

AGENDA

REGULAR MEETING

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

JULY 19, 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 – June 28, 2018
- VI. Matters from the Public**
- VII. Consent Calendar**
 - A. Request for Approval to Award RFB No. '18/20/B - Caja del Rio Landfill Street Improvements to Carreon Construction LLC of Rio Rancho, NM, in the Amount of \$189,588.03; and
 - 1. Approve Budget Increase to 52501.520200 (Repair & Maintenance - Grounds and Roads) from 5520.100700 (Capital Improvements Reserve Fund) in the Amount of \$189,588.03
 - B. Request for Approval of the Recycling and Illegal Dumping Fund (RAID) Grant Agreement #19 RAID-NT012 by and Between the New Mexico Environment Department (NMED) and Santa Fe Solid Waste Management Agency in the Amount of \$18,708 for the Purpose of Fostering the 3R's in Everyday Life and Learning for Students at the NM School for the Deaf and Santa Fe Public Schools; and
 - 1. Approve Budget Increase to 51512.490190 (NM Environment Department) for the Revenue in the Amount of \$18,708 and 52512.510300 (Professional Services) in the Amount of \$8,935 and 52512.530700 (Books/Subscriptions/Periodicals) in the Amount of \$9,773
 - 2. Authorize the Executive Director to Act as the Grantee Signatory Authority for the RAID Grant Agreement
 - C. Request for Approval of Amendment No. 4 to the Services Agreement with Rusty's Weigh Scales and Service, Inc. of Lubbock, TX, for Indefinite and On-Call Truck Scale Calibration, Maintenance, and Repair Services for the Caja del Rio Landfill and Buckman Road Recycling and Transfer Station; and

RECEIVED AT THE CITY CLERK'S OFFICE

DATE: 7/12/2018
TIME: 2:40 PM

1. Extend the Term of the Agreement through July 16, 2019
 2. Increase the Amount of Compensation by \$12,000 for a Total Not-To-Exceed Amount of \$131,356 (RFB No. '15/16/B)
- D. Request for Approval of Amendment No. 2 to the Professional Services Agreement with BlueWater Environmental Consulting of Santa Fe, NM, for Environmental Services for the Caja del Rio Landfill and Buckman Road Recycling and Transfer Station; and
1. Extend the Term of the Agreement through August 18, 2019
 2. Increase the Amount of Compensation by \$49,675 for a Total Not-To-Exceed Amount of \$147,925 (RFP No. '16/30/P)
- E. Request for Approval of Amendment No. 1 to the Services Agreement with State Rubber & Environmental Solutions of Denver City, TX, for Scrap Tire Hauling and Recycling for the Buckman Road Recycling and Transfer Station; and
1. Extend the Term of the Agreement through November 9, 2019
 2. Increase the Amount of Compensation by \$29,700 for a Total Not-To-Exceed Amount of \$54,450 (RFB No. '18/04/B)
- F. Request for Approval of Amendment No. 1 to the Professional Services Agreement with Occupational Health Centers of the Southwest, P.A. ("Concentra") of Addison, TX, for Employee Medical Services for the Santa Fe Solid Waste Management Agency; and
1. Extend the Term of the Agreement through November 9, 2019
 2. Increase the Compensation by \$21,000 for a Total Not-To-Exceed Amount of \$42,000 (RFP No. '18/10/P)
- G. Request for Approval of Amendment No. 7 to the Services Agreement with Friedman Recycling of Albuquerque, LLC of Albuquerque, NM, for the Processing and Marketing of Residential and Commercial Recyclable Materials for the Santa Fe Solid Waste Management Agency; and
1. Extend the Term of the Agreement through July 16, 2019
 2. Increase the Amount of Compensation by \$690,000 for a Total Not-To-Exceed Amount of \$960,000 (RFP No. '15/31/P)
- H. Request for Approval of Amendment No. 2 to the Services Agreement with U.S. Security Associates, Inc. of Albuquerque, NM, for Security Services for the Santa Fe Solid Waste Management Agency; and
1. Extend the Term of the Agreement through August 18, 2019
 2. Increase the Amount of Compensation by \$90,086.91 for a Total Not-To-Exceed Amount of \$273,538.69 (RFB No. '17/01/B)
- I. Request for Approval of Amendment No. 2 to the Services Agreement with Natural Evolution of Tulsa, OK, for Electronic Waste (E-Waste) Recycling Services for the Buckman Road Recycling and Transfer Station; and
1. Extend the Term of the Agreement through July 21, 2019
 2. Increase the Amount of Compensation by \$45,000 for a Total Not-To-Exceed Amount of \$135,000 (RFP No. '16/36/P)
- J. Request for Approval of Amendment No. 2 to the Services Agreement with Advanced Chemical Transport, Inc. d/b/a ACT Enviro of Albuquerque, NM, for Collection Services of Household Hazardous Waste for the Buckman Road Recycling and Transfer Station; and

