

SUMMARY INDEX  
SOLID WASTE MANAGEMENT AGENCY  
JOINT POWERS BOARD MEETING  
March 21, 2013

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER & ROLL CALL	Quorum	1
APPROVAL OF THE AGENDA	Approved	1-2
APPROVAL OF THE MINUTES FOR REGULAR MEETING – FEBRUARY 21, 2013	Approved	2
MATTERS FROM THE PUBLIC	None	2
<u>MATTERS FROM THE EXECUTIVE DIRECTOR</u>		
REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH SAIC ENERGY, ENVIRONMENTAL & INFRASTRUCTURE, LLC OF AUSTIN, TX, FOR PROFESSIONAL SERVICES FOR THE SOLID WASTE ASSESSMENT AND MANAGEMENT STUDY FOR THE SANTA FE SOLID WASTE MANAGEMENT AGENCY, THE CITY OF SANTA FE, AND SANTA FE COUNTY IN THE AMOUNT OF \$406,966.00(RFP NO. '13/16/P)	Approved	2-3
APPROVAL OF BUDGET INCREASE FROM 5500.100700 (CASH) TO 52501.510300 (PROFESSIONAL SERVICES) IN THE AMOUNT OF \$119,883.00	Approved	2-3
REQUEST FOR APPROVAL OF FISCAL YEAR 2013-14 BUDGET	Postponed to 04-18-2013	4-9
MATTERS FROM STAFF	Information	9
MATTERS FROM THE BOARD	Information	9
NEXT MEETING DATE – Thursday, April 18, 2013		9
ADJOURNMENT		10

**SOLID WASTE MANAGEMENT AGENCY  
JOINT POWERS BOARD MEETING  
Legal Conference Room  
Santa Fe County Courthouse  
March 21, 2013**

**I. CALL TO ORDER**

A meeting of the City and County of Santa Fe Solid Waste Management Agency Joint Powers Board (SWMA) was called to order by Councilor Peter N. Ives, Chair, on Thursday, March 21, 2013, at approximately 12:00 noon, in the Legal Conference Room Santa Fe County Courthouse, 102 Grant Avenue, Santa Fe, New Mexico.

**II. ROLL CALL**

**MEMBERS PRESENT:**

Councilor Peter N. Ives, Chair  
Councilor Bill Dimas  
Commissioner Kathy Holian  
Commissioner Daniel Mayfield  
Councilor Christopher M. Rivera

**MEMBERS ABSENT:**

Commissioner Miguel Chavez, Vice-Chair

**STAFF PRESENT:**

Randall Kippenbrock, Executive Director – SWMA  
Angelica Salazar, SWMA  
Justin Miller, Legal Counsel  
Melessia Helberg, Stenographer

There was a quorum of the membership in attendance..

**III. APPROVAL OF THE AGENDA**

**MOTION:** Commissioner Mayfield moved, seconded by Commissioner Holian, to approve the Agenda as presented.

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

**IV. APPROVAL OF THE MINUTES FOR REGULAR MEETING – FEBRUARY 21, 2013**

**MOTION:** Commissioner Holian moved, seconded by Councilor Rivera, to approve the minutes of the regular meeting of February 21, 2013, as presented.

**VOTE:** The motion was approved on a voice vote, with Commissioner Holian, Commissioner Mayfield and Councilor Rivera voting in favor of the motion, no one voting against and Councilor Dimas abstaining.

**V. MATTERS FROM THE PUBLIC**

There were no matters from the public.

**VI. MATTERS FROM THE EXECUTIVE DIRECTOR**

- (A) **REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH SAIC ENERGY, ENVIRONMENTAL & INFRASTRUCTURE, LLC OF AUSTIN, TX, FOR PROFESSIONAL SERVICES FOR THE SOLID WASTE ASSESSMENT AND MANAGEMENT STUDY FOR THE SANTA FE SOLID WASTE MANAGEMENT AGENCY, THE CITY OF SANTA FE, AND SANTA FE COUNTY IN THE AMOUNT OF \$406,966.00(RFP NO. '13/16/P).**

- (1) **APPROVAL OF BUDGET INCREASE FROM 5500.100700 (CASH) TO 52501.510300 (PROFESSIONAL SERVICES) IN THE AMOUNT OF \$119,883.00.**

Mr. Kippenbrock presented information regarding this matter from his Memorandum of March 12, 2013, with attachments, to the SFSWMA Joint Powers Board, which is incorporated herewith to these minutes as Exhibit "1." Please see Exhibit "1" for specifics of this presentation.

