# SUMMARY OF ACTION SANTA FE SOLID WASTE MANAGEMENT AGENCY JOINT POWERS BOARD SANTA FE COUNTY ADMINISTRATION BUILDING, LEGAL CONFERENCE ROOM 102 GRANT AVENUE THURSDAY, July 20, 2017, 5:00 PM

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# SANTA FE SOLID WASTE MANAGEMENT AGENCY JOINT POWERS BOARD SANTA FE COUNTY ADMINISTRATION BUILDING, LEGAL CONFERENCE ROOM 102 GRANT AVENUE THURSDAY, July 20, 2017, 5:00 PM

#### CALL TO ORDER

The meeting of the Santa Fe Solid Waste Management Agency Joint Powers Board was called to order by Councilor Michael Harris, Chair, at 5:00 pm, at the Santa Fe County Administration Building, Legal Conference Room, 102 Grant Avenue, Santa Fe, New Mexico.

#### II. ROLL CALL

#### MEMBERS PRESENT

Councilor Michael Harris, Chair Commissioner Anna Hamilton, Vice Chair Councilor Rene Villarreal Councilor Joseph Maestas Commissioner Anna Hansen Commissioner Ed Moreno

#### MEMBERS ABSENT

#### OTHERS PRESENT

Randall Kippenbrock, Executive Director, SWMA
Jeanette Walther, P. E., Bohannan Houston, Inc.
Nancy Long, Attorney
Neal Denton, Santa Fe County
Les Francisco, Santa Fe County
Shirlene Sitton, City of Santa Fe
Joe Eiger
Ken Hardin
Elizabeth Martin, Stenographer

#### III. APPROVAL OF AGENDA

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

VOTE The motion passed unanimously by voice vote.

## IV. APPROVAL OF CONSENT CALENDAR

Commissioner Hansen asked to pull item A for discussion.

MOTION

A motion was made by Councilor Villarreal, seconded by Councilor Hamilton, to approve the Consent Calendar as amended.

VOTE

The motion passed unanimously by voice vote.

#### V. APPROVAL OF MINUTES

MOTION

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

VOTE

The motion passed unanimously by voice vote.

### VI. MATTERS FROM THE PUBLIC

Mr. Eiger said he is here to support item A. The company in Tulsa has a great reputation. It has the highest rating in terms of properly handling what they receive. There are concerns about the cost of program. He noticed in the RFP that the tonnage that we send goes up significantly from year to year and the tonnage we generate keeps going up. Costs will escalate. 5% of the e-waste ends up at BuRRT. If we could capture it all the cost could go up 20 fold. That is something we should pay attention to. 25 states have producer responsibility programs where the manufacturer and retailers have to participate in the payment of a recycling, refurbishing program. New Mexico is not one of them. Senator Steinborn passed a Senate Memorial to set up a panel to be appointed by the Northern New Mexico Recycling Coalition which will look into producer responsibility legislation. The 3 products they have looked at in past are paint, mattresses and e-waste. E-waste is the lowest on the list. It is a great program but the cost is going to keep escalating and he questions if SWMA should be footing the cost for this.

Ms. Sitton said she serves on the U. S. Conference of Mayors Municipal Association Committee. She is on the Executive Committee and on a subcommittee to write a Resolution on EPR legislation for electronic waste. A Resolution passed at the Conference of Mayors. 15 minutes before they voted on her Resolution a substitute was presented that was more friendly to the industry and that one passed. That shows the concern from industry and recognition by Mayors. The Resolution asked Mayors to impress on State Governors to pass it if they don't have EPR legislation. She will pass on to the Board the Resolution that did not pass.

Chair Harris asked that it be routed to Mr. Kippenbrock.

#### VII. CONSENT CALENDAR

- A. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO EXTEND THE TERM AND INCREASE THE COMPENSATION TO THE SERVICES AGREEMENT WITH NATURAL EVOLUTION OF TULSA, OK, TO PROVIDE ELECTRONIC WASTE (E-WASTE) RECYCLING SERVICES FOR THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION IN THE AMOUNT OF \$45,000.00 (RFP NO. '16/36/P).
  - (1) APPROVAL OF BUDGET INCREASE TO 52504.510310 (SERVICE CONTRACTS) FROM 5500.100700 (OPERATING FUND CASH BALANCE) IN THE AMOUNT OF \$45,000.00.