1. Amend the Scope of Services to Reduce Costs for Managing Latex Paint
 2. Extend the Term of the Agreement through November 17, 2019
 3. Increase the Amount of Compensation by \$150,000 for a Total Not-To-Exceed Amount of \$300,000
 4. Approve Budget Increase to 52504.510310 (Service Contracts) from 5500.100700 (Operating Fund Cash) in the Amount of \$50,000 (RFP No. '17/16/P)
- K. Request for Approval to Write-Off Bad Debt Accounts for Fiscal Year 17/18 in the Amount of \$989.37

VIII. Matters from the Executive Director

- A. Discussion and Possible Action Regarding an Application for Free Disposal Fees for Charles Romero, 18 Camino Vuestro, Espanola, NM, near Arroyo Seco, Santa Fe County

IX. Matters from the Board

X. Matters from Staff – Agency, City, County

XI. Next Meeting Date: August 16, 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 ADMINISTRATIVE BUILDING
LEGAL CONFERENCE ROOM, 102 GRANT AVENUE
THURSDAY, JULY 19, 2018, 5:00 PM

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER		1
ROLL CALL	QUORUM	1
APPROVAL OF AGENDA	APPROVED	1
APPROVAL OF CONSENT CALENDAR	AMENDED/APPROVED	2
APPROVAL OF MINUTES JUNE 28, 2018	APPROVED	2
MATTERS FROM THE PUBLIC	NONE	2
 <u>CONSENT CALENDAR</u>		
REQUEST FOR APPROVAL TO AWARD RFB NO. '18/20/B - CAJA DEL RIO LANDFILL STREET IMPROVEMENTS TO CARREON CONSTRUCTION LLC OF RIO RANCHO, NM, IN THE AMOUNT OF \$189,588.03	APPROVED ON CONSENT	2-3
REQUEST FOR APPROVAL OF THE RECYCLING AND ILLEGAL DUMPING FUND (RAID) GRANT AGREEMENT #19 RAID - NT012 BY AND BETWEEN THE NEW MEXICO ENVIRONMENT DEPARTMENT (NMED) AND SANTA FE SOLID WASTE MANAGEMENT AGENCY IN THE AMOUNT OF \$18,708 FOR THE PURPOSE OF FOSTERING THE 3R'S IN EVERYDAY LIFE AND LEARNING FOR	APPROVED ON CONSENT	3

SEC CLERK RETURNED 08/27/2018

**STUDENTS AT THE NM SCHOOL FOR
THE DEAF AND SANTA FE PUBLIC
SCHOOLS**

REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO THE SERVICES AGREEMENT WITH RUSTY'S WEIGH SCALES AND SERVICE, INC. OF LUBBOCK, TX, FOR INDEFINITE AND ON-CALL TRUCK SCALE CALIBRATION, MAINTENANCE, AND REPAIR SERVICES FOR THE CAJA DEL RIO LANDFILL AND BUCKMAN ROAD RECYCLING AND TRANSFER STATION	APPROVED ON CONSENT	3
REQUEST FOR AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH BLUEWATER ENVIRONMENTAL CONSULTING OF SANTA FE, NM, FOR ENVIRONMENTAL SERVICES FOR THE CAJA DEL RIO LANDFILL AND BUCKMAN ROAD RECYCLING AND TRANSFER STATION	APPROVED ON CONSENT	4
REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE SERVICES AGREEMENT WITH STATE RUBBER AND ENVIRONMENTAL SOLUTIONS OF DENVER CITY, TX, FOR SCRAP TIRE HAULING AND RECYCLING FOR THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION	APPROVED	4-5
REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH OCCUPATIONAL HEALTH CENTERS OF THE SOUTHWEST, P.A. ("CONCENTRA") OF ADDISON, TX, FOR EMPLOYEE MEDICAL SERVICES FOR THE SANTA FE SOLID WASTE MANAGEMENT AGENCY	APPROVED ON CONSENT	5
REQUEST FOR APPROVAL OF AMENDMENT NO. 7 TO THE SERVICE AGREEMENT WITH FRIEDMAN RECYCLING	APPROVED	5-9

OF ALBUQUERQUE, LLC OF ALBUQUERQUE, NM, FOR THE PROCESSING AND MARKETING OF RESIDENTIAL AND COMMERCIAL RECYCLABLE MATERIALS FOR THE SANTA FE SOLID WASTE AGENCY

REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO THE SERVICES AGREEMENT WITH U.S. SECURITY ASSOCIATES, INC. OF ALBUQUERQUE, NM, FOR SECURITY SERVICES FOR THE SANTA FE SOLID WASTE MANAGEMENT AGENCY

APPROVED ON CONSENT 9

REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO THE SERVICES AGREEMENT WITH NATURAL EVOLUTION OF TULSA, OK, FOR ELECTRONIC WASTE (E-WASTE) RECYCLING SERVICES FOR THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION

APPROVED ON CONSENT 9-10

REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO THE SERVICES AGREEMENT WITH ADVANCED CHEMICAL TRANSPORT, INC. D/B/A ACT ENVIRO OF ALBUQUERQUE, NM, FOR COLLECTION SERVICES OF HOUSEHOLD HAZARDOUS WASTE FOR THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION; AND

APPROVED 10-11

REQUEST FOR APPROVAL TO WRITE OFF BAD DEBT ACCOUNTS FOR FISCAL YEAR 17/18 IN THE AMOUNT OF \$989.37.

