield noted that PSAs grow and he respects those, including legal. However, he would like to bring everything in-house which is possible, noting there are benefits which have to be paid. He said residents have a hard time making ends meet, and they are receiving no COLAs, and yet the costs of services continue to increase. He said the cost of gasoline is a huge factor in the increased costs.

- Commissioner Mayfield said he will continue to work to reduce fees, and to eliminate any unnecessary expenditures.

- Chair Romero said there is flexibility to do these things in some places and not in other. She also hears about the cost from people in Northern New Mexico, some of whom are friends and relatives. However, someone has to pay for the service, and we have to be careful how we spread the costs. She wants to keep track of the budget to be sure we are in line with our contracts.

Chair Romero said we are going to lose our quorum to vote on the budget, so she would like to move forward with a vote, acknowledging that Commissioner Mayfield wants us to look carefully at the budget, and find new revenue sources and ways to further reduce costs.

MOTION: Commissioner Holian moved, seconded by Councilor Trujillo, to approve the Fiscal Year 2012 Budget, as presented by staff.

VOTE: The motion was approved on a voice vote, with Councilor Trujillo, Commissioner Holian and Chair Romero voting in favor of the motion and Commissioner Mayfield voting against.

VII. MATTERS FROM THE BOARD

Chair Romero asked the members to look at things which can be done by our respective governing bodies to tighten the budget and reduce costs.

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

SFC CLERK RECORDED 10/2011

IX. NEXT MEETING DATE

Chair Romero said the next meeting will be April 21, 2011, at BuRRT. She suggested members try to car pool to the meeting and suggested that lunch be provided at the site for people attending the meeting.

Responding to Commissioner Mayfield, Mr. Kippenbrock said he will be taking him on a field trip of the facility which is separate from this meeting, noting he spoke with Mr. Rios on the details of his visit.

Chair Romero said we may need an executive session at the next meeting for an update on L & L.

X. ADJOURNMENT

All items on the agenda were completed, and the meeting was adjourned at approximately 1:20 p.m.

APPROVED BY:

Rosemary Romero

Rosemary Romero, Chair

ATTESTED TO:

CITY OF SANTA FE ORGANIZED SEAL 1 3 A NEW MEXICO

Yolanda Y. Vigil

Yolanda Y. Vigil, City Clerk

COUNTY CLERK VALERIE ESPINOZA SANTA FE COUNTY NEW MEXICO

SUBMITTED BY:

Melessia Helberg

Melessia Helberg, Committee Stenographe

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

SOLID WASTE MINUTES
PAGES: 12

I Hereby Certify That This Instrument Was Filed for Record On The 10TH Day Of June, 20:1 at 01:30:44 PM And Was Duly Recorded as Instrument # 1637170 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Valerie Espinoza
Deputy _____ County Clerk, Santa Fe, NM

SFC CLERK RECORDED 06/10/2011