FIGURE 4

RioRancho
City of Vision

CITY OF RIO RANCHO
AGENDA BRIEFING MEMORANDUM

REFERENCE: D71

AGENDA DATE:
October 24, 2007

DEPARTMENT:
Department of Public Works

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

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

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

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

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

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

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

ALTERNATIVES:

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

DEPARTMENT RECOMMENDATION:

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

REVIEWED BY:

☐ City Attorney/Org. Support	☐ Cultural Enrichment
☐ Development Services	☐ Fiscal Services
☒ Public ~~Infrastructure~~ Works	☐ Public Safety

OTHER DEPARTMENTS/DIVISIONS RECOMMENDATIONS:

PREPARED BY: _____ DATE: 10/12/07

DEPARTMENT DIRECTOR: _____ DATE: 10-12-07

CITY MANAGER: _____ DATE: 10/15/07

ATTACHMENT: Letter to EPA
Notice of Intent
Storm Water Management Plan
Location Map
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 Petrullo, 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 Jakymiw 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 Petrullo 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.

CONSENT CALENDAR

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

Marilyn Salzman, Councilor Dist. 6 moved to **Approve the Consent Calendar.**. Seconded by Howard W. Balmer, Councilor Dist. 4
The motion carried by a vote of 6 FOR and 0 AGAINST.
YES: Fay F. Davis, Patricia A. Thomas, Delma Petrullo, Howard W. Balmer, Larry Naranjo, and Marilyn Salzman.

CITY MANAGER

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

BOARDS AND COMMISSIONS
None

PUBLIC HEARINGS
None

SECOND READING OF ORDINANCES

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

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

Larry Webb of Public Works presented this item.

Marilyn Salzman, Councilor Dist. 6 moved to **Approve O81.**. Seconded by Delma Petrullo, Councilor Dist. 3
The motion carried by a vote of 6 FOR and 0 AGAINST.
YES: Fay F. Davis, Patricia A. Thomas, Delma Petrullo, Howard W. Balmer, Larry Naranjo, and Marilyn Salzman.

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

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

Larry Naranjo, Councilor Dist. 5 moved to **Approve O82.**. Seconded by Marilyn Salzman, Councilor Dist. 6
The motion carried by a vote of 4 FOR and 2 AGAINST.
YES: Fay F. Davis, Patricia A. Thomas, Larry Naranjo, and Marilyn Salzman.
NO: Delma Petrullo, and Howard W. Balmer.

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

FIRST READING OF ORDINANCES

None

DISCUSSION AND DELIBERATION

7. D72, Establish Meeting Schedule for November and December

Roman Montoya presented this item.

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.** Seconded by Larry Naranjo, Councilor Dist. 5
The motion carried by a vote of 6 FOR and 0 AGAINST.
YES: Fay F. Davis, Patricia A. Thomas, Delma Petrullo, Howard W. Balmer, Larry Naranjo, and Marilyn Salzman.

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

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

Marilyn Salzman, Councilor Dist. 6 moved to **Approve R93.**. Seconded by Howard W. Balmer, Councilor Dist. 4
The motion carried by a vote of 6 FOR and 0 AGAINST.
YES: Fay F. Davis, Patricia A. Thomas, Delma Petrullo, Howard W. Balmer, Larry Naranjo, and Marilyn Salzman.

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

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

Larry Naranjo, Councilor Dist. 5 moved to **Approve R94.**. Seconded by Delma Petrullo, Councilor Dist. 3
The motion carried by a vote of 6 FOR and 0 AGAINST.
YES: Fay F. Davis, Patricia A. Thomas, Delma Petrullo, Howard W. Balmer, Larry Naranjo, and Marilyn Salzman.

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

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

Marilyn Salzman, Councilor Dist. 6 moved to **Approve D73.**. Seconded by Howard W. Balmer, Councilor Dist. 4
The motion carried by a vote of 6 FOR and 0 AGAINST.
YES: Fay F. Davis, Patricia A. Thomas, Delma Petrullo, Howard W. Balmer, Larry Naranjo, and Marilyn Salzman.

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

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

Delma Petrullo, Councilor Dist. 3 moved to **Approve D74.**. Seconded by Howard W. Balmer, Councilor Dist. 4
The motion carried by a vote of 6 FOR and 0 AGAINST.

YES: Fay F. Davis, Patricia A. Thomas, Delma Petrullo, Howard W. Balmer, Larry Naranjo, and Marilyn Salzman.

COMMENTS BY COUNCILORS

Councilor Balmer stated that the Los Rios neighborhood is experiencing construction traffic. Councilor Balmer requested that City Manger James Payne assist in resolving the situation.

Councilor Balmer stated that he had the pleasure of working with Joan Kellogg.

Councilor Fay Davis stated that the District 1 and Bus. Rep. was vacant and explained that if anyone is interested in applying they can contact the City Clerk's Office.

ADJOURNMENT

6:56 p.m.

APPROVED THIS NOVEMBER 14, 2007

Michael J. Williams, Mayor

ATTEST:

Roman Montoya, City Clerk

SEAL