APPROVED 11

MATTERS FROM THE EXECUTIVE DIRECTOR

DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR FREE DISPOSAL FEES FOR CHARLES

DENIED 11-17

ROMERO, 18 CAMINO VUESTRO,
ESPANOLA, NM, NEAR ARROYO
SECO, SANTA FE COUNTY.

MATTERS FROM THE BOARD	NONE	17
MATTERS FROM STAFF	INFORMATION/DISCUSSION	17-18
NEXT MEETING DATE	AUGUST 16, 2018	18
ADJOURNMENT	ADJOURNED	18

**SANTA FE SOLID WASTE MANAGEMENT AGENCY
JOINT POWERS BOARD
SANTA FE COUNTY ADMINISTRATIVE BUILDING
LEGAL CONFERENCE ROOM, 102 GRANT AVENUE
THURSDAY, JULY 19, 2018, 5:00 PM**

1. 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, July 19, 2018, at the Santa Fe County Administration Building, Legal Conference Room, 102 Grant Avenue, Santa Fe, New Mexico.

2. 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 Sitton, Environmental Service
Nancy Long, Long, Komer and Associates
Rosalie Cardenas, SWMA
Adam Bailey, County of Santa Fe, Finance
Les Francisco, County of Santa Fe
Neal Denton, County of Santa Fe
Elizabeth Martin, Stenographer

3. APPROVAL OF AGENDA

MOTION A motion was made by Commissioner Hansen, seconded by Councilor Harris, to approve the agenda.

VOTE The motion passed unanimously by voice vote.

4. APPROVAL OF CONSENT CALENDAR

Commissioner Hansen said she would like to pull item G for discussion.

Councilor Harris said he would like to pull item J for discussion.

Councilor Villarreal said she would like to pull item E for discussion

MOTION A motion was made by Councilor Harris, seconded by Councilor Vigil Coppler, to approve the consent calendar as amended.

VOTE The motion passed unanimously by voice vote.

**5. APPROVAL OF MINUTES
JUNE 28, 2018**

Councilor Harris said he wanted to clarify page 4 of the minutes where Chair Hamilton said one of the reasons for not going through decommissioning would be to have it there for back up if the market changes. The minutes said Mr. Kippenbrock said yes. Did you say yes Mr. Kippenbrock.

Mr. Kippenbrock said yes he did.

There are no changes to the minutes.

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

VOTE The motion passed unanimously by voice vote.

6. MATTERS FROM THE PUBLIC

None.

7. CONSENT CALENDAR

A. REQUEST FOR APPROVAL TO AWARD RFB NO. '18/20/B - CAJA DEL RIO LANDFILL STREET IMPROVEMENTS TO CARREON CONSTRUCTION LLC OF RIO RANCHO, NM, IN THE AMOUNT OF \$189,588.03; AND

1. APPROVE BUDGET INCREASE TO 52501.520200 (REPAIR AND MAINTENANCE - GROUNDS AND ROADS) FROM 5520.100700

20180719 09:47:28

(CAPITAL IMPROVEMENTS RESERVE FUND) IN THE AMOUNT OF \$189,588.03.

Approved on consent.

- B. REQUEST FOR APPROVAL OF THE RECYCLING AND ILLEGAL DUMPING FUND (RAID) GRANT AGREEMENT #19 RAID - NT012 BY AND BETWEEN THE NEW MEXICO ENVIRONMENT DEPARTMENT (NMED) AND SANTA FE SOLID WASTE MANAGEMENT AGENCY IN THE AMOUNT OF \$18,708 FOR THE PURPOSE OF FOSTERING THE 3R'S IN EVERYDAY LIFE AND LEARNING FOR STUDENTS AT THE NM SCHOOL FOR THE DEAF AND SANTA FE PUBLIC SCHOOLS; AND**
- 1. APPROVE BUDGET INCREASE TO 51512.490190 (NM ENVIRONMENT DEPARTMENT) FOR THE REVENUE IN THE AMOUNT OF \$18,708 AND 52512.510300 (PROFESSIONAL SERVICES) IN THE AMOUNT OF 8,935 AND 52512.530700 (BOOKS/SUBSCRIPTIONS/PERIODICALS) IN THE AMOUNT OF \$9,773.**
 - 2. AUTHORIZE THE EXECUTIVE DIRECTOR TO ACT AS THE GRANTEE SIGNATORY AUTHORITY FOR THE RAID GRANT AGREEMENT.**

Approved on consent.

- C. REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO THE SERVICES AGREEMENT WITH RUSTY'S WEIGH SCALES AND SERVICE, INC. OF LUBBOCK, TX, FOR INDEFINITE AND ON-CALL TRUCK SCALE CALIBRATION, MAINTENANCE, AND REPAIR SERVICES FOR THE CAJA DEL RIO LANDFILL AND BUCKMAN ROAD RECYCLING AND TRANSFER STATION; AND**
- 1. EXTEND THE TERM OF THE AGREEMENT THROUGH JULY 16, 2019**
 - 2. INCREASE THE AMOUNT OF COMPENSATION BY \$12,000 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$131,356 (RFB NO. '15/16B).**

Approved on consent.

