

MEMORANDUM

To: SFSWMA Joint Powers Board
From: Randall Kippenbrock, P.E., Executive Director ^{RLK}
Date: May 10, 2026
Subject: Request for Approval of Resolution 2026-2 Updating a Restricted Cash Account and Related Liability Account in the Closure/Post Closure Fund to Provide Funds for Future Closure, Post Closure Care, Phase I and II Assessment, and/or Corrective Action Costs at the Santa Fe Solid Waste Management Agency Facility known as the Caja del Rio Landfill

SUMMARY

The Agency requests the Board approve Resolution 2026-2, a local government reserve fund resolution, which addresses the restricted cash account and the related liability account within the Agency's Closure/Post-Closure Fund to provide funds for future closure, post-closure care, Phase I and II assessments, and/or corrective action costs at the Caja del Rio Landfill (Landfill).

The resolution states that the Closure/Post-Closure Fund will be updated annually to ensure it continues to provide financial assurance for the Landfill. The Closure/Post-Closure Fund must comply with GASB 18's accounting requirements for landfill liabilities.

The resolution will be a required component of NMED's annual solid waste reports.

On March 5, 2026, the New Mexico Environment Department requested that the Agency update the resolution for the local government reserve fund as part of the Landfill's 10-year permit review.

All solid waste facilities, including landfills, must provide financial assurance for closure, post-closure care, Phase I and II assessments, and/or corrective action costs in accordance with the applicable provisions of 20.9.10 NMAC.

BACKGROUND

On January 22, 1999, the Board approved Resolution 1999-1, which established a restricted reserve cash account and a related liability account within the Agency's Closure/Post-Closure Fund (5509) to provide funds for future closure costs at the Caja del Rio Landfill. The estimated closure cost at that time was \$3,135,641 - based on a cost summary prepared by a landfill engineer.

On May 15, 2014, the Board approved Resolution 2014-2, which estimated the costs of closure, post-closure care, Phase I and II assessments, and/or corrective action for Fiscal Year 2015 at \$5,825,657 and set the restricted cash account balance at approximately \$6,800,000.

Resolution 2026-2 sets the estimated cost for closure, post-closure care, Phase I and II assessments, and/or corrective action at \$11,369,251, and the restricted cash account balance at approximately

\$9,103,114 - based on a cost summary prepared by a professional engineer. The resolution also provides that \$215,793 will be transferred to the Closure/Post-Closure Fund in Fiscal Year 2026.

Each year, the Agency presents revised closure and post-closure care cost estimates to the Board for approval. These estimates are included in the Agency's annual financial statements under the closure and post-closure care cost section.

ACTION REQUESTED

The Agency requests Board approval of Resolution 2026-2.

Attachments:

- 1) Resolution 2026-2
- 2) Resolution 2014-2
- 3) Resolution 1999-1

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ATTACHMENT 1

Resolution 2026-2

Santa Fe Solid Waste Management Agency
RESOLUTION 2026-2

UPDATING A RESTRICTED CASH ACCOUNT AND RELATED LIABILITY ACCOUNT IN THE CLOSURE/POST-CLOSURE FUND TO PROVIDE FUNDS FOR FUTURE CLOSURE, POST-CLOSURE CARE, PHASE I AND II ASSESSMENTS, AND/OR CORRECTIVE ACTION COSTS AT THE SANTA FE SOLID WASTE MANAGEMENT FACILITY KNOWN AS THE CAJA DEL RIO LANDFILL.

Whereas, the Santa Fe Solid Waste Management Agency is operating a solid waste management facility known as the Caja del Rio Landfill; and

Whereas, the post-closure care period of the Caja del Rio Landfill is expected to be at least 30 years; and

Whereas, the Caja del Rio Landfill facility is designed and constructed to meet or exceed the Solid Waste Management Regulations of the State of New Mexico; and

Whereas, the Solid Waste Management Regulations require the owner or operator shall establish financial assurance for adequate closure, post-closure care, Phase I and II assessments and/or corrective action for the facility; and

Whereas, by Resolution 1999-1, the Santa Fe Solid Waste Management Agency established a restricted cash account and a related liability account to be used solely to fund future closure, post-closure care, Phase I and II assessments, and/or corrective action expenditures for the Caja del Rio Landfill facility; and

Whereas, Resolution 1999-1 provided for a transfer into the restricted cash account of an amount equal to One Hundred Fifty-Six Thousand Seven Hundred Eight-Two Dollars and Five Cents (\$156,782.05) for Fiscal Year 2001; for an annual transfer thereafter of an amount appropriate to build a fund sufficient to cover estimated costs; and for annual review and adjustment of the original cost estimate of Three Million One Hundred Thirty-Five Thousand Six Hundred Forty-One Dollars and No Cents (\$3,135,641.00) to account for any increases or decreases in the original cost estimate; and

