



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: AUGUST 19, 2008

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:
Bill No. 2008-42 Allows facilities that provide testing, treatment, or counseling for drug or alcohol abuse, including overnight care, by means of special use permit in the C-M and M Zoning Districts. Sponsored by: Councilman Ricki Y. Barlow

Fiscal Impact

No Impact Augmentation Required
 Budget Funds Available

Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:

This bill will amend the City's zoning regulations to allow facilities that provide testing, treatment, or counseling for drug or alcohol abuse, including overnight care, by means of special use permit in the C-M and M Zoning Districts.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2008-42

Motion made by RICKI Y. BARLOW to Strike

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, RICKI Y. BARLOW; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

KIRBY BURGESS, Senior Vice President of Westcare, expressed appreciation for COUNCILMAN BARLOW and his staffs efforts in working with them on this matter. Westcare would like to use the facility as it was once previously used, which included overnight care. Their intention is to provide overnight stay/transitional living for adults, with the focus being on mental health care issues, and ultimately individuals reaching the goal of self-sufficiency.

RECOMMENDING COMMITTEE MEETING OF: AUGUST 19, 2008

MR. BURGESS confirmed for COUNCILMAN BARLOW that the previous use was geared towards overnight stay for youths. Currently, the youth are being housed at the Rancho Drive campus, which is primarily for adult males.

The Councilman supported the drug/alcohol treatment and/or counseling but desired to withdraw his support of the overnight stay portion of the text amendment. His desire was to strike the item. COUNCILWOMAN TARKANIAN verified that MR. BURGESS understood that Westcare would be able to operate as they are currently; however, no overnight stay would be permitted.

CHIEF DEPUTY CITY ATTORNEY STED clarified that his item will still be on the agenda for the next City Council meeting (August 20, 2008), even if the motion to strike goes forward. He further explained for the Councilwoman that the Council will hear the item but an adoption cannot take place unless the Committee's recommendation was for approval, denial or to move forward without a recommendation. In addition, COUNCILMAN BARLOW does have the option to strike from this Committee's agenda with a recommendation for Council to strike the item as well.

COUNCILMAN BARLOW expressed his desire was to strike the item with the recommendation for Council to strike the item at the next City Council meeting. MR. BURGESS confirmed his understanding of the Councilman's desire and today's action prohibiting Westcare to conduct overnight care at the facility. However, MR. BURGESS requested an abeyance to allow additional time to meet with the Councilman and discuss his concern further. He added that if overnight care will not be allowed at the facility, it will severely limit them relative to providing services there. The Councilman reiterated his desire to allow outpatient services only and to strike the item, which the Councilwoman supported.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.