Ms. Padilla noted that the MOU has gone through the PUC, Finance and the City Council, noting she is really excited about the process.

Commissioner Mayfield said Santa Fe County had a Solid Waste Task Force Advisory Committee to study issues surrounding the transfer stations and how they destroy their trash in

conjunction with Caja del Rio and the BuRRT facilities. He said this was brought up at one of the County Commission meetings, and he recommended that this study should look at the recommendations of the County's Task Force, so services wouldn't be duplicated, and perhaps there could be cost savings there. He said they did a lot of work through the Solid Waste Task Force, noting the minutes are public and can be provided to the contractor. He asked that be included in the scope. He said he understands the New Mexico Highlands University had a large project on its solid waste operation some time ago, and suggested that this study might also look at that. He said, "I would ask again that these contractors look at our Task Force Notes so those services aren't reduplicated and we aren't paying for something that's already been done."

Chair Ives asked how the Task Force summarized its results, noting that information should be easy to provide.

Commissioner Mayfield said the Task Force had recommendations which were presented to the County Commission, noting all of the recommendations weren't adopted. He said, "Again, I just don't want to have these services reduplicated if they were already done [as set out] in our minutes."

Chair Ives said that sounds reasonable, and asked that information be provided to Mr. Kippenbrock so it can be considered in terms of SAIC's work.

Craig O'Hare, County Public Works Department, said he will be the project manager for this for the County, and looks forward to working with the City. He has been in touch with SAIC when they were in negotiations, to make sure that the task force recommendations are considered and there is not duplicating the wheel. He looks forward to working with the City on this matter.

**MOTION:** Councilor Rivera moved, seconded by Commissioner Mayfield, to approve Item VI(A) as presented, with the recommendations of Commissioner Mayfield.

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

**MOTION:** Commissioner Holian moved, seconded by Councilor Dimas, to approve Item VI(A)(1), as presented.

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

**(B) REQUEST FOR APPROVAL OF FISCAL YEAR 2013-14 BUDGET**

Randall Kippenbrock, Executive Director , presented information regarding this matter from his Memorandum dated March 13, 2013, with attachments, to the SFSWMA Joint Powers Board, is incorporated herewith to these minutes as Exhibit "2". Please see Exhibit "2" for specifics of this presentation.

*The Board commented and asked questions as follows:*

- Commissioner Mayfield noted the new position, Environmental, Health, Safety & Training Administrator, and asked how is this being handled currently.

Mr. Kippenbrock said currently it is being done by a committee of managers and himself contributing to the program, noting the task is being done by multiple people.

- Commissioner Mayfield asked if we are in compliance.

Mr. Kippenbrock said it has been difficult to stay in compliance – to do the training in a timely manner, and such.

- Commissioner Mayfield asked if there are union representatives on the committee, or if it is just senior management.

Mr. Kippenbrock said it's not so much on the committee itself, but they implement the program using the Landfill Manager, the BuRRT Manager, Human Resources Officer, himself – anybody they can utilize. He said sometimes they use an outside consultant to try to maintain compliance. He said we do get behind from time to time trying to stay up, mostly with the training.

- Commissioner Mayfield asked the cost of the outside consultant.

Mr. Kippenbrock said they haven't utilized a consultant in this fiscal year, and right now, using senior management, there has been no cost but his time.

- Commissioner Mayfield said then we have provided safe training for all of our employees and we haven't been red-tagged for non-compliance.

Mr. Kippenbrock said, "I'm going to say that we're fragile on this, because we are trying to maintain all of the training in a timely manner. That's my main concern."

- Commissioner Mayfield said he understands the City is the fiscal agent for SWMA, and asked the increases for employees for SWMA, and if there will be big increases in PERA, health insurance and such. He asked if Mr. Kippenbrock is accounting for that in the budget.

Mr. Kippenbrock deferred to Angelica Salazar to answer the question.

Angelica Salazar said as an employer, SWMA would be subject to anything that PERA gets in legislation. She said the City is self funded and self-insured.

- Commissioner Mayfield said he at looking for the 2% salary increase, and if it will cover the increases in benefits.

*[Ms. Salazar's remarks here are inaudible].*

- Commissioner Mayfield asked if the increase will be revenue neutral and just cover the benefit increases, or will they see some take-home pay.

Ms. Salazar said she is unsure what PERA is going to do, noting she understands PERA will be looking to increase the employer's and employee's contribution by 2%, but that legislation is still in the works.