Whereas, Resolution 2014-2 provided an estimated cost for the closure, post-closure care, Phase I and II assessments, and/or corrective action for Fiscal Year 2015 at Five Million Eight Hundred Twenty-Five Thousand Six Hundred Fifty-Seven Dollars and No Cents (\$5,825,657.00) and the amount in the restricted cash account at approximately Six Million Eight Hundred Thousand Dollars and No Cents (\$6,800,000.00); and

Whereas, the cost for the closure, post-closure care, Phase I and II assessments, and/or corrective action is now estimated to be Eleven Million Three Hundred Sixty-Nine Thousand Two Hundred Fifty-One Dollars and No Cents (\$11,369,251.00), based on a cost summary provided by a professional engineer; and

Whereas, the amount in the restricted cash account is now approximately Nine Million One Hundred Three Thousand One Hundred Fourteen Dollars and No Cents (\$9,103,114.00); and

Whereas, the amount to be transferred in Fiscal Year 2026 is Two Hundred Fifty-One Thousand Seven Hundred Ninety-Three Dollars and No Cents (\$251,793.00), with future transfers as necessary to conform with the funding requirements in 20.9.10.14 NMAC.

NOW, THEREFORE, BE IT RESOLVED BY THE JOINT POWERS BOARD OF THE SANTA FE SOLID WASTE MANAGEMENT AGENCY:

Section 1. That the Santa Fe Solid Waste Management Agency continue to maintain a restricted cash account and related liability account in the Closure/Post Closure Fund to be used solely to fund future closure, post-closure care, Phase I and II assessments, and/or corrective action expenditures for the Caja del Rio Landfill facility.

Section 2. That each year, if necessary, the Santa Fe Solid Waste Management Agency shall include, as part of its annual budget submittal, an amount to be appropriated for transfer to the restricted cash account, with a related liability account for any unspent appropriation. Each year, the transfer will be reviewed and adjusted to reflect any increases or decreases in the current cost estimate of Eleven Million Three Hundred Sixty-Nine Thousand Two Hundred Fifty-One Dollars and No Cents (\$11,369,251.00). This will maintain a fund sufficient to assure closure, post-closure care, Phase I and II assessments, and/or corrective action costs for the Caja del Rio Landfill facility by 2035.

Section 3. Those withdrawals from the restricted cash account shall only be for the purposes of closure, post-closure care, Phase I and II assessments, and/or corrective action as defined in the Solid Waste Management Regulations of the State of New Mexico for the Caja del Rio Landfill facility.

Section 4. Those withdrawals from the restricted cash account shall only be authorized by the secretary of the New Mexico Environment Department upon submission of adequate proof of work performed for closure, post-closure care, Phase I and II assessments, and/or corrective action as defined in the Solid Waste Management Regulations of the State of New Mexico.

APPROVED, ADOPTED AND PASSED this 21st day of May 2026, at a regularly called meeting of the Joint Powers Board of the Santa Fe Solid Waste Management Agency.

Santa Fe Solid Waste Management Agency:

Lisa Cacari Stone
Chairperson

Date

Approved as to Form:

Nancy Long
Agency Attorney

Date

ATTACHMENT 2

Resolution 2014-2

RESOLUTION 2014-2

UPDATING A RESTRICTED CASH ACCOUNT AND RELATED LIABILITY ACCOUNT IN THE CLOSURE/POST-CLOSURE FUND TO PROVIDE FUNDS FOR FUTURE CLOSURE, POST-CLOSURE CARE, PHASE I AND II ASSESSMENT, AND/OR CORRECTIVE ACTION COSTS AT THE SANTA FE SOLID WASTE MANAGEMENT FACILITY KNOWN AS THE CAJA DEL RIO LANDFILL.

