

## **AGENDA**

### **REGULAR MEETING**

#### **SANTA FE SOLID WASTE MANAGEMENT AGENCY JOINT POWERS BOARD**

August 16, 2018  
5:00 P.M.

LEGAL CONFERENCE ROOM  
SANTA FE COUNTY ADMINISTRATION BUILDING  
102 GRANT AVENUE  
SANTA FE, NM

- I. Call to Order**
- II. Roll Call**
- III. Approval of Agenda**
- IV. Approval of Consent Calendar**
- V. Approval of Minutes:** Regular Meeting – July 19, 2018
- VI. Matters from the Public**
- VII. Consent Calendar**
  - A. Request for Approval to Award Bid No. '19/02/B - Price Agreement for Bulk Fuel for the Santa Fe Solid Waste Management Agency to Multiple Vendors.
  - B. Request for Approval to Award Bid No. '19/03/B – Motor Oils, Lubricants, Antifreeze and Related Products for the Santa Fe Solid Waste Management Agency to Multiple Vendors.
  - C. Request for Approval of a Professional Services Agreement with NewGen Strategies and Solutions, LLC of Austin, TX, for Solid Waste Services for a Cost of Service Study for the Santa Fe Solid Waste Management Agency under Houston-Galveston Area Council (H-GAC) Contract No. HP10-17 in the Amount of \$54,942; and
    - 1. Approve Budget Increase to 52501.510300 (Professional Services) from 5500.100700 (Operating Fund Cash) in the Amount of \$54,942.
  - D. Request for Approval to Purchase a 2019 Chevrolet Colorado Crew Cab 4x4 from Caldwell Country Chevrolet of Caldwell, TX, under Houston-Galveston Area Council (H-GAC) Contract No. VE11-15 in the Amount of \$30,398; and
    - 1. Approve Budget Increase to 52501.570950 (Capital Outlay – Vehicles <1.5 Ton) from 5502.100700 (Equipment Replacement Reserve Fund Cash) in the Amount of \$30,398.

**RECEIVED AT THE CITY CLERK'S OFFICE**

**DATE:** 8/16/18

**TIME:** 2:54 PM

**VIII. Matters from the Executive Director**

- A. Discussion and Possible Action Regarding Special Consideration for Reduction or Elimination of Tipping Fees for Debris Material Resulting from July 23, 2018 Flood Event for the City of Santa Fe and Santa Fe County.
- B. Discussion and Possible Action to Increase the Executive Director's Authority for Clean-Up Approval Amount for Applications for Free Disposal Fees for Qualified Individuals Affected by the July 23, 2018 Flood Event.

**IX. Matters from the Board**

**X. Matters from Staff – Agency, City, County**

**XI. Next Meeting Date: October 18, 2018**

**XII. Adjournment**

Anyone needing further information or requiring special needs for the disabled should contact Rosalie Cardenas at (505) 424-1850, extension 150.

SUMMARY OF ACTION  
SANTA FE SOLID WASTE MANAGEMENT AGENCY  
JOINT POWERS BOARD  
SANTA FE COUNTY ADMINISTRATION BUILDING  
LEGAL CONFERENCE ROOM, 102 GRANT AVENUE  
THURSDAY, AUGUST 16, 2018, 5:00 PM

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
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<u>CONSENT CALENDAR</u>		
REQUEST FOR APPROVAL TO AWARD BID NO. '19/02/B - PRICE AGREEMENT FOR BULK FUEL FOR THE SANTA FE SOLID WASTE MANAGEMENT AGENCY TO MULTIPLE VENDORS.	APPROVED ON CONSENT	3
REQUEST FOR APPROVAL TO AWARD BID NO. '19/03/B - MOTOR OILS, LUBRICANTS, ANTIFREEZE AND RELATED PRODUCTS FOR THE SANTA FE SOLID WASTE MANAGEMENT AGENCY TO MULTIPLE VENDORS.	APPROVED ON CONSENT	3
REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH NEWGEN STRATEGIES AND SOLUTIONS, LLC OF AUSTIN, TX, FOR SOLID WASTE SERVICES FOR A COST OF SERVICE STUDY FOR THE SANTA FE	APPROVED	3-5