Mr. Kippenbrock said this is year 2 of the contact. It is the same amount as last year. The majority of the cost is associated with the disposal of computer monitors and TV flat screens. In the first phase, 11 months or so, \$36,000 of the \$45,000 has been used. That is why we are requesting the same amount. 2 years ago for 2 years we had a grant through an unknown provider that took in televisions. That stopped, so last year we asked the Board if they wanted to keep the television program and they said yes. He came up with this number. In the United States there is not a good way for recycling televisions. They contain lead and mercury. Hazardous waste. Most of the processing is done in the United States.

Chair Harris said the dollars associated with the first year, which is not closed out, was \$36,000 in 11 months.

Mr. Kippenbrock said we get 2 cents a pound on keyboards and small waste.

Commissioner Hamilton said the cost is likely to go up over time. Are there alternatives.

Mr. Eiger said 25 states have legislation requiring the producers to participate in the recovery. They have to bear some of the cost. Many of those programs are in trouble. They are not able to grow with the growth of e-waste.

Chair Harris said we have to deal with these things now and we have the ease with our agency to deal with them. E-Stewards and others deal well with these issues.

Commissioner Hansen asked how much will we get paid or do we make anything on the e-waste. She does not suspect there is a market.

Mr. Kippenbrock said in the past 11 months \$2,000 was credited back to us.

Commissioner Hansen asked the worry of increased costs, do you see that as a reality.

Mr. Kippenbrock said it is \$45,000 for year 2. Potentially if we see more items the cost will go up.

Commissioner Hansen asked how much do we charge people to bring things in.

Mr. Kippenbrock said \$50 a ton prorated. TVs are only a couple of dollars.

Commissioner Hansen said she wanted to discuss this and understand.

Chair Harris said ask the questions you need to.

Chair Harris asked with medical equipment how much do we take in that meets the criteria that Natural Evolution states. Inspected and decontaminated. We are getting a major new hospital in town. At the City we ended up paying \$112,000 for sewer line blockage for medical waste and other things. It is hard to even say where it came from but it was in the St. Michaels corridor. It is a mess. Do we see much of that.

Mr. Kippenbrock said no. There has only been 1 request to handle it in his experience. It was related to a chiropractor business and he retired and wanted to get rid of his equipment.

Commissioner Hansen asked what did you do.

Mr. Kippenbrock said they worked with the site manage and he does not know what the decision was at the time.

Chair Harris asked Ms. Sitton if she had seen a situation like that.

Ms. Sitton said no. That kind of thing is usually required by law to be handled through the private sector.

Commissioner Hansen said needles and things like that have to be disposed of through medical facilities.

Chair Harris asked it is part of the list of what they will accept under certain conditions. He would be interested in getting an answer from Christus St Vincents as to how they handle it. Would you reach out to them Randall.

Mr. Kippenbrock said yes he will.

Commissioner Hansen asked what do people do with light bulbs.

Mr. Kippenbrock said we have a program for residents only, not commercial. It depends on the weight. It goes to Phoenix for crushing and recycling.

Commissioner Hanson said we need to be mindful about how people recycle those things. It can make an impact in the landfill with lead and mercury. What are we doing with light bulbs.

Mr. Kippenbrock said the lead and CFL program we focus on are the 4 or 8 foot long tubes. The CFL we can take. It gets packaged in 55 gallon drums and goes to BuRRT. Home Depot also takes CFL.

Mr. Eiger said at the El Dorado Convenience Center they do accept all types of florescent bulbs. He volunteers to clean up the refuse area where it is located. People drop off all kinds of bulbs. Everything else should go to the landfill. There is no real possibility to recycle the other types. Home Depot and Lowes collect florescent bulbs.