Whereas, the Santa Fe Solid Waste Management Agency is operating a solid waste management facility known as the Caja del Rio Landfill; and

Whereas, the post-closure care period of the Caja del Rio Landfill is expected to be at least 30 years; and

Whereas, the Caja del Rio Landfill facility is designed and constructed to meet or exceed the Solid Waste Management Regulations of the State of New Mexico; and

Whereas, the Solid Waste Management Regulations require the owner or operator shall establish financial assurance for adequate closure, post-closure care, Phase I and II assessment and/or corrective action for the facility; and

Whereas, by Resolution 1999-1, the Santa Fe Solid Waste Management Agency established a restricted cash account and related liability account to be used solely to fund future closure, post-closure care, Phase I and II, and/or corrective action expenditures for the Caja del Rio Landfill facility; and

Whereas, Resolution 1999-1 provided for a transfer into the restricted cash account an amount equal to One Hundred Fifty-Six Thousand Seven Hundred Eight-Two Dollars and Five Cents (\$156,782.05) for Fiscal Year 2001; for an annual transfer thereafter of an amount appropriate to build a fund sufficient to cover estimated costs; and for annual review and adjustment of the original cost estimate of Three Million One Hundred Thirty Five Thousand Six Hundred Forty One Dollars and No Cents (\$3,135,641.00) to account for any increases or decreases in the original cost estimate; and

Whereas, the cost for the closure, post closure care, Phase I and II assessment, and/or corrective action is now estimated to be Five Million Eight Hundred Twenty-Five Thousand Six Hundred Fifty-Seven Dollars and No Cents (\$5,825,657.00), based on a cost summary provided by the landfill design engineers; and

Whereas, the amount in the restricted cash account is now approximately Six Million Eight Hundred Thousand Dollars and No Cents (\$6,800,000.00), which is sufficient to cover the current cost estimate, and so the Santa Fe Solid Waste Management Agency will transfer no money in Fiscal Year 2015, but will continue to maintain the restricted cash account at a sufficient level.

NOW, THEREFORE, BE IT RESOLVED BY THE JOINT POWERS BOARD OF THE SANTA FE SOLID WASTE MANAGEMENT AGENCY:

Section 1. That the Santa Fe Solid Waste Management Agency continue to maintain a restricted cash account and related liability account in the Closure/Post Closure Fund to be used solely to fund future closure, post-closure care, Phase I and II assessment, and/or corrective action expenditures for the Caja del Rio Landfill facility.

Section 2. That each year, if necessary, the Santa Fe Solid Waste Management Agency shall include as part of its annual budget submittal, an amount to be appropriate for transfer into the restricted cash account with a related liability account for the unspent appropriation. Each year the transfer will be reviewed and adjusted to reflect any increases or decreases in the current cost estimate of Five Million Eight Hundred Twenty-Five Thousand Six Hundred Fifty-Seven Dollars and No Cents (\$5,825,657.00). This will maintain a fund sufficient to assure closure, post-closure care, Phase I and II assessment, and/or corrective action costs for the Caja del Rio Landfill facility by 2035.

Section 3. Those withdrawals from the restricted cash account shall only be for the purposes of closure, post-closure care, Phase I and II assessment, and/or corrective action as defined in the Solid Waste Management Regulations of the State of New Mexico for the Caja del Rio Landfill facility.

Section 4. Those withdrawals from the restricted cash account shall only be authorized by the Joint Powers Board and the secretary of the New Mexico Environment Department upon submission of adequate proof of work performed for closure, post-closure care, Phase I and II assessment, and/or corrective action as defined in the Solid Waste Management Regulations of the State of New Mexico.

APPROVED, ADOPTED AND PASSED this 15th day of May, 2014, at a regularly called meeting of the Joint Powers Board of the Santa Fe Solid Waste Management Agency.

Santa Fe Solid Waste Management Agency:

Miguel Chavez
Miguel Chavez
Chairperson

5/15/14
Date

Attest:

Geraldine Salazar
Geraldine Salazar
Santa Fe County Clerk

6/5/2014
Date



Approved as to Form:

Justin W. Miller
Justin W. Miller
Agency Attorney

5/15/14
Date



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
SOLID WASTE RESOLUTION
PAGES: 2

I Hereby Certify That This Instrument Was Filed for Record On The 6TH Day Of June, 2014 at 09:55:59 AM And Was Duly Recorded as Instrument # 1738468 Of The Records Of Santa Fe County

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

ATTACHMENT 3

Resolution 1999-1

RESOLUTION - 1999 -1 1868723

ESTABLISHING A RESTRICTED CASH ACCOUNT AND RELATED LIABILITY ACCOUNT IN THE SANTA FE SOLID WASTE MANAGEMENT AGENCY CLOSURE AND POST-CLOSURE FUND TO PROVIDE FUNDS FOR FUTURE (CLOSURE, POST CLOSURE, PHASE I AND PHASE II, AND/OR CORRECTIVE ACTION) COSTS AT THE SANTA FE SOLID WASTE MANAGEMENT AGENCY SOLID WASTE FACILITY KNOWN AS THE CAJA DEL RIO LANDFILL.