SFC CLERK RECORDED 10/22/2018

SOLID WASTE MANAGEMENT AGENCY  
UNDER HOUSTON-GALVESTON AREA  
COUNCIL (H-GAC) CONTRACT NO.  
HP10-17 IN THE AMOUNT OF \$54,942

REQUEST FOR APPROVAL TO  
PURCHASE A 2019 CHEVROLET  
COLORADO CREW CAB 4X4 FROM  
CALDWELL COUNTRY CHEVROLET  
OF CALDWELL, TX, UNDER  
HOUSTON-GALVESTON AREA COUNCIL  
(H-GAC) CONTRACT NO. VE11-15 IN  
THE AMOUNT OF \$30,398; AND

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MATTERS FROM THE EXECUTIVE  
DIRECTOR

DISCUSSION AND POSSIBLE ACTION  
REGARDING SPECIAL CONSIDERATION  
FOR REDUCTION OR ELIMINATION OF  
TIPPING FEES FOR DEBRIS MATERIAL  
RESULTING FROM JULY 23, 2018 FLOOD  
EVENT FOR THE CITY OF SANTA FE  
AND SANTA FE COUNTY.

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DISCUSSION AND POSSIBLE ACTION  
TO INCREASE THE EXECUTIVE  
DIRECTOR'S AUTHORITY FOR CLEAN  
UP APPROVAL AMOUNT FOR  
APPLICATIONS FOR FREE DISPOSAL  
FEES FOR QUALIFIED INDIVIDUALS  
AFFECTED BY THE JULY 23, 2018  
FLOOD EVENT.

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NEXT MEETING DATE

OCTOBER 18, 2018 10

ADJOURNMENT

ADJOURNED 10

SEC CLERK RECORDED 10/22/2018

**SANTA FE SOLID WASTE MANAGEMENT AGENCY  
JOINT POWERS BOARD  
SANTA FE COUNTY ADMINISTRATION BUILDING  
LEGAL CONFERENCE ROOM, 102 GRANT AVENUE  
THURSDAY, AUGUST 16, 2018, 5:00 PM**

**I. CALL TO ORDER**

The meeting of the Santa Fe Solid Waste Management Agency Joint Powers Board was called to order by Commissioner Anna Hamilton, Chair, at 5:06 pm on Thursday, August 16, 2018, at the Santa Fe County Administration Building, Legal Conference Room, 102 Grant Avenue, Santa Fe, New Mexico.

**II. ROLL CALL**

**MEMBERS PRESENT**

Commissioner Anna Hamilton, Chair  
Councilor Renee Villarreal, Vice Chair  
Councilor Michael Harris  
Commissioner Anna Hansen  
Commissioner Ed Moreno  
Councilor JoAnne Vigil Coppler

**MEMBERS ABSENT**

**OTHERS PRESENT**

Randall Kippenbrock, Executive Director, SWMA  
Maria Rotunda, Constituent Services Liaison, Commissioner Hansen  
Shirlene Sittton, Environmental Service  
Nancy Long, Long, Komer and Associates  
Rosalie Cardenas, SWMA  
Joe Eiger, Eldorado Recycling  
Karen Sweeney, Eldorado Recycling  
Yvonne Herrera, County of Santa Fe, Finance  
Les Francisco, County of Santa Fe  
Neal Denton, County of Santa Fe  
Elizabeth Martin, Stenographer

**III. APPROVAL OF AGENDA**

**MOTION** A motion was made by Commissioner Hansen, seconded by Councilor

Vigil Coppler, to approve the agenda as presented.

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

#### **IV. APPROVAL OF CONSENT AGENDA**

Councilor Villarreal pulled item C for discussion.

**MOTION** A motion was made by Commissioner Hansen, seconded by Councilor Villarreal, to approve the consent agenda as amended.

