

MEMORANDUM

To: SFSWMA Joint Powers Board
From: Randall Kippenbrock, P.E., Executive Director ^{RLK}
Date: May 10, 2026
Subject: Request for Approval of Resolution 2026-3 Updating a Restricted Cash Account and Related Liability Account in the Closure/Post Closure Fund to Provide Funds for Future Closure and Post Closure Care Costs at the Santa Fe Solid Waste Management Agency Facility Known as the Buckman Road Recycling and Transfer Station

SUMMARY

The Agency requests the Board approve Resolution 2026-3, 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 and post-closure care costs at the Buckman Road Recycling and Transfer Station (BuRRT).

The resolution states that the Closure/Post-Closure Fund will be updated annually to ensure it continues to provide financial assurance for the BuRRT facility. 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.

The Agency is updating the local government reserve fund resolution as part of the 10-year permit review for BuRRT, scheduled for 2027.

All solid waste facilities, including transfer stations, 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 2005-3, establishing a restricted reserve cash account and a related liability account within the Agency's Closure/Post-Closure Fund (5509) to fund future closure and post-closure care costs for the BuRRT facility. The estimated closure cost at the time was \$78,000 - based on a cost summary prepared by a professional engineer.

On May 15, 2012, the Board approved Resolution 2012-1, which estimated the costs of closure and post-closure care for Fiscal Year 2012 at \$148,416.

Resolution 2026-3 sets the cost of closure and post-closure care for the BuRRT facility at an estimated \$243,393, based on a cost summary prepared by a professional engineer. The resolution also provides for the transfer of \$5,586 to the Closure/Post-Closure Fund in Fiscal Year 2026.

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

ACTION REQUESTED

The Agency requests Board approval of Resolution 2026-3.

Attachments:

- 1) Resolution 2026-3
- 2) Resolution 2012-1
- 3) Resolution 2005-3

M:\Memo\043026.2

ATTACHMENT 1

Resolution 2026-3

Santa Fe Solid Waste Management Agency
RESOLUTION 2026-3

UPDATING A RESTRICTED CASH ACCOUNT AND RELATED LIABILITY ACCOUNT IN THE CLOSURE/POST-CLOSURE FUND TO PROVIDE FUNDS FOR FUTURE CLOSURE AND POST-CLOSURE CARE COSTS AT THE SANTA FE SOLID WASTE MANAGEMENT FACILITY KNOWN AS THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION.

Whereas, the Santa Fe Solid Waste Management Agency is operating a solid waste management facility known as the Buckman Road Recycling and Transfer Station; and

Whereas, the post-closure care period of the Buckman Road Recycling and Transfer Station facility is expected to be at least one year; and,

Whereas, the Buckman Road Recycling and Transfer Station 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 and post-closure care for the facility; and,

Whereas, by Resolution 2005-3, the Santa Fe Solid Waste Management Agency established a restricted reserve cash account and related liability account to be used solely to fund future closure and post-closure expenditures for the Buckman Road Recycling and Transfer Station facility; and

Whereas, Resolution 2005-3 provided for an annual transfer into the restricted cash account of Seventy-Eight Thousand Dollars and No Cents (\$78,000.00) for Fiscal Year 2006.

Whereas, Resolution 2012-1 provided for an annual transfer into the restricted cash account of One Hundred Forty-Eight Thousand Four Hundred Sixteen Dollars and No Cents (\$148,416.00) for Fiscal Year 2012; and for annual review and adjustment of this original cost estimate to reflect any increases or decreases in the original cost estimate; and

Whereas, the cost for the closure and post-closure is now estimated to be Two Hundred Forty-Three Thousand Three Hundred Ninety-Three Dollars and No Cents (\$243,393.00), based on a cost summary provided by a professional engineer, taking into consideration additional activities at the facility, including the Materials Recovery Facility (MRF) and the Household Hazardous Waste Collection Center; and

Whereas, the annual amount to be transferred in Fiscal Year 2026 is Five Thousand Five Hundred Eighty-Six Dollars and No Cents (\$5,586.00); with continued future transfers as necessary to conform with the funding requirements in 20.9.10.14 NMAC.

BE IT RESOLVED BY THE SANTA FE SOLID WASTE MANAGEMENT AGENCY JOINT POWERS BOARD:

Section 1. That the Santa Fe Solid Waste Management Agency continue to maintain a restricted reserve cash account and related liability account in the Closure/Post Closure Fund to be used solely to fund future closure and post-closure expenditures for the Buckman Road Recycling and Transfer Station 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 the unspent appropriation. Each year, the transfer will be reviewed and adjusted to reflect any increases or decreases in the current cost estimate of Two Hundred Forty-Three Thousand Three Hundred Ninety-Three Dollars and No Cents (\$243,393.00). This will build a fund sufficient to assure closure and post-closure care costs for the Buckman Road Recycling and Transfer Station facility by June 30, 2037.

Section 3. Those withdrawals from the restricted cash account shall only be for the purposes of closure and post-closure care as defined in the Solid Waste Management Regulations of the State of New Mexico for the Buckman Road Recycling and Transfer Station 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 and post-closure care 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 2012-1

RESOLUTION 2012-1

UPDATING A RESTRICTED CASH ACCOUNT AND RELATED LIABILITY ACCOUNT IN THE CLOSURE/POST-CLOSURE FUND TO PROVIDE FUNDS FOR FUTURE CLOSURE AND POST-CLOSURE CARE COSTS AT THE SANTA FE SOLID WASTE MANAGEMENT FACILITY KNOWN AS THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION.

