


MEMORANDUM

To: SFSWMA Joint Powers Board Members
From: Randall Kippenbrock, P.E., Executive Director 
Date: August 13, 2014
Subject: Request for Approval to Amend the By-Laws and Operating Procedures for the Solid Waste Advisory Committee (SWAC).

BACKGROUND AND SUMMARY:

On November 15, 2012, the Board approved the amendment to the by-laws and operating procedures for the Solid Waste Advisory Committee (SWAC). The Board also recommended that future SWAC meetings be chaired by a member of the SWAC.

In February 2013 SWAC agreed to take a break until the completion of the solid waste assessment and management study.

The SWAC reconvened on July 31, 2014. Several members provided changes to the by-laws and operating procedures for the Board's review and approval. The changes include the following:

- The designation of alternate voting members to ensure SWAC has a quorum;
- Revision of dates that outline the terms of service for SWAC members;
- Additional language clarifying the formation of SWAC subcommittees; and
- Clarification of the scope of SWAC's stated duties.

ACTION REQUESTED:

The Agency is requesting the Board approve the amendment to the By-Laws and Operating Procedures for the Solid Waste Advisory Committee.

Attachments: Proposed By-Laws and Operating Procedures for the SWAC
Redline Version of November 15, 2012 By-Laws and Operating Procedures for the SWAC

ATTACHMENT

Proposed By-Laws and Operating Procedures for the SWAC

**SANTA FE SOLID WASTE MANAGEMENT AGENCY (SFSWMA, the Agency)
SOLID WASTE ADVISORY COMMITTEE (SWAC)
BY-LAWS AND OPERATING PROCEDURES
(Effective August 21, 2014)**

1. NAME

This set of By-Laws and Operating Procedures pertains to the Solid Waste Advisory Committee or SWAC as established by the Santa Fe Solid Waste Management Agency (SFSWMA, the Agency).

2. MISSION AND PURPOSE

To provide a forum for input to the SFSWMA Executive Director and staff, the SFSWMA governing Board of Directors, consultants, as well as elected representatives, decision-makers, and staff from the City of Santa Fe and Santa Fe County regarding the implementation of a Comprehensive Solid Waste Management Plan (CSWMP, the Plan) as prepared jointly by the SFSWMA involving the City and County. . The SWAC shall assist and advise the entities with implementation of the Plan.

3. MEMBERSHIP

As listed below, there are 16 different sectors represented on the SWAC by 21 individuals:

Sector	Number of Representatives
A - Santa Fe Solid Waste Management Agency	1
B - City of Santa Fe	2
C - Santa Fe County	2
D - City At-Large Resident	2
E - County At-Large Resident	2
F - Waste Haulers	1
G - Private Recyclers	1
H - Recycling Advocacy Organization	1
I - Reuse Organizations	1
J - Environmental Organizations	1
K - Sustainable Santa Fe Commission	1
L - State of New Mexico	1
M -Schools	1
N - Institutions	1
O - Business Groups	2
P - Caja del Rio/Las Campañas Area	1

Representatives from sectors D through P shall serve a term of two (2) years commencing January 1, 2015. Such representatives may, at end of their term, request re-appointment

to the SWAC by the SFSWMA governing Board of Directors. In addition, each Representative from sectors F-O may designate an alternate member who is able to attend in addition to or instead of the elected member to ensure the SWACs ability to reach quorum. Alternate members will be non-voting when the elected member is present and will serve in conjunction with the elected member's term.

4. MEMBERS DUTIES AND EXPECTATIONS

Members are expected to attend meetings regularly; participate in discussions on topics brought before the SWAC; work collaboratively with other SWAC members, stakeholders, and involved parties; and inform themselves and the SWAC on related topics through reading of handout materials and other sources of information.

SWAC members can initiate the formation of Ad-Hoc Committees (see section 8) and are expected to lead such committees from initiation to completion. All Committees will be supported administratively by SWMA and its designees to ensure that they are effectively implementing the items they are formed to pursue.

Additionally, SWAC members are expected to abide by New Mexico laws regarding public meetings, public records, and conflict of interest.

5. OFFICERS

5.1 The officers of the SWAC shall consist of a chairperson and a vice-chairperson, both of which are voting members.

5.2 Chairperson: The chairperson shall preside at all SWAC meetings and shall perform all acts and duties usually performed by a chairperson or as specified by these by-laws.

5.3 Vice-Chairperson: The vice-chairperson shall preside in the absence of the chairperson. The vice-chairperson shall fill any unexpired term of the chairperson. In case of a vacancy of the vice-chairperson, an interim will be elected by the SWAC to fulfill the remainder of the term, and the procedure set forth in Section 5.2 will be used to fill the vacancy.

5.4 Term: The chairperson and vice-chairperson shall serve a term of two (2) years commencing January 1, 2015.

5.5 Officers may, at end of their term, be re-elected as set forth in Section 6.

6. NOMINATIONS AND ELECTIONS

6.1 Nominations may be made from the floor by SWAC members at the SWAC meeting provided the nominee is a SWAC member from sectors D through P and consents to serve. Nominees will be asked to make a statement regarding their

qualifications prior to election.