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D. REQUEST FOR AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH BLUEWATER ENVIRONMENTAL CONSULTING OF SANTA FE, NM, FOR ENVIRONMENTAL SERVICES FOR THE CAJA DEL RIO LANDFILL AND BUCKMAN ROAD RECYCLING AND TRANSFER STATION; AND

- 1. EXTEND THE TERM OF THE AGREEMENT THROUGH AUGUST 18, 2019**
- 2. INCREASE THE AMOUNT OF COMPENSATION BY \$49,675 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$147,925 (RFP NO. '16/20/P).**

Approved on Consent

E. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE SERVICES AGREEMENT WITH STATE RUBBER AND ENVIRONMENTAL SOLUTIONS OF DENVER CITY, TX, FOR SCRAP TIRE HAULING AND RECYCLING FOR THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION; AND

- 1. EXTEND THE TERM OF THE AGREEMENT THROUGH NOVEMBER 9, 2019**
- 2. INCREASE THE AMOUNT OF COMPENSATION BY \$29,700 FOR A TOTAL-NOT-TO EXCEED AMOUNT OF \$54,450 (RFB NO. '18/04/B).**

Councilor Villarreal said she pulled this item to clarify what the reason was for bumping up this amount.

Mr. Kippenbrock said there was a bump related to a large clean up in the County area that received additional tires. We are anticipating that again.

Councilor Villarreal said the matrix about pounds that is in the packet shows it went down.

Mr. Kippenbrock said 2018 is up to date so 22 loads. We think about 20 loads.

Councilor Villarreal asked does this business is in Texas. Do we have businesses like this that do the entire thing in New Mexico.

Mr. Kippenbrock said no. The only thing close is the cement kiln plant in Albuquerque, but they have not converted to allow that to happen yet.

Councilor Villarreal said there is a correction on page 2 of the memo. It should be to \$54,450.

Commissioner Hansen asked how many loads of tires did that clean up increase.

Mr. Kippenbrock said roughly 3. It could be up to 6. He is not sure to be honest.

MOTION A motion was made by Councilor Villarreal, seconded by Commissioner Hansen, to approve the request.

VOTE The motion passed unanimously by voice vote.

F. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH OCCUPATIONAL HEALTH CENTERS OF THE SOUTHWEST, P.A. ("CONCENTRA") OF ADDISON, TX, FOR EMPLOYEE MEDICAL SERVICES FOR THE SANTA FE SOLID WASTE MANAGEMENT AGENCY; AND

1. **EXTEND THE TERM OF THE AGREEMENT THROUGH NOVEMBER 9, 2019**
2. **INCREASE THE COMPENSATION BY \$21,000 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$42,000 (RFP NO. '18/10/P).**

Approved on consent.

G. REQUEST FOR APPROVAL OF AMENDMENT NO. 7 TO THE SERVICE AGREEMENT WITH FRIEDMAN RECYCLING OF ALBUQUERQUE, LLC OF ALBUQUERQUE, NM, FOR THE PROCESSING AND MARKETING OF RESIDENTIAL AND COMMERCIAL RECYCLABLE MATERIALS FOR THE SANTA FE SOLID WASTE AGENCY; AND

1. **EXTEND THE TERM OF THE AGREEMENT THROUGH JULY 16, 2019**
2. **INCREASE THE AMOUNT OF COMPENSATION BY \$690,000 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$960,000 (RFP NO. '15/31/P).**

Councilor Harris said we have been talking about this for quite a while now. This is a \$1 million contract. We went from contract that netted us a certain amount to a \$1

million contract. He knows Mr. Kippenbrock has built the budget in anticipation of this. It is not to exceed. He has said from the beginning that these are our partners and we need to work with them. Now when he reads \$960,000 not to exceed that needs to be their understanding as well. We have enough history now. He wants to make sure we do not exceed this and if there are ways to net it out more he is for that. He is not saying we are going to do anything else. Part of this discussion is getting the RFP out the door. He has to believe they would be very concerned about how dependable the market place is in something like this. Those are his observations. It is nothing new.

Councilor Villarreal said she thought in our last conversation that the RFP was going to go out to more than just Freidman. Did that take place.

Mr. Kippenbrock said it will, but we are still writing it.

Councilor Villarreal asked, but are we extending the contract.

Mr. Kippenbrock said this is year 4 of the contract. They understand it is month to month. We have budgeted for it. They are on month to month until we get the RFP.

Councilor Harris said he looked at the amendment. We don't say month to month. Is that a gentleman's agreement.

Mr. Kippenbrock said they understand it is month to month because we can terminate it.

Ms. Long said you can terminate with 10 days notice.

Chair Hamilton said given how altered the global situation is, not withstanding what we might find with the RFP, what happens if the market gets worse and our cost is greater and we exceed \$960,000. What kind of options do we have at that point.

Councilor Harris said Mr. Kippenbrock talked about a potential rate increase last time. It might be a discussion we have to have before the end of the year. We managed to bridge it for now, but it is not sustainable. Ms Sitton can speak to this. When she was building her budget she had an increase built in. He said in the budget hearings that we were not sure we would have that increase from the agency yet. He was not in favor of increasing her budget for that reason.