WHEREAS, the Santa Fe Solid Waste Management Agency is operating a solid waste management facility known as the Caja Del Rio Landfill; and

WHEREAS, the post-closure care period of the Caja Del Rio Landfill is expected to be at least thirty (30) years; and

WHEREAS, the Caja Del Rio Landfill has been designed and constructed to meet or exceed the Solid Waste Management Regulation of the State of New Mexico; and

WHEREAS, the Solid Waste Management Regulations require the owner or operator shall establish financial assurance for adequate (closure, post closure, Phase I or Phase II assessment and/or corrective action) for the facility; and

WHEREAS, the cost for (closure, post-closure, Phase I and Phase II assessment, and/or corrective action) is estimated to be three million one hundred and thirty five thousand six hundred and forty one dollars (\$3,135,641) based on a cost summary provided by the landfill engineer; and,

WHEREAS, the annual amount to be transferred in FY 2000/2001 is One hundred and fifty six thousand seven hundred and eighty two dollars and five cents (\$156,782.05).

BE IT RESOLVED BY THE JOINT POWERS BOARD of the Santa Fe Solid Waste Management Agency:

Section 1. That the Santa Fe Solid Waste Management Agency establish a restricted cash account and related liability account in the Santa Fe Solid Waste Management Agency Closure and Post-Closure Care Fund to be used solely to fund future (closure, post closure, Phase I and Phase II and/or corrective action) expenditures for the Caja Del Rio Landfill.

Section 2, That each year the Santa Fe Solid Waste Management Agency shall include as part of its annual budget submittal, an amount to be appropriate for transfer into the restricted cash account with a related liability account for the unspent appropriation. Each year the transfer will be reviewed and adjusted to reflect any increases or decreases in the original cost estimate of \$3,135,641. This will build a fund sufficient to assure

(closure, post-closure, Phase I and Phase II assessment, and/or corrective action) costs for the Santa Fe Solid Waste Management Agency.

Section 3. That withdrawals from the restricted cash account shall only be for the purpose of (closure, post closure, Phase I and Phase II assessment, and/or corrective action) as defined in the Solid Waste Management Regulations of the State of New Mexico for the Santa Fe Solid Waste Management Agency.

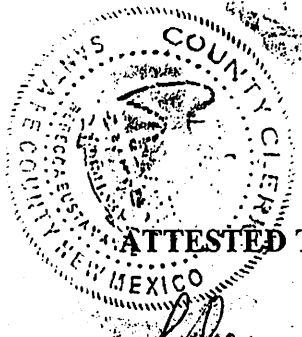
Section 4. That withdrawals from the restricted cash account shall only be authorized by the Santa Fe Solid Waste Management Agency Joint Powers Board and the Secretary of the New Mexico Environment Department upon submission of adequate proof of work performed for (closure, post closure, Phase I and Phase II assessment, and or corrective action) as defined in the Solid Waste Management Regulations of the State of New Mexico

APPROVED, ADOPTED AND PASSED this 22 day of Jan, 1999

SANTA FE SOLID WASTE
JOINT POWERS BOARD



Paul Duran, Chairman

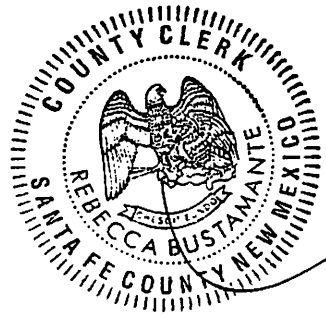


ATTESTED TO BY

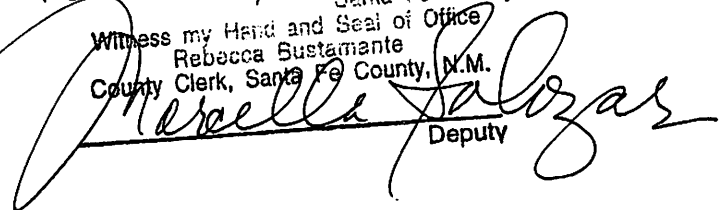


Rebecca Bustamante
Santa Fe County Clerk

1147567 } SS
COUNTY OF SANTA FE
STATE OF NEW MEXICO
I hereby certify that this instrument was filed
for record on the 16 day of Mar A.D.
20 01 at 9:07 o'clock a.m
and was duly recorded in book 1868
page 723-724 of the records of
Santa Fe County



Witness my Hand and Seal of Office
Rebecca Bustamante
County Clerk, Santa Fe County, N.M.



Deputy