



**CITY OF RIO RANCHO
AGENDA BRIEFING MEMORANDUM**

REFERENCE: 071

1
2 AGENDA DATE:
3 October 24, 2007

4
5 DEPARTMENT:
6 Department of Public Works

7
8 SUBJECT:
9 Approval of Rio Rancho's National Pollution Discharge Elimination System
10 (NPDES) Notice of Intent under the Environmental Protection Agency's
11 (EPA) Phase II General Permit.

12
13 SYNOPSIS:
14 Rio Rancho is required to file a Notice of Intent as defined by the EPA
15 regulations. A city Storm Water Management Plan, SWMP, is also
16 required under the General Permit.

17
18 BACKGROUND AND ANALYSIS:
19 The 1972 Clean Water Act has led to continually updated and additional
20 new EPA regulations to improve the quality of surface water in the
21 United States. The applicable EPA regulations require municipalities to
22 use 6 Best Management Practices, BMP's, to improve the water quality
23 of surface run off in their jurisdiction. The BMP's include:

- 24 1. Public Education and Outreach
- 25 2. Public Participation/Involvement
- 26 3. Illicit Discharge Detention and Elimination
- 27 4. Construction Site Runoff Control
- 28 5. Post Construction Storm Water Management in New Development
- 29 and Redevelopment
- 30 6. Pollution Prevention/Good Housekeeping for Municipal Operations

31
32 The City has authorized a position to organize and implement the plan to
33 meet EPA requirements. Additional resources may be needed in future
34 years. Annual reports to the EPA will document the City's progress on
35 implementing the above mentioned BMP's.
36

37
38 IMPACT:
39 The city is required to adopt a SWMP and file a Notice of Intent with the
40 EPA or the city may be subject to fines. Beyond the currently budgeted
41 position, additional inspection staff may be needed. The city may have
42 to more actively control construction and development to prevent

1 negative impacts to surface water quality from storm water run off.
2 New city ordinances may be required to meet the required BMP's.
3

4 **ALTERNATIVES:**

5 Modify the SWMP and/or not file the NOI with EPA.
6

7 **DEPARTMENT RECOMMENDATION:**

8 Department of Public Works recommends approval of the Storm Water
9 Management Plan and authorization to submit the Notice of Intent.
10

11
12 **REVIEWED BY:**

13
14 City Attorney/Org. Support Cultural Enrichment
15 Development Services Fiscal Services
16 Public Infrastructure Public Safety
17 *WCH*

18 **OTHER DEPARTMENTS/DIVISIONS RECOMMENDATIONS:**
19

20
21 PREPARED BY: *[Signature]* DATE: 10/12/07
22 DEPARTMENT DIRECTOR: *[Signature]* DATE: 10-12-07
23 CITY MANAGER: *[Signature]* DATE: 10/15/07
24
25
26

27
28 **ATTACHMENT:** Letter to EPA
29 Notice of Intent
30 Storm Water Management Plan
31 Location Map
32 Drainage Map



*Council approved Phase II
NOI*

**Governing Body
of the
City of Rio Rancho**

MINUTES

**October 24, 2007
6:00 P.M.**

Council Chambers, City Hall

MEMBERS PRESENT:

Michael J. Williams, Mayor
Fay Davis, Councilor, District 1
Patricia A. Thomas, Councilor, District 2
Delma Petruzzo, Councilor, District 3
Howard Balmer, Councilor District 4
Larry Naranjo, Councilor, District 5
Marilyn Salzman, Councilor, District 6

STAFF PRESENT:

James Payne, City Manager
James Babin, City Attorney
Robert Boone, Director of Public Safety
Dick Kristof, Director of Fiscal Svc.
James Tobin, Director of Fire and Rescue
Lisa Vornholt, Director of Parks, Rec. and Comm. Svc.
Roman Montoya, City Clerk
Rebecca Martinez, Deputy City Clerk

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

6:04 p.m.

Mayor Williams called for a moment of silence for the loss of former Rio Rancho Councilor Joan Kellogg.

PROCLAMATIONS AND AWARDS OF MERIT

Larry Webb of the Utilities Division presented Ruben Archuleta with an Alice Darilek Water Conservation Award for 2007.

Larry Webb presented a VPP Award to OMI, Inc.

Mayor Williams presented Michael Jakyrmiw with a Certificate of Achievement.

Mayor Williams presented Victoria's Secret Direct with a proclamation for serving 10 years in Rio Rancho and proclaimed November 6, 2007 as Victoria's Secret Day.

Mayor Williams recognized Ed and Kim Smith of Edit House for receiving the VIVA Award for excellence in business.

Councilor Delma Petruzzo received the Bronze Brief Case Award for Rio Rancho for being the Observer's Outstanding Business Woman of the Year.

PUBLIC FORUM

Ernie Byers, 4461 Irving Blvd., explained the service that Blast 'n' Clean provides and expressed his interest in working in conjunction with the city's waste management program.

Eric Mattie, 601 Emerald Dr., spoke about his new online newspaper.

Cheryl Ganch, 5704 Rio Pinos, spoke about the SAD 7 process.

1 **CONSENT CALENDAR**

- 2
3 1. Minutes of October 10, 2007
4 2. D70, Approval of JPA with SSCAFCA to Direct FEMA Reimbursement to SSCAFCA
5 3. ~~D71~~; Approval of Rio Rancho's National Pollution Discharge Elimination System Notice of Intent under
6 the EPA Phase II General Permit
7 4. R95, Budget Adjustment to Accept Operation DWI Grant to Pay for Officer Overtime

8
9 Marilyn Salzman, Councilor Dist. 6 moved to **Approve the Consent Calendar**. Seconded by
10 Howard W. Balmer, Councilor Dist. 4

11 The motion carried by a vote of 6 FOR and 0 AGAINST.

12 **YES: Fay F. Davis, Patricia A. Thomas, Delma Petruzzo, Howard W. Balmer, Larry**
13 **Naranjo, and Marilyn Salzman.**

14
15 **CITY MANAGER**

16
17 Debbi Moore presented the Rio Rancho Regional Chamber of Commerce's monthly update.