Chair Hamilton said to have it on record she thinks this is a poor linear prediction on this. Very weak.

Mr. Kippenbrock said the worst case scenario would be instead of paying \$80 a ton it would be the full fee of \$122 a ton. The last few months have been very trying. He is not saying it will improve. He has guarded optimism. The market is strong for cardboard, number 1 and 2 plastics and metal. He is hoping to find a market for mixed

paper. That is 30% of the total. They are sorting manually now and throwing out more. Freidman is not in the position to upgrade their facility until things stabilize. Manual labor is very expensive and that is what they have. We have to monitor it on a month to month basis. He did see an email today from a waste magazine that China is entertaining accepting no waste or recyclables. SE Asia is a possibility.

Mr. Kippenbrock said we are asking for an increase of \$690,000. The information is on page 5 of your packet. Amendment 5 and 6 show \$270,000 for the first 4 months.

Councilor Harris said he thought the \$960,000 is in our budget for this contract period.

Mr. Kippenbrock said \$690,000 is what is in it.

Mr. Kippenbrock said \$960,000 represents the entire compensation for the contract.

Chair Hamilton said so \$690,000 is the additional amount for 12 months.

Commissioner Moreno asked that will continue.

Mr. Kippenbrock said this is the last year of the contract.

Councilor Harris said \$57,500 for 12 months is \$690,000.

Councilor Harris said he thought we had a certain amount budgeted that we were going to increase by \$690,000

Mr. Kippenbrock said we increased it by \$150,000. \$960,000 is the total amount of the contract from the beginning.

Commissioner Hansen said first of all Councilor Harris said this was basically a \$1 million contract.

Councilor Harris said he thought \$960,000 was for the year starting July 19th.

Councilor Hansen asked is that right.

Mr. Kippenbrock said it is \$690,000 for one year. From March 1st of this year to next July 2019 we will spend \$960,000.

Chair Hamilton said the monthly average of processing costs is \$63,400 a month which is less that \$690,000. We will be under budget.

Mr. Kippenbrock said potentially.

Councilor Hansen asked how much is it costing us for the 3 through 7 plastics for them to be residual and we get them back.

Mr. Kippenbrock said they are still at the site so he does not have a number on that right now.

Mr. Kippenbrock said it represents 2 semi loads a year. They just sorted out the 3 thru 7. They are looking for a market for that. We don't know if there is a market for that. It could be back hauled if we don't find a market for it.

Councilor Hansen said people have contacted her about the issues with China. It has been in the news. People are concerned. They are saying we are not recycling anymore. That is the jest of what people read. She thinks we need to reassure the public that things are being recycled. She is concerned about the 3 through 7 plastic and people feeling they can put it in their recycle bin when the reality is they cannot. She is still not convinced about single stream being the best thing we could do.

Mr. Kippenbrock said a lot of the smaller communities in New Mexico have gone back to basics. Aluminum cans and newspaper. When we started this early this year, we were looking at \$500,000 now we are looking at closer to \$1 million. Albuquerque thought they were looking at \$1 million and are now looking \$3 million for their program.

Chair Hamilton said that was the motivation for putting out the RFP and looking for options.

Commissioner Hansen asked how are we doing on glass recycling.

Mr. Kippenbrock said fine. The majority of our glass is going to Denver to the Rocky Mountain Bottling Company.

Commissioner Hansen asked are they taking everything we have.

Mr. Kippenbrock said yes. The issue is contamination. Glass bottles mean glass bottles, not other things like bags and cardboard.

Commissioner Hansen asked do they pay us anything for the glass.

Mr. Kippenbrock said \$35 a ton.

Commissioner Hansen asked does that cover our transportation costs.

Mr. Kippenbrock said it does not. It does lower our overall costs.

Councilor Harris said he went back to April in the proposed budget for 18/19. He doesn't see Freidman listed anywhere. What line item do we carry Friedman in.

Mr. Kippenbrock said service contracts.

Councilor Harris said it was \$970,340 in April. What was the final amount we approved. Are we proposing to add to that.

Mr. Kippenbrock said go to 52504 you will see Friedman.

Councilor Harris asked how much money did we have scheduled for Friedman.

Mr. Kippenbrock said \$540,000 in the budget process then upped it by \$150,000 under the service agreement.

Councilor Harris said that rings true.

MOTION A motion was made by Commissioner Hansen, seconded by Councilor Harris, to approve the request.

VOTE The motion passed unanimously by voice vote.

H. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO THE SERVICES AGREEMENT WITH U.S. SECURITY ASSOCIATES, INC. OF ALBUQUERQUE, NM, FOR SECURITY SERVICES FOR THE SANTA FE SOLID WASTE MANAGEMENT AGENCY; AND

1. **EXTEND THE TERM OF THE AGREEMENT THROUGH AUGUST 18, 2019**
2. **INCREASE THE AMOUNT OF COMPENSATION BY \$90,086.91 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$273,538.69 (RFB NO. '17/01/B).**

Approved on consent.

I. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO THE SERVICES AGREEMENT WITH NATURAL EVOLUTION OF TULSA, OK, FOR ELECTRONIC WASTE (E-WASTE) RECYCLING SERVICES FOR THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION; AND

1. **EXTEND THE TERM OF THE AGREEMENT THROUGH JULY 21, 2019**
2. **INCREASE THE AMOUNT OF COMPENSATION BY \$45,000**

FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$135,000 (RFP NO. '16/36/P).

Approved on consent.

- J. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO THE SERVICES AGREEMENT WITH ADVANCED CHEMICAL TRANSPORT, INC. D/B/A ACT ENVIRO OF ALBUQUERQUE, NM, FOR COLLECTION SERVICES OF HOUSEHOLD HAZARDOUS WASTE FOR THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION; AND**
- 1. AMEND TO SCOPE OF SERVICES TO REDUCE COSTS FOR MANAGING LATEX PAINT**
 - 2. EXTEND THE TERM OF THE AGREEMENT THROUGH NOVEMBER 17, 2019**
 - 3. INCREASE THE AMOUNT OF COMPENSATION BY \$150,000 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$300,000**
 - 4. APPROVE BUDGET INCREASE TO 525504.510310 (SERVICE CONTRACTS) FROM 5500.100700 (OPERATING FUND CASH) IN THE AMOUNT OF \$50,000 (RFP NO. '17/16/P).**

Councilor Harris said this has increased dramatically from where it started. There is discussion about saving money as well. How did we get to \$150,000 on this. Has there been an increase of more items being brought in.

Mr. Kippenbrock said when we started the contact the amount of \$70,000 was okay for the first year. The second year was \$80,000. The number 1 reason is higher unitization use by the residents. The rate has not changed. The \$150,000 is somewhat misleading. It is really for more than one year.

Councilor Harris said we have a certain amount budgeted already. Are we stockpiling this material now.

Mr. Kippenbrock said we exhausted the funds on June 30th. We have material that needs to be processed.

Councilor Harris said for this service contract we exhausted our funds by June 30th. This contract has a November date.

Mr. Kippenbrock said yes, November 2019 and another \$150,000.

Councilor Harris asked we were at \$70,000 then \$80,000 and now at \$150,000 a year.

Mr. Kippenbrock said this one is from June 2018 to November 2019. It is more than a year.

Councilor Harris said that explains it. The longer term. One year and 5 months.

Chair Hamilton said it was good to clarify.

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

VOTE The motion passed unanimously by voice vote.

K. REQUEST FOR APPROVAL TO WRITE OFF BAD DEBT ACCOUNTS FOR FISCAL YEAR 17/18 IN THE AMOUNT OF \$989.37.

Approved on consent.

8. MATTERS FROM THE EXECUTIVE DIRECTOR

A. DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR FREE DISPOSAL FEES FOR CHARLES ROMERO, 18 CAMINO VUESTRO, ESPANOLA, NM, NEAR ARROYO SECO, SANTA FE COUNTY.

Mr. Kippenbrock said his memo on this item is in the meeting packet. This was put together with short notice. There has been some additional information since then. In 2016 we had a free disposal program for primarily government and nonprofit groups. Also there was an avenue for families that had a house or mobile home burn down and they needed to dispose of it. It was for emergency situations. In 2007 we had a County resident who wanted to allow illegal dumping. The Board did not approve that.

Mr. Kippenbrock said we learned in this situation that this gentleman put in an undersized culvert in the arroyo and used tire bales to shore it up. With the first major rain event it failed. The rain washed down the tire bales to the neighbors. Then when checking with other agencies we found he did not have the appropriate permits. Santa Fe County sited him for nuisance. The County approached him recently to see if he has moved the tires. He refused to let them in. We were able to see the photos because he

is hoping we will give him assistance. There are at least 70 tire bales and could be 90. \$10,500 is the estimate for clean up not including managing the tires. His recommendation is not to approve this. It is a Board decision.

Commissioner Hansen asked how big is a tire bale.

Mr. Kippenbrock said 4 feet by 4 feet. There are 100 tires in each one of them. They are compressed through a tire bailer.

Councilor Vigil Coppler said she did not hear it said that he said 2 County employees asked him to do that without a permit.

Mr. Kippenbrock said one of his staff members talked to County Land Use and they said that could be heresy. There is no documentation of that aspect of it.

Chair Hamilton said thought she understood that they denied that they said that.

Commissioner Hansen said we discussed this with Neal and he did a bit of research. She has had tires cleaned up on some of her constituent's property. There is no way staff would tell residents to do anything without all the written agreements and permits. They are by the book. She does not believe that is true.

Mr. Neal said he did talk to the Road Management Department and one of those individuals who does still work for County. He denies that he said that.

Councilor Vigil Coppler said she brought that up because that information is not in the packet.

Mr. Kippenbrock said the heresy was learned this week before he had clarification from the county.

Councilor Harris said he does not see any good reason to waive the fees.

Mr. Kippenbrock said he did ask the owner to come today and he said he had other commitments.

Councilor Villarreal said she thinks he is making up that story. What she does realize is those tires will never go away if we don't clean them up. She talked to Code Enforcement and they said that property has so many issues and the owner does not have the resources to clean it up.

Commissioner Hansen said she worked with a constituent and got a grant to remove the tires and then we put a lien on the property so we were not out any money. Can SWMA do a lien.

