

RESOLUTION NO. 08-152

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES AUTHORIZING
STAFF TO ISSUE AN ACCEPTANCE OF CONDITIONAL RESOLUTION AND WAIVER OF
RIGHT TO HEARING TO THE REGIONAL WATER QUALITY CONTROL BOARD

WHEREAS, On July 1, 2008, staff received a Notice of Violation (NOV) of the City's National Pollutant Discharge Elimination System (NPDES) associated with the operation of the Waste Water Treatment Plant; and

WHEREAS, The NOV listed fifteen (15) violations of the discharge limits allowed under the City's permit. The penalty for the violations is \$3,000 per serious and chronic effluent limit violations or \$45,000 providing the State did not levy any discretionary administrative violations of up to \$10,000 for each day in which the violation occurred; and

WHEREAS, On July 14, 2008, staff appealed four (4) of the violations, and;

WHEREAS, on September 19, 2008, staff received a letter from the Board acknowledging the City's appeal, agreeing to reduce the number of violations from fifteen (15) to thirteen (13) or \$39,000, and;

WHEREAS, in order to secure the appeal, the City must return an "Acceptance of Conditional Resolution and Waiver of Right to Hearing form to the Board by October 19, 2008."

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The City Council of the City of El Paso de Robles does hereby authorize staff to send an "Acceptance of Conditional Resolution and Waiver of Right to Hearing form to the Board by October 19, 2008."

SECTION 2. The City Council of the City of El Paso de Robles does hereby appropriate \$39,000 from the Wastewater Treatment Operating Fund to budget No. 601-910-5224-683 to render payment of the final Notice of Violation.

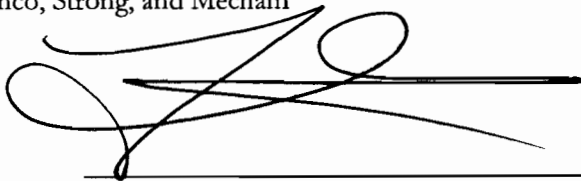
PASSED AND ADOPTED by the City Council of the City of Paso Robles this 7thth day of October 2008 by the following votes:

AYES: Hamon, Nemeth, Picanco, Strong, and Mecham

NOES:

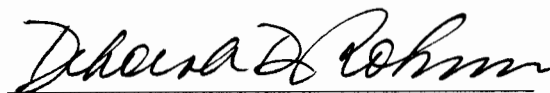
ABSTAIN:

ABSENT:



Frank R. Mecham, Mayor

ATTEST:



Deborah Robinson, Deputy City Clerk

RESOLUTION OF THE COUNCIL
OF THE CITY OF PASO ROBLES, STATE OF CALIFORNIA

IN THE MATTER OF:

No. 08-152

**Authorizing the acceptance of conditional
resolution and waiver of right to hearing to the
Regional Water Control Board associated with
operation of the Water Treatment Plant and
NPDES Permit**

I, Deborah D. Robinson, Deputy City Clerk of the City of Paso Robles, certify that the foregoing is a full, true and correct copy of Resolution No. 08-152 proposed by Councilmember Strong, seconded by Councilmember Picanco, duly passed and adopted by the Council of the City of El Paso de Robles at its regular meeting on 10/7/2008 by the following vote:

AYES:	Councilmembers:	Hamon, Nemeth, Picanco, Strong and Mecham
NOES:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None
ABSENT:	Councilmembers:	None



Deborah D. Robinson, Deputy City Clerk and
Ex-Officio Clerk of the City Council