18
19 **BOARDS AND COMMISSIONS**

20 None

21
22 **PUBLIC HEARINGS**

23 None

24
25 **SECOND READING OF ORDINANCES**

26
27 Marleen Feuer of Waste Management thanked the Governing Body for their vote and introduced the
28 individuals involved in working on the franchise agreement.

- 29
30 5. O81, Amending the Solid Waste and Recycling Management Agreement Between the City of Rio
31 Rancho and Waste Management of New Mexico, Inc

32
33 Larry Webb of Public Works presented this item.

34
35 Marilyn Salzman, Councilor Dist. 6 moved to **Approve O81**. Seconded by Delma Petruzzo,
36 Councilor Dist. 3

37 The motion carried by a vote of 6 FOR and 0 AGAINST.

38 **YES: Fay F. Davis, Patricia A. Thomas, Delma Petruzzo, Howard W. Balmer, Larry**
39 **Naranjo, and Marilyn Salzman.**

- 40
41 6. O82, Clean Indoor Air Ordinance; Providing for Smokefree Areas; Providing Penalties

42
43 Chief Robert Boone presented this ordinance. Chief Boone explained that this ordinance allows the city to
44 enforce the law through the municipal court system and provides penalties. The ordinance also makes
45 way for business owners to designate facilities as smoke free areas.

46
47 Larry Naranjo, Councilor Dist. 5 moved to **Approve O82**. Seconded by Marilyn Salzman,
48 Councilor Dist. 6

49 The motion carried by a vote of 4 FOR and 2 AGAINST.

50 **YES: Fay F. Davis, Patricia A. Thomas, Larry Naranjo, and Marilyn Salzman.**

51 **NO: Delma Petruzzo, and Howard W. Balmer.**

52
53 Councilor Balmer inquired about the penalties set out in the ordinance.

54
55 **FIRST READING OF ORDINANCES**

56

1 None

2
3 **DISCUSSION AND DELIBERATION**

4
5 7. D72, Establish Meeting Schedule for November and December

6
7 Roman Montoya presented this item.

8
9 Howard W. Balmer, Councilor Dist. 4 moved to **hold the Governing Body meetings in November and December on November 14, November 28 and December 12, 2007.**

10
11 **Seconded by Larry Naranjo, Councilor Dist. 5**

12 **The motion carried by a vote of 6 FOR and 0 AGAINST.**

13 **YES: Fay F. Davis, Patricia A. Thomas, Delma Petruzzo, Howard W. Balmer, Larry**
14 **Naranjo, and Marilyn Salzman.**

15
16 8. R93, Resolution confirming the appointment of Leona M. Tatum for the position of Alternate
17 Municipal Judge

18
19 Judge James Walter recommended Leona Tatum as the alternate judge for Municipal Court.

20
21 Marilyn Salzman, Councilor Dist. 6 moved to **Approve R93.** Seconded by Howard W. Balmer,
22 Councilor Dist. 4

23 **The motion carried by a vote of 6 FOR and 0 AGAINST.**

24 **YES: Fay F. Davis, Patricia A. Thomas, Delma Petruzzo, Howard W. Balmer, Larry**
25 **Naranjo, and Marilyn Salzman.**

26
27 9. R94, Budget Adjustment to Receive Additional Funds from the State Fire Fund

28
29 Chief Tobin explained that this budget adjustment is to receive funds from a state grant for the purchase
30 of new portable radios and Station 1 renovations, a external defibulator, as well as, Mariposa Fire Station
31 construction.

32
33 Larry Naranjo, Councilor Dist. 5 moved to **Approve R94.** Seconded by Delma Petruzzo,
34 Councilor Dist. 3

35 **The motion carried by a vote of 6 FOR and 0 AGAINST.**

36 **YES: Fay F. Davis, Patricia A. Thomas, Delma Petruzzo, Howard W. Balmer, Larry**
37 **Naranjo, and Marilyn Salzman.**

38
39 10. D73, Governing Body Approval to Award Contract for Black Arroyo Gravity Sewer Line Project

40
41 Ken Curtis, City Engineer presented this item. Mr. Curtis stated that this action is for the awarding to the
42 successful low bidder of the Black Arroyo Gravity Sewer Line Project.

43
44 Marilyn Salzman, Councilor Dist. 6 moved to **Approve D73.** Seconded by Howard W. Balmer,
45 Councilor Dist. 4

46 **The motion carried by a vote of 6 FOR and 0 AGAINST.**

47 **YES: Fay F. Davis, Patricia A. Thomas, Delma Petruzzo, Howard W. Balmer, Larry**
48 **Naranjo, and Marilyn Salzman.**

49
50 11. D74, Governing Body Approval of Contract for Arsenic Removal Facility at Well 10 Site

51
52 Ken Curtis presented this item. Mr. Curtis stated that this is an approval of the contract for the Arsenic
53 Removal Facility of Well 10.

54 Delma Petruzzo, Councilor Dist. 3 moved to **Approve D74.** Seconded by Howard W. Balmer,
55 Councilor Dist. 4

56 **The motion carried by a vote of 6 FOR and 0 AGAINST.**

