

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 01/24/2012 by the following vote:

AYES: ☐
NOES: ☐
ABSENT: ☐
ABSTAIN: ☐
RECUSE: ☐



Resolution No. 2012/31

Appointment of Local Enforcement Agency Hearing Officer (Pub. Resources Code, § 44308, subd. (d))

WHEREAS, Contra Costa Environmental Health, a division of the Contra Costa County Health Services Department, has been designated as the Local Enforcement Agency (LEA) for the entire county except for the City the Pittsburg, pursuant to Public Resources Code section 43202; and

WHEREAS, the LEA is responsible for enforcing state minimum standards applicable to solid waste facilities; and

WHEREAS, from time to time the LEA may take enforcement actions or other actions that require the LEA to hold a hearing, upon the request of the person subject to the action, pursuant to Public Resources Code section 44307; and

WHEREAS, Public Resources Code section 44308 requires all hearings conducted under Chapter 4 of Part 4 of Division 30 of the Public Resources Code to be conducted by (1) a hearing officer appointed by the governing body of the LEA; (2) a hearing panel appointed by the governing body of the LEA, consisting of three of its members; or (3) an independent hearing panel consisting of three members appointed by the chairperson of the governing body of the LEA; and

WHEREAS, the governing body of the LEA may appoint a hearing officer if the governing body has adopted procedures for making that appointment and has adopted qualifications that the hearing officer is required to meet; and

WHEREAS, this Board adopted procedures for appointing a LEA hearing officer and adopted qualifications the hearing officer is required to meet;

NOW, THEREFORE, BE IT RESOLVED that the Health Officer of Contra Costa County is hereby appointed as the LEA hearing officer pursuant to Public Resources Code section 44308, subdivision (d).

BE IT FURTHER RESOLVED THAT those portions of Resolution 92/153 that named the Contra Costa County Board of Supervisors as the LEA hearing panel, pursuant to former Section 44800(a) of the Public Resources Code, are hereby repealed.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

Contact: Marilyn Underwood, 692-2521

ATTESTED: January 24, 2012

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Marilyn Underwood, Tasha Scott