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

#### **V. APPROVAL OF MINUTES JULY 19, 2018**

**MOTION** A motion was made by Councilor Harris, seconded by Councilor Vigil Coppler, to approve the minutes as presented.

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

#### **VI. MATTERS FROM THE PUBLIC**

Ms. Sweeney said she would like to ask that the 3 agencies coordinate messages about what is recyclable. It is very confusing. It seems you could all have the same message.

Ms. Sitton said thank you. We coordinate all the time. We just added plastic pots at the County's request. We apologize for any confusion. Our advertising pieces are the same pictures and verbiage for the most part, just different phone numbers. Developing a yes/no list is dangerous.

Mr. Denton said we do coordinate with the City and the agency. It is very hard to do item by item. If you list too much it is overwhelming.

Ms. Sweeney said the City's site is clear and she wishes the others were as clear.

Mr. Eiger said if you look at the 3 entity sites, Albuquerque and Eldorado 285 recycle you will find differences. They are not identical and that is the point. People get confused.

Ms. Sitton said we use the City of Albuquerque's yes/no list. They do accept a few things we don't.

Mr. Eiger said we would like to see zero differences and the Agency take the lead.

Mr. Eiger read an article into the record which is herewith attached to these minutes as Exhibit "1".

Mr. Eiger said we understand the difficult situation the Agency is in due to the China situation. We hope it will straighten out within a year or 2. It is good to keep in mind the importance of recycling.

## **VII. CONSENT CALENDAR**

- A. REQUEST FOR APPROVAL TO AWARD BID NO. '19/02/B - PRICE AGREEMENT FOR BULK FUEL FOR THE SANTA FE SOLID WASTE MANAGEMENT AGENCY TO MULTIPLE VENDORS.**

Approved on consent.

- B. REQUEST FOR APPROVAL TO AWARD BID NO. '19/03/B - MOTOR OILS, LUBRICANTS, ANTIFREEZE AND RELATED PRODUCTS FOR THE SANTA FE SOLID WASTE MANAGEMENT AGENCY TO MULTIPLE VENDORS.**

Approved on consent.

- C. REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH NEWGEN STRATEGIES AND SOLUTIONS, LLC OF AUSTIN, TX, FOR SOLID WASTE SERVICES FOR A COST OF SERVICE STUDY FOR THE SANTA FE SOLID WASTE MANAGEMENT AGENCY UNDER HOUSTON-GALVESTON AREA COUNCIL (H-GAC) CONTRACT NO. HP10-17 IN THE AMOUNT OF \$54,942; AND**

- 1. APPROVE BUDGET INCREASE TO 52501.510300 (PROFESSIONAL SERVICES) FROM 5500.1007000 (OPERATING FUND CASH) IN THE AMOUNT OF \$54,942.**

Councilor Villarreal asked Mr. Kippenbrock to give the Board a summary of the process of selecting NewGen and if others were considered.

Mr. Kippenbrock said back in 2012/13 when we went out for RFP we had 5 or 6 firms apply and we narrowed them down to NewGen. Based on that he learned in the last 6 months that they are part of the cooperative agreement. With them being very familiar with our operations from doing the 2014 study for us, he felt it was more

appropriate to use them again to do a similar cost of service study. He bypassed the traditional RFP process and negotiated a contract with NewGen.

Councilor Villarreal asked we specify the uniqueness of our contract for the study.

Mr. Kippenbrock said yes. We have a template with the requirements for data gathering to start by unit. They look at each component and at cost per unit. Then they compare that to previous studies according to their projections. They will use FY 18 as a baseline and project out 4 to 5 years from there. He will do his own financial model and see how close we are to their numbers.

Councilor Villarreal asked are they trying to decide what rate increases we may have in the future.

Mr. Kippenbrock said they can do that. They look at various scenarios. They will help us with looking at scenarios for results. This may conclude with the RFP process for recycling in case the outcome is much different from the current contract.

Councilor Harris asked to what degree do they break out the recycling element of the agency. The specific cost.