- 6.2 Nominee must acknowledge and value that the SWAC is an effective organization working to increase recycling and other forms of diversion from the landfill while ensuring financial stability for the solid waste management system and assuring that costs are distributed fairly and equitably.
- 6.3 Nominee must lead the organization and conduct meetings in an impartial and fair manner.
- 6.4 Election of Officers: Members of the SWAC elect the officers. Each officer is voted for separately, the chair position will be voted on before the vice-chair, and each SWAC member may cast one vote for each officer. A majority of the votes is required for election. In the case of a tie vote, the vote will be decided by number drawing. The nominee drawing the lowest number will be declared as the winner.

7. MEETINGS

- 7.1 Tentative agenda, time, and location for the next SWAC meeting[s] shall be set at the end of each meeting.
- 7.2 Minutes shall be a summary of the actual discussions and proceedings that transpired at the SWAC meeting.
- 7.3 Minutes shall be distributed to all members and interested persons who have requested to be on the mailing list prior to the next scheduled meeting.
- 7.4 SWAC members may submit clarification of their own comments, positions, votes or other member activity at the next regularly scheduled meeting for inclusion in the minutes of the meeting being clarified.

8. COMMITTEES

- 8.1 The SWAC may appoint standing and ad hoc committees as needed.
- 8.2 Committee members shall include, at a minimum, the following: one (1) representative from sectors A through C; and three (3) representatives from sectors D through P (See Section 3).
- 8.3 The objective of committees is to debate or research items pertinent to the SWAC and provide recommendations for SWAC review.
- 8.4 Minutes for all committees will be maintained and submitted for SWAC review.

9. QUORUM

A quorum shall be present in order to conduct the business of the SWAC. A quorum shall be 11 voting members of the SWAC.

10. VOTING MEMBERS

The representative of the SFSWMA is considered to be a non-voting member of the SWAC. The City of Santa Fe and Santa Fe County have two voting members each. All the other sectors of the SWAC identified in Section 3 have voting members equal to the number of representatives assigned. Therefore, there are 20 voting members of the SWAC.

11. PARTICIPATION

Participation must be in person and members may not participate in the meeting through the use of conference telephone or similar communication equipment.

12. DECISION-MAKING METHOD

A motion must be pending before a decision may be made. Every effort will be made to reach consensus when the SWAC is deliberating toward a decision. If consensus cannot be reached, the SFSWMA Executive Director or any member may call for a vote. The minimum number of affirmative votes for any motion to pass must be a majority of the quorum required to conduct SWAC business.

13. PROXY

No voting shall be permitted by proxy.

14. REMOVAL OF MEMBERS

14.1 Removal of a member from the SWAC for cause shall be determined by the SFSWMA governing Board of Directors.

14.2 It is recognized that changes in professional and personal priorities may affect SWAC members' ability to perform successfully. Any member who feels he or she can no longer commit the necessary time and effort to the SWAC is encouraged to discuss options with the chairperson.

15. GUIDELINES FOR COMMUNITY RELATIONS

Any member of the public is welcome to attend, participate in, and provide input at SWAC meetings, at the approved agenda time. Public comments are encouraged and

may be accepted verbally or in writing. Anyone who wishes to voice an opinion or present information or concerns to the SWAC may come to the meetings and/or contact the SFSWMA Executive Director. The SFSWMA Executive Director shall make arrangements as appropriate to assure public participation.

16. AMENDMENT OF BY-LAWS

- 16.1 Motion to amend these by-laws may be submitted by any member of the SWAC to the chairperson.
- 16.2 Decisions to amend the by-laws shall be reached by majority of the quorum required to conduct SWAC business.
- 16.3 All amendments to these by-laws are subject to the approval of the SFSWMA governing Board of Directors.

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Redline Version of November 15, 2012 By-Laws and
Operating Procedures for the SWAC

**SANTA FE SOLID WASTE MANAGEMENT AGENCY (SFSWMA, the Agency)
SOLID WASTE ADVISORY COMMITTEE (SWAC)
BY-LAWS AND OPERATING PROCEDURES
(~~Effective November 15, 2012~~ Effective August 21, 2014)**

1. NAME

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2. MISSION AND PURPOSE

To provide a forum for input to the SFSWMA Executive Director and staff, the SFSWMA governing Board of Directors, consultants, as well as elected representatives, decision-makers, and staff from the City of Santa Fe and Santa Fe County regarding the ~~development and~~ implementation of a Comprehensive Solid Waste Management Plan (CSWMP, the Plan) as prepared jointly by the SFSWMA involving the City and County. ~~The SWAC shall review and approve the Draft and Final Plan as prepared by the consultants.~~ The SWAC shall assist and advise the entities with implementation of the Plan.

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Representatives from sectors D through P shall serve a term of two (2) years commencing January 1, ~~2012~~2015. Such representatives may, at end of their term, request re-appointment to the SWAC by the SFSWMA governing Board of Directors. In addition, each Representative from sectors F-O may designate an alternate member who is able to attend in addition to or instead of the elected member to ensure the SWACs ability to reach quorum. Alternate members will be non-voting when the elected member is present and will serve in conjunction with the elected member's term.

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