Whereas, the Santa Fe Solid Waste Management Agency is operating a solid waste management facility known as the Buckman Road Recycling and Transfer Station; and

Whereas, the post-closure care period of the Buckman Road Recycling and Transfer Station facility is expected to be at least one year; and,

Whereas, the Buckman Road Recycling and Transfer Station 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 and post-closure care, for the facility; and,

Whereas, by Resolution 2005-3, the Santa Fe Solid Waste Management Agency established a restricted reserve cash account and related liability account to be used solely to fund future closure and post-closure expenditures for the Buckman Road Recycling and Transfer Station facility; and

Whereas, Resolution 2005-3 provided for an annual transfer into the restricted cash account of \$78,000.00 and for annual review and adjustment of this original cost estimate to reflect any increases or decreases in the original cost estimate; and

Whereas, the cost for the closure and post closure is now estimated to be \$148,416.00, one hundred forty-eight thousand four hundred sixteen dollars and no cents, based on a cost summary provided by the facility's design engineers, taking into consideration additional activities at the facility, including the Materials Recovery Facility (MRF) and the development of a Household Hazardous Waste collection facility; and

Whereas, the annual amount to be transferred in Fiscal Year 2012 is \$148,416.00, one hundred forty-eight thousand four hundred sixteen dollars and no cents.

BE IT RESOLVED BY THE SANTA FE SOLID WASTE MANAGEMENT AGENCY JOINT POWERS BOARD:

Section 1. That the Santa Fe Solid Waste Management Agency establish a restricted reserve cash account and related liability account in the Closure/Post Closure Fund to be used solely to fund future closure and post-closure expenditures for the Buckman Road Recycling and Transfer Station facility.


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 current cost estimate of \$148,416.00, one hundred forty-eight thousand four hundred sixteen dollars and no cents. This will build a fund sufficient to assure closure and post-closure care costs for the Buckman Road Recycling and Transfer Station facility by December 31, 2012.

Section 3. Those withdrawals from the restricted cash account shall only be for the purposes of closure and post-closure care as defined in the Solid Waste Management Regulations of the State of New Mexico for the Buckman Road Recycling and Transfer Station 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 and post-closure care as defined in the Solid Waste Management Regulations of the State of New Mexico.

APPROVED, ADOPTED AND PASSED this 26th day of January, 2012.

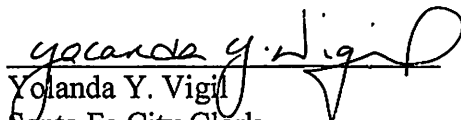
Santa Fe Solid Waste Management Agency:



Rosemary Romero
Chairperson

1/26/12
Date

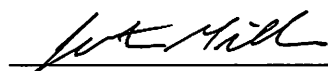
Attest:



Yolanda Y. Vigil
Santa Fe City Clerk

1-30-12
Date

Approved as to Form:



Justin W. Miller
Agency Attorney

1/26/12
Date

ATTACHMENT 3

Resolution 2005-3

RESOLUTION 2005- 3

ESTABLISHING A RESTRICTED CASH ACCOUNT AND RELATED LIABILITY ACCOUNT IN THE SANTA FE SOLID WASTE MANAGEMENT RECYCLING FUND TO PROVIDE FUNDS FOR FUTURE CLOSURE AND POST-CLOSURE CARE COSTS AT THE SANTA FE SOLID WASTE MANAGEMENT FACILITY KNOWN AS THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION.

Whereas, the Santa Fe Solid Waste Management Agency is operating a solid waste management facility known as the Buckman Road Recycling and Transfer Station; and

Whereas, the post-closure care period of the Buckman Road Recycling and Transfer Station facility is expected to be at least one year; and,

Whereas, the Buckman Road Recycling and Transfer Station 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 and post-closure care for the facility; and,

Whereas, the cost for closure and post-closure is estimated to be \$78,000.00, seventy-eight thousand dollars, based on a cost summary provided by the facility's design engineers; and,

Whereas, the amount to be transferred in FY 2006 is \$78,000.00, seventy-eight thousand dollars,

BE IT RESOLVED BY THE SANTA FE SOLID WASTE MANAGEMENT AGENCY JOINT POWERS BOARD;

Section 1. That the Santa Fe Solid Waste Management Agency establish a restricted reserve cash account and related liability account in the Recycling Fund to be used solely to fund future closure and post-closure expenditures for the Buckman Road Recycling and Transfer Station facility.

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 \$78,000.00. This will build a fund sufficient to assure closure and post-closure care costs for the Buckman Road Recycling and Transfer Station facility by 2006.

Section 3. That withdrawals from the restricted cash account shall only be for the purposes of closure and post-closure care as defined in the Solid Waste Management Regulations of the State of New Mexico for the Buckman Road Recycling and Transfer Station facility.

Section 4. That 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 or post-closure care as defined in the Solid Waste Management Regulations of the State of New Mexico.


APPROVED, ADOPTED AND PASSED this 17th day of November, 2005.

Santa Fe Solid Waste Management Agency


Virginia Vigil, Chairperson

Date

Approved as to Form:


Mark Basham
Agency Counsel

11/11/05
Date

Attest


Valerie Espinoza
Santa Fe County Clerk

11/23/05
Date



SFC CLERK RECORDED 11/30/2005



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 30TH Day Of November, A.D., 2005 at 08:10
And Was Duly Recorded as Instrument # 1409686
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Valerie Espinoza
Deputy:  County Clerk, Santa Fe, NM