Mr. Kippenbrock said it is very specific. We allocate our costs to the units such as glass, tires, the transfer station, white goods and the recycling component.

Chair Hamilton asked do you have concerns about the use of the agreement in this matter.

Councilor Harris said no. Dave Yanke has been available to us in the past and his impression was that he was very professional and service oriented. He feels this was an appropriate course of action. He would like to see him on the job. He is in favor of this award. It calls for \$3 million in professional liability coverage. That seemed higher than what he has seen in the past.

Ms. Long said it is higher than usual.

Mr. Kippenbrock said our general request is \$1 million, but since they provided us a certificate in advance he added that requirement.

Mr. Kippenbrock said the Las Cruces Agency is using the same company. The City of Albuquerque uses Chris Bell, but he was slightly unimpressed with that report compared to the product we will be getting.

Councilor Harris asked what is GRT rate based on.

Mr. Kippenbrock said it is based on an out of state firm.



Ms. Sitton said they subcontract to the Jason Munn contract and will also be doing Environmental Services as well so we are in sync. It is part of a 4 year contract.

**MOTION** A motion was made by Councilor Villarreal, seconded by Councilor Harris, to approve the request.

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

**D. REQUEST FOR APPROVAL TO PURCHASE A 2019 CHEVROLET COLORADO CREW CAB 4X4 FROM CALDWELL COUNTRY CHEVROLET OF CALDWELL, TX, UNDER HOUSTON-GALVESTON AREA COUNCIL (H-GAC) CONTRACT NO. VE11-15 IN THE AMOUNT OF \$30,398; AND**

**1. APPROVE BUDGET INCREASE TO 52501.570950 (CAPITAL OUTLAY - VEHICLES <1.5 TON) FROM 5502.100700 (EQUIPMENT REPLACEMENT RESERVE FUND CASH) IN THE AMOUNT OF \$30,398.**

Approved on consent.

#### **VIII. MATTERS FROM THE EXECUTIVE DIRECTOR**

**A. DISCUSSION AND POSSIBLE ACTION REGARDING SPECIAL CONSIDERATION FOR REDUCTION OR ELIMINATION OF TIPPING FEES FOR DEBRIS MATERIAL RESULTING FROM JULY 23, 2018 FLOOD EVENT FOR THE CITY OF SANTA FE AND SANTA FE COUNTY.**

Mr. Kippenbrock said his memo is in the packet. He reviewed the memo.

Mr. Kippenbrock said the Agency is recommending a one time elimination of tipping fees for this event. Do we want to do this and what is the cut off date.

Chair Hamilton said she did not get a definitive answer that would inform a cut off date. It seems like we could extend it to October 31<sup>st</sup>. No one knows what FEMA is going to do in terms of timing. She thinks it would be good to wait for FEMA to see how they will handle it. At least we would know more. We also can pursue with FEMA if SWMA can apply to FEMA directly. It seems to be a low chance that they will reimburse the County because of our financial ability, but SWMA is a smaller entity and might have more success.

Ms. Long said she is happy to look at it and work with Randall.

Mr. Francisco said he can't put a date on it. We still have several customers where we have not even been on their land yet. At least 4 properties have not been touched for debris removal. We are working diligently.

Chair Hamilton said we can reconsider the date at our October meeting. We are not meeting in September.

Commissioner Hansen said she agrees with at least October 31<sup>st</sup>. She knows the road crews are still working on many of the roads in the City and County. La Cienega still has issues. There are different levels of how people were effected in the City and County. An emergency has been declared. It is a good idea to try to see if SWMA can apply to FEMA.

Councilor Harris said everyone agrees that Districts 1 and 4 saw the greatest impact. His sense for District 4 is that we are pretty far along in getting most of it picked up.

Councilor Villarreal said in District 1 she feels people don't know who to call still. We are doing assessments as much as possible for the record for FEMA. We feel we will be lucky if FEMA gets to us by the end of the year.

Councilor Harris said he would like to hear from Ms. Sitton.