Mr. Francisco said most people take them to El Dorado or BuRRT.

MOTION A motion was mace by Commissioner Hanson, seconded by Councilor Maestas, to approve.

VOTE The motion passed unanimously by voice vote.

B. UPDATE ON CDM SMITH ON-CALL ENGINEERING SERVICES

# VIII. MATTERS FROM THE EXECUTIVE DIRECTOR

A. PRESENTATION, DISCUSSION, AND POSSIBLE ACTION ON THE RECOMMENDATIONS FOR THE WILDLIFE WAY ROAD IMPROVEMENT AND EFFLUENT WATER SUPPLY LINE PROJECTS AT CAJA DEL RIO LANDFILL (JEANETTE WALTHER, P.E. BOHANNAN HOUSTON, INC.)

Mr. Kippenbrock introduced Ms. Walther. Last year the Board approved a Professional Services Agreement with Bohannan Houston. In your packet are 2 reports from them. Ms. Walther will go through a presentation that is included in your packet.

Ms. Walther said first we do want to point out that the agency has always maintained the road then when we got into the right of ways and other issues it turned out that there were actually various components to the 1.6 mile road. The way it was

constructed was when the City and County got the BLM patent the constructed Wildlife Way Road along the southern edge. The first part falls under the City of Santa Fe, then around the bend is the County with the right of way from Game and Fish, then back to the City and then to the Agency. It was part of the landfill at one time. There are 3 entities that have ownership of this road. When it comes to funding she has some ideas about how to handle that.

Commissioner Hansen asked why are Santa Fe County and Game and Fish grouped together. Game and Fish is a State agency.

Mr. Kippenbrock said Game and Fish gave Santa Fe County the right of way to construct the road.

Commissioner Hamilton asked what does PCI stand for.

Ms. Walther said pavement condition index.

Commissioner Hamilton asked do you have any comments on final quality and duration.

Ms. Walther said there is good quality with both processed material and full depth reclamation. From the surface down 2 feet effects the load it can take.

Commissioner Hamilton asked is the top option the current common procedure.

Ms. Walther said they are all 20 year pavement designs.

Commissioner Hamilton asked does your experience suggest that is true.

Ms. Walther said the existing pavement has been there for 20 years and is beginning to fail.

Commissioner Hansen asked who pays.

Ms. Walther said that is question. There is no Federal funding because it is a local road. It is not eligible. From what we discussed basically local funding is the only thing available for reconstruction. Bond or legislative.

Chair Harris said we had not anticipated this in our budget. We have reserves for other things but not for this as an identified funding stream for this work.

Mr. Kippenbrock said correct.

Councilor Maestas said some pretty heavy vehicles pass through there. Does it need to be beefed up for heavier vehicles.

Ms. Walther said we got the weights from Mr. Kippenbrock and we accounted for that in these designs.

Councilor Maestas asked did you guys consider doing coreings to see if the base needed stabilization..

Ms. Walther said we did consider that but the material is very spotty out there. There are sections of the pavement that are in better condition than others.

Councilor Maestas said we anticipated the design life for 20 years. We are intervening too late. We need to be sure if we invest in this that we get 20 years.

Ms. Walther said we tried to include all of the costs. The worst part is around the scales where the trucks sit. This cost includes making a larger patch of concrete there. To do that is more in the range of \$75,000 to \$80,000. The parking lot is not at the end of its life. There is no structural deterioration. We just need to do a seal coat to seal the cracks. If you let that go you will have to totally reconstruct the parking lot. It would be \$10,000 to \$12,000 thousand to seal the parking lot. Both of those expenses are in these proposed total costs.

Councilor Maestas said we could be liable for a portion of the road. What is the basis for allocating shared costs here.

Mr. Kippenbrock said use all the entities to put this on their CIP requests and go to the State Legislature and see if we can get funding that way. That is our goal.

Ms. Walther said she talked to Keith Wilson at the MPO. He said he cannot include the project unless there is Federal funding involved.

Chair Harris said you started out saying SWMA has maintained the road. Have you done asphalt repairs over time.