- Commissioner Mayfield asked, regarding health benefits, if this is taken care of already on the City's side, and Mr. Kippenbrock said yes.
- Commissioner Mayfield asked if the non-union positions are receiving the 2% increase, and what are the non-union positions.

Mr. Kippenbrock said the non-union positions include himself, Landfill Manager, BuRRT Site Manager, Accounts Coordinator and [inaudible] manager, Equipment Supervisor, Landfill Superintendent, BuRRT Superintendent and the HR Officer.

- Commissioner Mayfield asked for a dollar amount for those positions, and asked what page those are in the packet.

Mr. Kippenbrock said no, he just had this information on the side for his record.

- Commissioner Mayfield asked if there is an Executive Summary of the budget, and asked if this is an action item today.

Mr. Mayfield said yes.

- Commissioner Mayfield said we weren't given an executive summary of dollar amounts for management and non-management.

Mr. Kippenbrock said it will be provided if it is requested.

- Mr. Mayfield said, "I am requesting it."
- Councilor Rivera asked if the salary increases are in the current union contract, and if they been negotiated already, or if Mr. Kippenbrock is in the process of negotiation.

Mr. Kippenbrock said he is in the process of negotiation. He said this is what has been done historically. He said if the Board is uncomfortable in approving the portion for merit and COLA until the contract is in place, he fully understands that.

- Councilor Rivera asked Mr. Kippenbrock, when he negotiates a contract, if he has direction from the Board with regard to salary increases, or if he has been free to do whatever he thinks is fair.

Mr. Kippenbrock said his intent is to bring the contract to the Board for review in subsequent meetings for approval.

- Councilor Rivera said, "So you're negotiating these, which includes an increase for you, with no direction from this Board about where the budget in general is going. Is that correct."

Mr. Kippenbrock said yes.

- Councilor Rivera said, "I think I'm going to agree with Commissioner Mayfield. I think we probably should have an executive session at the next meeting, and maybe we can discuss this again in executive session and give direction from the Board before anything actually comes to the Board for approval."
- Chair Ives asked if he is speaking in terms of the union contract.
- Councilor Rivera said, "In terms of, specifically, increases I guess."
- Chair Ives said, looking at page 114, in the budget items for COLA and merit, they appear to be listed at \$20,243 for COLA and merit at \$19,684, which are different from the figures on page 110 and the top of 111. He asked if he is misunderstanding those figures.

Mr. Kippenbrock said, "The total that you see at the bottom of page 114, \$45,117, is actually... we have COLA in our landfill operating budget on page 113, and the COLA in the BuRRT Recycling Budget at the top of page 114. It is a summation of those two numbers."

- Chair Ives asked, in terms of moving forward, if it makes sense to approve the budget with the exception of those particular items which currently are in negotiation, and should be considered by the Board subsequently. He asked what is the urgency of moving the budget forward.

Mr. Kippenbrock said the base budget should be adopted, and as indicated in his Memo, it is for consideration with or without amendment to the proposed budget. He said it is more than fair if the Board wants to remove the COLA and merit at this time until we have a contract in place, or know what direction we're going with that. And it is up to the Board as to how they want to look at the proposed expansion which is the administrative position.

**MOTION:** Commissioner Holian moved, seconded by Councilor Dimas, to approve the Fiscal Year 2013-14 Budget, as presented, without the COLA and merit increases.

**DISCUSSION:** Councilor Rivera asked if the maker would accept a friendly amendment to go into executive session at the next meeting to discuss that particular item.

Commissioner Holian said she would, but she doesn't think we need an amendment to do that, we can just ask the Chair to schedule an executive session.

Commissioner Mayfield said he recalls last year and the year before that we had a budget discussion before we were asked to take action – at least one round of budgetary discussion before there was a budget on the table for approval. He said it is difficult to have a budget given to us to approve immediately, commenting "we're not pressed to have this budget done." He said here we are being asked to approve a budget without discussing it. He said he will ask for an agenda item at the next meeting to provide that in the future that we at least have one budget review before approving a budget. He thinks that's standard practice on any joint board between the City and County government. He thinks this is how we did it last year.

Justin Miller said, "I don't remember last year specifically, but I believe it was the same process. The Executive Director presented the proposed budget to the Board and the Board had the opportunity to talk about it and consider it. That's what I remember."

