

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

427



**FROM:** Community Health Agency/Department of Environmental Health

**SUBMITTAL DATE:**  
September 23, 2003

**SUBJECT:** Independent Hearing Panel for Solid Waste Facility enforcement activities: Reappointment of two Panel Members and the Appointment of a new (replacement) Member Pursuant to Public Resources Code Section 44308

**RECOMMENDED MOTION:** That the Board of Supervisors

1. Reappoint Supervisor Venable, Member, as the member of the governing body for an additional 2-year term.
2. Reappoint Mr. Ken Graff, Alternate Member, as the alternate for the governing body for an additional 2-year term.
3. Appoint Ms. Rosalie Mulé, Alternate Member, as the alternate technical expert with knowledge of solid waste management methods and technology for a 2-year term.

**BACKGROUND:**

On August 1, 1991, the California Integrated Waste Management Board adopted new regulations governing the designation and certification of Local Solid Waste Management Enforcement Agencies (LEAs). Section 18060 "Appointment of Hearing Panel," requires existing LEAs to submit, as part of their designation/certification package, certified copies of the appointment of a hearing panel to include the member's names and mailing addresses. The duties, procedures, and makeup of the panel are prescribed in Public Resources Code, Article 3, Section 44308 through 44310.

(continued)

*Gary Root*  
Gary Root, Director

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	n/a
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	n/a
	Annual Net County Cost:	\$ 0	For Fiscal Year:	n/a

<b>SOURCE OF FUNDS:</b> n/a	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

**APPROVE**

*Don Marting*

County Executive Office Signature

FORM APPROVED  
COUNTY COUNSEL

SEP 10 2003

BY *[Signature]*  
ASSISTANT COUNTY COUNSEL

Dep't Recomm.:  Policy  Policy  
Per Exec. Ofc.:  Consent  Consent

<b>Prev. Agn. Ref.:</b> 4-30-02	<b>District:</b> all	<b>Agenda Number:</b>
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2.10

Departmental Concurrence

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The purpose of the hearing panel is to conduct the required public hearings pursuant to Public Resources Code Section 44300 and Sections 44305 through 44310. The LEA may request the Hearing Panel convene to hold a public hearing to consider their denial to issue a solid waste facility permit or to suspend or revoke an existing solid waste facility's permit for violations of State laws and regulations. Any person aggrieved by such action(s) by the LEA may similarly request a hearing. The LEA may also be petitioned to review before the Hearing Panel an alleged failure of the Agency to act as required by law or regulation (Sections 45030-45033).

The Independent Hearing Panel must consist of three members. Not more than one can be a member or representative of the local governing body. At least one must be a technical expert with knowledge of solid waste management methods and technology and the remaining member must be a representative of the public at large. Terms for any one member may not exceed 2 consecutive 2-year terms.

Mr. Venable and Mr. Graff will have completed their first term effective September 30. Both are eligible for one additional term and have agreed to accept a second term. Mr. David Fahrion having completed two terms as Technical Expert Alternate, is not eligible for reappointment at this time. He is therefore being replaced by Ms. Mulé. With today's recommended action, the Independent Hearing Panel will consist of the following members.

Member	Term No.	Position	Term Ending
Supervisor Jim Venable	2	Member of Governing Body	Sep. 23, 2005
Ken Graff	2	Alt. Member of Governing Body	Sep. 23, 2005
Gary Koontz	2	Member, Technical	Apr. 30, 2004
Rosalie Mulé	1	Alt. Member, Technical	Sep. 23, 2005
Steve Merritt	2	Member, Public at Large	Apr. 30, 2004
Patrick Leja	2	Alt. Member, Public at Large	Apr. 30, 2004

Supervisor Venable - Member, Governing Body	Ken Graff – Alternate Member Governing Body
Riverside County Board of Supervisors	Riverside County Board of Supervisors
P.O. Box 1645	P.O. Box 1645
Riverside, CA 92502-1645	Riverside, CA 92502-1645
(909) 955-1030	(909) 955-1030
Gary Koontz – Member, Technical Expert	Rosalie Mulé- Alternate, Technical Expert
Senior Vice President	Director Municipal Marketing,
Horizon Waste company	Waste Management Inland Empire
677 Lakewood Drive	800 South Temescal Street
Riverside CA 92506	Corona, CA 92879
(909) 776-0246	(909) 280-5405
Steve Merritt - Member, Public at Large	Patrick Leja - Alternate, Public at Large
President, Organic Valley Project	Owner/Operator, Leja Farms
(Community Gardens Project)	52-500 Van Buren Blvd.
44095 Tiara Place	Coachella, CA 9236
La Quinta, CA 92253 (760) 275-0394	(760) 398-8702

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**FINANCIAL DATA:**

The recommended action will have no fiscal impact to the County.