Mr. Kippenbrock said yes.

Chair Harris asked has that been your practice or is there something that says we do it.

Mr. Kippenbrock said it has been our practice.

Chair Harris said we don't know if the right of way is dedicated. We need to see what the right of way says that was extended by Game and Fish to the County and check the City side as well. That is the starting point. He would like to know what the documentation says. That is his recommendation. It is probably worth talking about doing the concrete work. That is the worst place we have in terms of degradation. That

is the same in all 3 solutions. That is on SWMA property so that is our responsibility. We should start there. Also look at the responsibilities in the documentation. We are starting to look at the City view on our own infrastructure that will go to the State for funding and it is a long document with a lot of dollars attached to it.

Commissioner Moreno said he thinks it would be wise to not put too much on legislatively in this last year of this administration. Are the percentages on the first page of the memo the responsibility amounts that each entity is expected to be providing.

Mr. Kippenbrock said no, that is just the length of the road and what percentage is what.

Commissioner Hansen asked the \$1.8 million includes some inside landfill where the concrete pads and parking lot are.

Ms. Walther said yes.

Councilor Maestas said it seems to him that we couldn't take any action to carry out any of these alternatives until we have the consultant look at a stop gap recommendation. We could have a site where it just starts unraveling if we don't address it. It is unsafe for drivers. A mill and replace could buy us 5 years in the interim while we work on for funding. The full depth option is probably required. There is no foreseeable funding in next several years. It is only going to get worse. Maybe we could do minor rehab or resurfacing.

Ms. Walther said the mill and overlay with a 20 year life would cost \$1.7 million.

Commissioner Hansen asked how much do we pay per mile for roads. We just talked about that at a meeting.

Commissioner Hamilton said that was for maintenance, not reconstruction.

Councilor Maestas said he still thinks it is our travel lane. We need to mill, overlay and rejuvenate.

Ms. Walther said even just some kind of seal coat. The Legislature would look at where this road goes and who benefits from it. There are only small slices of pie for capital outlay. We need a negotiation strategy to deal with all the owners of the road. We are providing the traffic. Game and Fish has just small vehicles. Ours are big. We will lose the argument. We are more liable.

Chair Harris said that is why he asked about looking at the document where the right of way was granted. Here is his suggestion. He does not remember all the categories in Reserves and Operating expenses. Mr. Kippenbrock can give us a report for various account categories. If it seems like we have the financial ability to move to at

least address the area at the scales then in addition follow up on what Councilor Maestas is saying regarding stop gap measures we can consider that. With the traffic there it is going to degrade faster than normal.

Councilor Maestas said and with the cracks there will be more water infiltration.

Chair Harris said we don't know the scope of your contract.

Ms. Walther said we do have an ongoing contract.

Chair Harris said perhaps we can have some ongoing negotiations to look at starting at the scales and looking at financial resources. He is not assuming it should all be on SWMA. We need to see the documentation and see how it reads.

Mr. Kippenbrock said he concurs with you. Let's focus on the inbound and outbound and restore the parking lot. He thinks we can find money for that. Before we hired them we looked at worst cracks, there were more of a pot hole patch. We came back and said let's evaluate the road first before we do patching. It would take \$200,000 on that. The ownership clarification was not meant to go back to the owners. He is asking if you think as an Agency we could seek funding at the Roundhouse with a letter of support from each entity. If we don't do that then we will have to look at money from our operations of the Agency and or long term bonding.

Commissioner Hansen said at this moment as much as we would love to go to the Legislature and get money from NMDOT she does not see that as reality. Last session there was no capital outlay. This administration is not very favorable to this County. She does not see that as a possibility especially since this is a 30 day session. Maybe look at this after 2018. She has not seen money for roads from the Legislators or NMDOT in a very long while.

Chair Harris said another consideration is how quickly NMDOT would move to do reclamation. Typically the equipment to do that work is not readily available or in service in New Mexico. The market place needs to catch up.

Commissioner Hamilton asked regarding the Federal use designations, this is a special high service road. Do you know the criteria for designating roads.