Ms. Sitton said she called David Silver and he said the Governor appropriated \$750,000 in disaster funds for Santa Fe County. We are early in the process. She is not sure what is next. If we qualify for these funds it is a 75/25 match and is a reimbursement grant. We will get reimbursed 75%. Do we pay the bill and apply for the 75%, or wait until all the determinations are done. She expects they have not expended any funds yet. David said he will come to a future meeting if you would like him to. He was unable to attend today.

Commissioner Hansen said the \$750,000 is the first \$750,000. If we go through all that another \$750,000 can be delegated. It depends on what the costs are and what we trigger.

Councilor Harris asked is this specific to the County.

Ms. Sitton said it is her understanding that it includes the City.

Chair Hamilton said if Randall documents everything, but does not expect us to pay it until we find out then there is a process.

Councilor Harris asked what level of documentation is going to be required.

Ms. Sitton said we all got the same spread sheet that shows what to track and we

are tracking that.

Chair Hamilton said the County is doing that as well for personnel hours and etc.

Councilor Villarreal said that money, the \$750,000, it is for reimbursement for costs for the City and County, but not individual home owners. That piece is even greater because no one had flood insurance.

Councilor Vigil Coppler asked the \$750,000, is that in addition to what we would get from FEMA.

Chair Hamilton said it is FEMA funds administered by the State.

Councilor Harris asked how do you control the tipping fees. What measures, if any, do you take.

Ms. Sitton said we went out in the field and verified to the best of our ability. It is Public Works that needs the relief. Our expenses are about \$3,000.

Mr. Kippenbrock said we can postpone any decision to the October meeting. We will continue to work with the City and County related to documenting and keeping tabs on dollar values associated with it. In the meantime we normally do our monthly billing and will identify the amount that we are not going to pay at this time and re-evaluate in October.

Mr. Francisco said he is designating separate trucks for flood debris so it is separate.

Mr. Kippenbrock said he wanted to thank Santa Fe Public Works for doing an excellent job at Rancho Viejo. They spent a couple of days on clean up there.

Commissioner Moreno said there was a lesser impact in the area of Osharo. We will be looking at damage there tomorrow. There was a report of collapsed retaining walls on Governor Miles.

Councilor Harris said he has been there and talked to a lot of people in that stretch. John Romero at Public Works said at the lower level of Nava Ade the water was as wide as the Rio Grande. He was pleased to read a Proclamation at the last meeting of the Governing Body acknowledging the work of City Departments and individuals and organizations that stepped up. There was also neighbor to neighbor help. Overall as a community we responded very well including this group.

Commissioner Hansen said she received some negative responses from the Pueblo Allegro HOA regarding issues in their driveways. In general most people have been tolerant.

Chair Hamilton said the County and City would be well advised to use this information to document the extent and location of flooding for long term remediation.

Councilor Harris said the 3 Councilors here are all on the Public Works Committee. We received an outline of a stormwater drainage plan. We should have it within 30 to 45 days. The City is one of 5 municipalities designate by the EPA for low impact design. This is the time to look at how things can be improved.

**MOTION** A motion was made by Councilor Harris, seconded by Councilor Villarreal, asking the Executive Director to postpone any action on this until the October meeting.

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

**B. DISCUSSION AND POSSIBLE ACTION TO INCREASE THE EXECUTIVE DIRECTOR'S AUTHORITY FOR CLEAN UP APPROVAL AMOUNT FOR APPLICATIONS FOR FREE DISPOSAL FEES FOR QUALIFIED INDIVIDUALS AFFECTED BY THE JULY 23, 2018 FLOOD EVENT.**

Mr. Kippenbrock said this request is from an individual standpoint. We have received 7 applications so far. Only 3 have used the free disposal. His request is that the Executive Director approval rate be raised to 20 tons so that there will be no red tape for disposal.

Councilor Harris asked are folks bringing in brush and stuff that gets hung up.

Mr. Kippenbrock said yes. In his memo in the packet it says 100 tons, he is asking to change to 20 tons.

Chair Hamilton said we have a sunset date of September 30th.