Ms. Long said a lien against the property would have to be statutorily allowed or allowed by an agreement with the parties. She doesn't know what authority we might have to place a lien on the property. You don't get paid until the end if this person ever sells the property. We could have a lien by agreement otherwise she would have to research if some other authority may exist.

Commissioner Hansen said she agrees with Councilor Villarreal. Are we going to live with the tires there. Also it is bad for the environment. She asked Neil if there was another grant we could use. That means we have to get Commissioner Roybal involved because it is his district and we would need to know if he is willing to go to bat for this constituent. The homeowner is asking SWMA to take the hit here.

Chair Hamilton said we are talking about \$10,000 to \$11,000. It is just the fees you would charge him if he brought the tires to you.

Mr. Kippenbrock said yes, based on 70 tire bales.

Chair Hamilton said that suggests he has the where with all to move these tire bales.

Mr. Denton said he has a mobile home moving business.

Chair Hamilton said there are multiple agencies involved with this that are pressuring him. Is this a binary issue. He did not let the County go in to inspect. He does not have that prerogative in this case.

Ms. Long said they have the right to inspect anything within their purview.

Commissioner Hansen said the Army Corp of Engineers could get legal grounds to go on and inspect the land.

Ms. Long said they probably could remove them under some kind of authority. It has been over a year since he got the notices. The State has not done anything so far.

Chair Hamilton said it is not just on his property. He is contaminating other people's property.

Councilor Harris said he heard our policy goes back to 2006. There is a 3rd category and it is for an individual faced with economic issues. He doesn't think this man meets the criteria.

Councilor Villarreal asked how do you know it is not an economic hardship.

Councilor Harris said it is not due to an unforeseen event. It seems to be his own doing.

Councilor Vigil Coppler asked the water carrying his tires to others yards is not unforseen.

Councilor Harris said he built it incorrectly with a culvert that was undersized. He does not think that applies or is justified under our policy.

Chair Hamilton said hopefully the State or Army Corp won't drop this action. This could come back up.

Councilor Hansen said Nancy mentioned that the State has not done anything. Her memo from Neal said there is an incredible back log at NMED. She is sympatric with Councilor Villarreal about the clean up of garbage on our land. This is something that is not going to go away, but on the other hand it is complicated.

Councilor Villarreal asked what is this grant you are talking about.

Commissioner Hansen said it is the RAID grant.

Mr. Denton said scrap tire management is an eligible expense.

Chair Hamilton asked are individuals not allowed to apply.

Mr. Denton said no.

Councilor Villarreal said so Cites and Counties. It sounds like a viable option, but the lien has to be figured out. It needs to be a stipulation on the grant.

Councilor Vigil Cooper said toward the end of this policy it says SWMA reserves the right to change or modify the policy at any time. Maybe we could negotiate a lower fee to entice him to clean it up. Maybe he would make more of an effort.

Chair Hamilton said she would like to suggest a time line on a reduced fee.

Councilor Harris said it would be good to know what Commissioner Roybal's understanding of the situation is.

Commissioner Hansen said she is happy to reach out to him.

Councilor Harris said maybe he is in a position to do what Councilor Vigil Coppler is suggesting. The individual has a responsibility to clean it up.

Chair Hamilton said this is different from when someone's house burns down. This guy put this stuff there. It could start a precedent of us paying for someones property clean up. What is the issue about other conditions on his property Neal.

Mr. Denton said our Growth Management Department has a history of non compliance on this property.

Councilor Vigil Coppler said it seems if she is reading everything correctly that this was done to control erosion. So it was done with good intentions, but bad behavior.

Commissioner Hansen said this individual has a history of misrepresenting himself as to facts so she likes the idea that Councilor Vigil Coppler had about trying to entice him to clean it up.

Chair Hamilton said is it really our goal to entice him.

Councilor Vigil Coppler said to clean it up.

Mr. Kippenbrock said we have just learned they need to clean up all the tires in the area. 90 not just 70. They are all from him.

Chair Hamilton said it is not SWMA's goal to entice individuals to clean up their property. NMED is requiring this.

Councilor Villarreal said she agrees, but is trying to think of a way to get the tires out.

Councilor Villarreal said she would like to look at the grant option. Commissioner Roybal would need to initiate that. She thinks if we deny this an option is to pursue a grant with his Commissioner or pay.

Councilor Vigil Coppler said that brings this back to getting with Commissioner Roybal and getting his ideas. It is in his district.

Commissioner Hansen said Deputy Manger Flores is not happy about having to do this project.

Chair Hamilton said the other property that Commissioner Hansen spoke of took a lot of County bandwidth besides the money. It took resources from the County as well.

Mr. Kippenbrock said the recycle grant just ended. It would not be available until next fiscal year.

Mr. Denton said it will open in November for the next fiscal year in July.

Chair Hamilton said if we don't want to specifically approve waiving fees we should deny this.

Commissioner Hansen said or table it.

Chair Hamilton asked what circumstances would there be that we would want to consider bringing this back up.