Ms. Walther said she talked to Keith Wilson and he told her it has to be on the long range map as a collector because it can then be deemed a regionally significant road. We would have to talk further with the MPO.

Commissioner Hansen said we need the criteria. It is worth checking into.

Councilor Maestas said there are official functional classification maps that every City and County have. If the road is not in the category as a collector the funding is not

there. Maybe if it was a Federal facility. The functional classification overrides everything for eligibility for Federal funding.

Commissioner Hamilton asked in the history of this road this is the first time this came up. It is unusual for the County or City to get easements to build the road and no one put it on their maintenance list. Maybe it is there on someones list.

Chair Harris said we need to check the documentation. It was designed and constructed for a 20 year life. We are at the end of that life.

Commissioner Hamilton said you have assent management programs.

Chair Harris asked has any City or County entity done any maintenance since you have been there.

Mr. Kippenbrock said no.

Chair Harris said it has become our practice to take care of it.

Mr. Kippenbrock said it was always his understanding that it was part of SWMA but it turned out that was not the case.

Chair Harris asked can we get consensus on this part. We still need to talk about the affluent line as well.

Commissioner Hansen said at least talk to the MPO

Councilor Maestas asked what would be the purpose. It does not have the functional class to be considered. If we have the budget for full improvement we give staff direction to do the SWMA portion of the road.

Commissioner Hansen said if you have the money. Could you come back next month with that.

Chair Harris asked we do need to contract with Bohannan for design purposes. If we can do that for the part we are talking about, the parking lot and the discrete portions we talked about would that work.

Councilor Maestas said it will be a higher unit cost because it is a smaller area.

Chair Harris said we also need more investigation for the balance of Wildlife Way to see what it might take to do some remedial work.

Councilor Maestas said even if it is just on in bound.

Chair Harris said he would like to give Mr. Kippenbrock and Bohannan Houston the go ahead to move ahead in those 2 regards.

Commissioner Hamilton said when we talk to the County to look at the source documentation can we get them in touch with Mr. Kippenbrock to get the information that brought you to this conclusion.

Mr. Kippenbrock said yes.

Commissioner Hamilton said there should be a discussion about that.

Chair Harris said given we have had a long standing practice that we do this work with our resources. Maybe we can get to a longer term solution when we have the research.

Commissioner Hamilton said she agrees with him.

Chair Harris said we can do the initial phase with SWMA resources. Mr. Kippenbrock will need to be very disciplined with the money.

Mr. Kippenbrock said he will evaluate the number of alligator cracks and get the cost to repair.

Chair Harris said he thinks that is appropriate.

Commissioner Hamilton agreed.

Councillor Villarreal said this is a regional project. Don't you think it is a more compelling project for the Legislature because 3 jurisdictions are working together to do something. She was hoping we would put in some kind of request. It would not hurt.

Councilor Maestas said maybe a Resolution by all bodies to come up with a solution to approve the road.

Councilor Villarreal said she thinks there are options.

Commissioner Hansen said it is a 30 day session.

Councilor Villarreal said let's put something in writing that we are working on this and saying it is a priority. It could be for next session but we would have something in the pipeline.

Commissioner Hansen said that is a good idea.

Chair Harris said fine.

Councilor Maestas asked should we look to make changes to the ownership. We are vulnerable. There are 2 other owners. If we are going to do this to get funding together it maybe in our interest to take over full ownership of the road by SWMA.

Chair Harris said that is a great idea.

Chair Harris said someone needs to compose a motion

Councilor Maestas said the co-owners agree to improve the roadway within the SWMA property on Wildlife Way, the administrative parking lot and the inbound and outbound of the scale house.

Ms. Walther said and the concrete and seal coat and crack sealing for the parking lot.

Councilor Maestas said identify the alligator cracks and get the cost to repair that on Wildlife Way.

Mr. Kippenbrock said we can get that from Bohannan Houston and then they can bring it back to the Board for determination.

Ms. Long said we should add in investigate the road ownership and easements

Commissioner Moreno said he is going to support Councilor Villarreal's suggestion that we prepare a CIP proposal for consideration. In his experience the legislature does look more favorably at projects that effect more than one little thing. He would like to pursue that.