Chair Ives said he doesn't oppose doing things as Commissioner Mayfield has suggested. He said it might behoove us to set aside ½ of a meeting next Spring to review a proposed budget, and hear from anybody who is interested, and handle it that way before moving it forward for approval. He

said we can take account of the time needed to do that in any way that makes sense. He said, "We can certainly do that, and that too could be done simply by making sure we have the agenda done in that fashion. I'm not sure we need a motion. I'm certainly happy to work with a consensus and get it done that way. It seems like everybody is nodding their heads around the table."

**MOTION:** Commissioner Mayfield moved, seconded by Councilor Rivera, to postpone Item VI(B) to the next meeting of SWMA on April 18, 2013.

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

Chair Ives said then we'll take that up in the next meeting and go into executive session to look at merit pay and COLA increases for the Agency. He encouraged everyone to study the budget prior to the next meeting, noting it is a flat budget which is what the City is asking as well.

Commissioner Mayfield asked Mr. Kippenbrock if he currently is in contract negotiations with the union and Mr. Kippenbrock said yes.

Chair Ives said once that is worked out it will come back to the Board for approval, and asked Mr. Kippenbrock the timing on negotiations.

Mr. Kippenbrock said he will share the information he has so far at the next Board meeting, and get direction from the Board on the compensation side.

Chair Ives asked the status of negotiations, and Mr. Kippenbrock said it is still early.

Chair Ives said then presumably we won't have an agreement by the next meeting and Mr. Kippenbrock said that is correct.

Commissioner Mayfield said the 2% is built into the COLA and it was already the baseline negotiation.

Mr. Kippenbrock said the 2% is based on the CPI from the Bureau of Labor Statistics, the BLS, and it is based on the prior year. He said we got the information from the prior year in February and it came out to 2%.

Commissioner Mayfield asked the amount of the last negotiated increase.

Mr. Kippenbrock said last year it was approximately 3% COLA, noting it is based on the CPI index. He said the two prior years there was no COLA.

Councilor Rivera asked if non-union personnel receive the same increase, and Mr. Kippenbrock said yes.

Chair Ives said he would a copy of last year's union contract, and asked that it be circulated as part of the packet for the next meeting.

Councilor Rivera would like that information by email before the meeting.

Commissioner Mayfield would like the spreadsheet to be sent electronically as well.

## **VII. MATTERS FROM STAFF**

Cindy Padilla, Director, City Environmental Services Division, introduced Manual Sanchez, Administrative Manager of the Division, noting it is his third day, and they are excited to have him on board at the City.

Ms. Padilla said they currently are interviewing candidates for the Recycling Supervisor position. She said they are "turning the corner" on management positions so they can look at supervision. She said she is excited about the health & safety position at the landfill, and said it something they need to take very seriously. She said there is no safety coordinator in the City Environmental Services Division, although they would very much like to have one, noting the supervisors do the training.

Chair Ives welcomed Mr. Sanchez.

## **VIII. MATTERS FROM THE BOARD**

Commissioner Holian thanked Mike Smith for his service with SWMA. She said she is sorry he is leaving and wishes him good luck in his future endeavors.

Mr. Smith said he is going to accept a position with Friedman Recycling, as the Sourcing Representative, which means "I will be trying to find tons."

Chair Ives wished him good luck.


## **IX. NEXT MEETING DATE – Thursday, April 18, 2013**

**X. ADJOURNMENT**

**MOTION:** Commissioner Holian moved, seconded by Councilor Dimas, to adjourn the meeting.

**VOTE:** The motion was approved unanimously on a voice vote, and the meeting was adjourned at approximately 12:45 p.m.

**APPROVED BY:**

  
\_\_\_\_\_  
Peter N. Ives, Chair

**ATTESTED TO:**

  
  
\_\_\_\_\_  
Yolanda Y. Vigil, City Clerk

**SUBMITTED BY:**

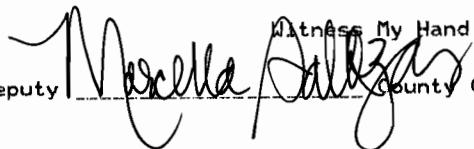
  
\_\_\_\_\_  
Melessia Helberg, Board Stenographer



COUNTY OF SANTA FE           )  
STATE OF NEW MEXICO       ) ss

SOLID WASTE MINUTES  
PAGES: 11

I Hereby Certify That This Instrument Was Filed for  
Record On The 7TH Day Of May, 2013 at 02:25:10 PM  
And Was Duly Recorded as Instrument # **1704807**  
Of The Records Of Santa Fe County

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