Mr. Kippenbrock said his recommendation is October 31st.

Councilor Villarreal asked how do people know we are offering free disposal fees.

Mr. Kippenbrock said the County Public Works is handing out applications as they go to effected properties. From the City Ms. Sitton is reaching out and has the applications. We are not doing any media.

Ms. Sitton said 99% of the calls went through Constituent Services. As of last Tuesday we started taking over the calls. We log flood related calls and do it at no charge after verification. She did a PSA and a bit of media stuff. Matt Ross did the press release. It has dropped off quite a bit now.

Mr. Francisco said he has applications in all his units and it does say on the application 10 tons. Do you guys let them know it is 20 tons.

Mr. Kippenbrock said yes we will let them know. The approval letter we send to them will say 20 tons.

Councilor Harris said he is impressed with the booth folks at BuRRT. Your folks always ask. They could ask if it is flood related and catch someone who does not know it is free.

Chair Hamilton asked do they come out with their application.

Mr. Kippenbrock said they do an application and we send out an inspector. After that we send out an approval letter and they bring that with them.

Councilor Harris said things seem to be working pretty well.

Commissioner Hansen said we all need to work on code enforcement.

**MOTION** A motion was made by Councilor Harris, seconded by Councilor Vigil Coppler, to increase the Executive Director's approval limit to 20 tons and to evaluate the situation at the October meeting.

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

## **IX. MATTERS FROM THE BOARD**

Councilor Harris said he would like to see an update of fund balances provided at the October meeting.

Mr. Kippenbrock said he had it with him and handed it out to the Board.

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

Mr. Kippenbrock said September 22<sup>nd</sup> and 23<sup>rd</sup> is Trash Amnesty Weekend at BuRRT.

Ms. Sitton said it is Tas No Mas Weekend as well.

Mr. Kippenbrock said we will put information out in the *New Mexican*.

Mr. Kippenbrock said we have done the pre-construction meeting for the BuRRT floor and general construction. The work will be done after hours, but there may be some shut down to pour the concrete. He will apprise the Board as soon as possible.

Similarly the pre-construction meeting for the landfill street improvement project has been done. There will be no closures, but there may be some delays as we work one side at a time.

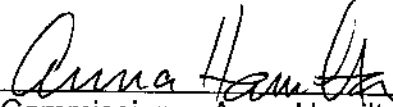
**XI. NEXT MEETING DATE**  
**OCTOBER 18, 2018**

**XII. ADJOURNMENT**

**MOTION** A motion was made by Commissioner Hansen, seconded by Commissioner Moreno, to adjourn the meeting.

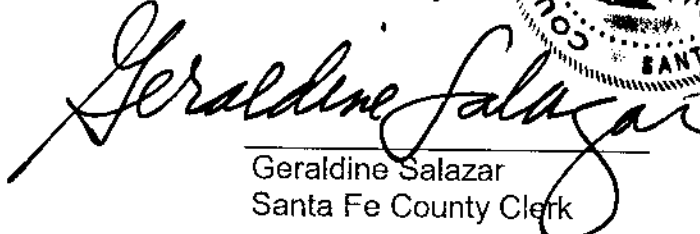
**VOTE** The motion passed unanimously by voice vote.

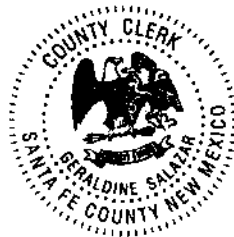
There being no further business before the Board the meeting adjourned at 6:15 pm.

  
Commissioner Anna Hamilton, Chair

  
Elizabeth Martin, Stenographer

Attested to by:


  
Geraldine Salazar  
Santa Fe County Clerk



COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

SWAC MINUTES  
PAGES: 12

I Hereby Certify That This Instrument Was Filed for  
Record On The 22ND Day Of October, 2018 at 11:25:40 AM  
And Was Duly Recorded as Instrument # **1870648**  
Of The Records Of Santa Fe County

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

SFC CLERK RECORDED 10/22/2018