Councilor Villarreal said even if we just craft a joint Resolution.

Councilor Hansen said it should be a separate Resolution talking about money and funding.

#### MOTION

A motion was made by Councilor Maestas, seconded by Commissioner Moreno, to direct staff in pursuing improving Wildlife Way within the SWMA area to include the parking lot and scale approaches. Also direct staff to identify all cracking along the entire alignment of Wildlife Way and present a cost to repair to the Joint Powers Board and to investigate the obligations to maintain the roadway if any. Also that we direct Mr. Kippenbrock to work with the City and County to craft a CIP requests to improve the road, cost allocations to be determined, that could possibly include Game and Fish.

**VOTE** The motion passed unanimously by voice vote.

Chair Harris said that was a good discussion and one we will continue over the next few months and the next year.

Chair Harris said we have to have an additional discussion on the affluent line.

Ms. Walther gave her presentation which is included in the packet.

Chair Harris said we have rights to a lot. 500,000 and we are using 9,000. That is less than 2%. Is that amount constrained by the line size or the fact that we don't have access. What does this gain us. Does this increase the amount of water. Does this gain us much.

Ms. Walther said it would give you access to more water but she is not sure you need more water.

Mr. Kippenbrock said we are getting what we need except during the peak summer months we could use more. It is about timing and getting the golf course to turn on the water. We can't interfere with their irrigation. Jennifer Romero is always very helpful with us. We decided to look at this and look at improving the efficiency of the delivery.

Chair Harris asked so it is not necessary to gain water.

Mr. Kippenbrock said only during peak months.

Commissioner Hansen asked would the new system change the timing because of where the water is sourced from.

Mr. Kippenbrock said correct. We would be able to turn it on ourselves and be metered for it.

Ms. Walther said the main circulation line going around the outside has water pressure in it during Winter. The pond does not during winter.

Chair Harris said the Winter usage is not a huge issue. We do not have the dust suppression issues we have in Summer. His question is if it is a matter of timing during those months and the time it takes with a 4 inch line. You want a bigger line so you can fill the pond faster for peak periods.

Mr. Kippenbrock said yes, and at the beginning of the season.

Commissioner Hansen said we are talking about a lot of money here. She is concerned about the road issue which is much more pertinent and pressing need than the water line. She would like, being new to the Board, to know how much money we

have for the road situation and allocations for the water line and where it lies in the priority list.

Chair Harris said he agrees.

Mr. Kippenbrock said please consider this as a future project for now.

Commissioner Hansen said yes. Thank you for the presentation. We will keep it in the back of our minds for now.

Councilor Maestas said let's talk about the actual problem. What problems does the shortage during peak times make.

Mr. Kippenbrock said dust suppression. We have water wagons. We have not been cited for anything. We have experienced some lack of water during extremely hot weather.

Chair Harris said he agrees with Commissioner Hansen. We need to be aware of this and if NMED starts to question operations we have to move it higher on the list but not right now

Everyone on the Board agreed.

#### IX. MATTERS FROM THE BOARD

Commissioner Hansen said she wanted to thank Mr. Kippenbrock for attending her meeting at Las Companas with the HOAs. She was extremely grateful to have him there.

#### X. MATTERS FROM STAFF, AGENCY, CITY, COUNTY

None

#### XI. NEXT MEETING DATE: AUGUST 17, 2017

#### XII. ADJOURNMENT

There being no further business before the Board, the meeting adjourned at 6:30 pm.

Councilor Michael Harris, Chair

Elizabeth Martin, Stenographer



COUNTY OF SANTA FE STATE OF NEW MEXICO SOLID WASTE MINUTES

PAGES: 17

I Hereby Certify That This Instrument Was Filed for Record On The 26TH Day Of September, 2017 at 11:12:17 AM And Was Duly Recorded as Instrument # 1837161 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office Deputy A Jama Herrara Geraldine Salazar County Clerk, Santa Fe, NM