Ms. Long said she agrees. To table this indicates that you are going to hear it again. You would have to be clear on why you are doing that and it may give the impression that you are considering it. She is hearing you want Commissioner Roybal to consider the grant. It can come back if a proposal is brought forward involving SWMA and the Board.

Councilor Vigil Copper said she would like to have Commissioner Hansen to talk with Commissioner Roybal and get his ideas. This says possible action. We really don't have to do anything.

Chair Hamilton said it could come back to us.

Mr. Denton said decisions on the grant are made by an independent Board. The chances they would approve this are very slim. His violations will be a factor.

Chair Hamilton said thank you Neal.

MOTION A motion was made by Commissioner Moreno, seconded by Councilor Vigil Coppler, to table the item.

DISCUSSION Commissioner Moreno said his sense of the group is that Commissioner Roybal should be informed if he does not already know about the problem. If he wants to engage that would bring it to us try to figure something else out. No one has the perfect solution.

Councilor Moreno withdrew his motion.

Councilor Vigil Coppler said she recommends we do nothing.

Commissioner Hansen asked is it an option.

Chair Hamilton said the agenda says discussion and possible action. If the Board wants to weigh in on this it is a live question in front of Randal. He could approve or deny without us. If we want to leave it to his discretion we could take no action. She thinks we need to take action on this. This is pretty clear cut and there is no reason not to take action.

Mr. Kippenbrock said his authority only extends to a certain amount of tons. This is over that.

MOTION A motion was made by Chair Hamilton, seconded by Councilor Harris, to deny this request.

DISCUSSION Councilor Vigil Coppler said one more point. If we approve this motion then that seals a no to the grant option. Based on what Neal said chances for this grant will be slim. For this Board to put another peg in his history makes it even slimmer.

Commissioner Hansen said what Neal said about the grant indicates that this person is not in the position of qualifying for that assistance.

Mr. Denton said it is not specifically prohibited, but is a policy of the Alliance and the Solid Waste Bureau.

Councilor Villarreal said you said you cannot make a decision exceeding 10 tons.

Mr. Kippenbrock said correct.

Councilor Villarreal said this says 100 tons.

Mr. Kippenbrock said over 10 tons has to be decided by the Board.

Councilor Villarreal asked do Chair's usually make a motion.

Ms. Long said yes they can make a motion and they can vote.

Councilor Villarreal asked can this come back with another scenario.

Chair Hamilton said yes per Randall.

VOTE The motion passed unanimously by voice vote.

9. MATTERS FROM THE BOARD

None.

10. MATTERS FROM STAFF

Ms. Sitton said the Councilors might remember that for the last year we have been running a pilot program for technologies. That RFP is out right now. We are very excited about it. We have had the pilot group remove their equipment. All of these things do effect our quality of collections and customer service. We will be having a permanent collection technology. She can take pictures and send them to the Board. It

improves service and morale. She also wanted to remind you all with all the discussion around recycling that the Bi Annual Joint Conference of the Recycling Coalition and the New Mexico chapter of the NRC is in Albuquerque on September 24th to the 26th. They will have a focus on recycling issues in New Mexico. She very much encourages you to come down for part of this. She will pass on more information on the conference to you. The National Conference on Waste Management is on August 20th to the 23rd in Nashville. She is going to try to get there. There will be a special focus on recycling and what is going on at the conference. She is happy to pass on that information as well.

Ms. Sitton said regarding contamination issues, we have our funded youth workers who are in demand by us and Parks. We don't have them for very long so they are spread pretty thin. We have them working on Fridays. They have been helping with looking in cans and leaving notes on cans as to contamination. They go ahead of the drivers. She is low on staff right now. She does not have a Santa Fe Beautiful or outreach coordinator right now. It is falling on operations people to make it happen right now. We are hoping to do a survey and get some information.

**11. NEXT MEETING DATE
AUGUST 16, 2018**

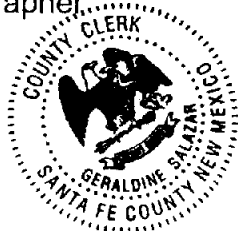
12. ADJOURNMENT

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

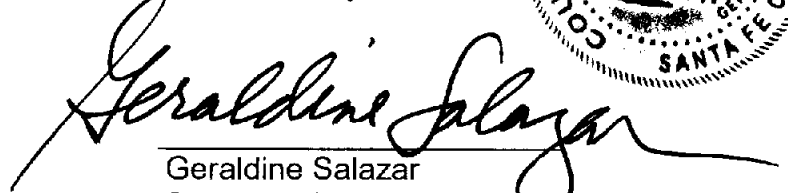

Commissioner Anna Hamilton, Chair



Elizabeth Martin, Stenographer



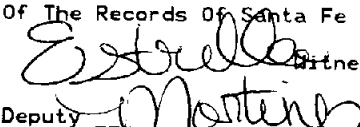
Attested to by:


Geraldine Salazar
Santa Fe County Clerk



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss SWAC MINUTES
PAGES: 22

I Hereby Certify That This Instrument Was Filed for Record On The 22ND Day Of August, 2018 at 10:19:44 AM And Was Duly Recorded as Instrument # 1865695 Of The Records Of Santa Fe County


Deputy Estrella Martinez, County Clerk, Santa Fe, NM

