

RESOLUTION NUMBER 305520

DATE OF FINAL PASSAGE JAN 11 2010

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO CONFIRMING APPOINTMENTS TO THE  
SOLID WASTE LOCAL ENFORCEMENT AGENCY  
HEARING PANEL.

WHEREAS, the City of San Diego was designated its own solid waste Local Enforcement Agency (LEA) by the California Integrated Waste Management Board on November 19, 1997; and

WHEREAS, the LEA is charged with enforcing state regulations related to solid waste facilities, such as those regarding inspections, permitting and other enforcement activities; and

WHEREAS, California Public Resources Code section 44308 provides that a hearing panel shall be appointed to conduct an appeal hearing in the event an LEA action is appealed; and

WHEREAS, the Solid Waste Local Enforcement Agency Hearing Panel (the Solid Waste LEA Hearing Panel) consists of three members, who shall be selected for their legal, administrative or technical abilities in areas related to solid waste management; and

WHEREAS, at least one member shall be a technical expert, at least one member shall be a representative of the public at large, and no more than one member of the governing body may serve on the hearing panel; and

WHEREAS, members shall serve for a term of four years and may not serve more than two consecutive terms; and

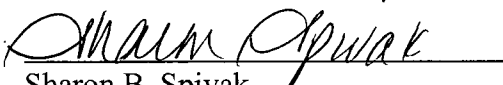
WHEREAS, the chairperson of the governing body, the Council President, shall appoint the three members to the Solid Waste LEA Hearing Panel, subject to confirmation by a majority vote of the City Council; and

WHEREAS, Council President Ben Hueso has appointed Elmer Heap, as a legal expert, and Daniel Avera, as a technical expert, to the panel, subject to Council confirmation; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the following appointments by the Council of the City of San Diego to serve as members of the Solid Waste Local Enforcement Agency Hearing Panel, are and the same are hereby confirmed:

<u>NAME</u>	<u>CATEGORY</u>	<u>TERM ENDING</u>
Elmer Heap (District 1) (Replacing John Lormon, whose term has expired)	Legal Expert	January 1, 2014
Daniel Avera (District 2) (Replacing Ken Calvert, whose term has expired)	Technical Expert	January 1, 2014

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Sharon B. Spivak  
Deputy City Attorney

SBS:lkj  
12/18/09  
Or.Dept:Council Pres. Hueso

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 5 2010

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 1.11.10  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

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JERRY SANDERS, Mayor