

ORDINANCE NO. 10821 (N.S.)
MEETING DATE: DECEMBER 14, 2022 (02)

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE SAN DIEGO COUNTY EYE GNAT ABATEMENT APPEALS BOARD, THE SAN DIEGO COUNTY ENVIRONMENTAL HEALTH AND QUALITY ADVISORY BOARD, AND THE SAN DIEGO COUNTY SOLID WASTE HEARING PANEL

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Purpose.

The Board of Supervisors finds and determines that the amendments made by this ordinance are intended to update the districts assigned to appeals board members to be reflective of recent redistricting changes found in Article XV-AA for the San Diego County Eye Gnat Abatement Appeals Board, the name of a County Department cross-referenced in Article XV-A for the San Diego County Environmental Health and Quality Advisory Board, and references to legal citations found in Article LIV for the San Diego County Solid Waste Hearing Panel.

Section 2. Section 235.1 the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 235.1. MEMBERSHIP AND SELECTION.

The EGAAB shall be composed of two persons who are owners or operators of a commercial organic farm, one person who is a California licensed pest control advisor and not associated with the County of San Diego, Department of Environmental Health and Quality or Agriculture, Weights and Measures, or any commercial organic farm, and two persons who are representatives of the community at large, not associated with any commercial organic farm, one of whom is a business owner. Appointees to the EGAAB may concurrently serve on the Fly Abatement Appeals Board if appointed to do so.

When necessary due to a vacancy or recusal with business pending, the EGAAB may be composed of two of the persons described above plus one alternate member. The alternate shall be an available County Hearing Officer appointed pursuant to Section 650 et seq. of the County Administrative Code, selected for the pending EGAAB matter by the Clerk of Board.

Members shall be nominated by the following for appointment by the Board of Supervisors:

- (1) First community at large member (for an initial two year term), by the Supervisor, District 2. For subsequent vacancies, any Supervisor from a district that has recently generated a substantial number of eye gnat complaints may also make a nomination for this position.
- (2) Second community at large member (for an initial three year term) by the Supervisor, District 5. For subsequent vacancies, any Supervisor from a district that has recently generated a substantial number of eye gnat complaints may also make a nomination for this position.
- (3) First owner or operator of an organic farm (for an initial four year term), by the Supervisor, District 3.
- (4) Second owner or operator of an organic farm (for an initial three year term) by the Supervisor, District 4.
- (5) California licensed pest control advisor (for an initial two year term) by the Supervisor, District 1.

Section 3. Section 249 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 249. SAN DIEGO COUNTY ENVIRONMENTAL HEALTH AND QUALITY ADVISORY BOARD.

There is hereby created and established the San Diego County Environmental Health and Quality Advisory Board. This Board is established to advise and to provide technical input to the Board of Supervisors, the Chief Administrative Officer and the Director of the Department of Environmental Health and Quality on the development and implementation of programs to address the environmental health and quality needs of San Diego County.

Cross reference(s) -- Department of health and human services agency, § [230](#) et seq.

Section 4. Section 860 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 860.1. MEMBERSHIP AND SELECTION.

The Panel shall consist of 3 members, but when necessary to comply with Section [860.2](#) may hear matters with two members and an Alternate. The Board of Supervisors shall nominate one member of the Board of Supervisors and one member of the general public, who shall be appointed by the Board of Supervisors. The San Diego County Disposal Association shall nominate one member having technical expertise and knowledge of solid waste management methods and technology, who shall be appointed by the Board of Supervisors. The members shall serve during their terms at the pleasure of the Board of Supervisors and any member may be removed at any time by a majority vote of the Board of Supervisors or by the member's failure to meet the scheduled meeting attendance requirements. The alternate shall be a County Hearing Officer appointed pursuant to Section [650](#) et seq. of the County Administrative Code.

Cross reference(s) -- Board of supervisors, § [500](#) et seq.

Section 5. Section 860.7 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 860.7. COMPENSATION AND EXPENSES.

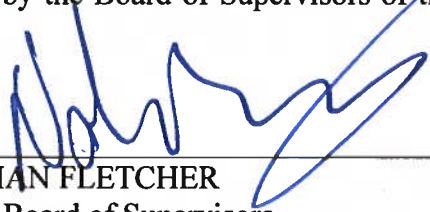
Members or Alternate of the Panel shall serve without compensation, except such compensation as is otherwise provided for a County Hearing Officer, when sitting as an Alternate. Panel members or Alternate shall be reimbursed for expenses incurred in performing their duties under this article, including mileage reimbursement in accordance with Administrative Code Section [471](#) and 472.

Section 6. Effective Date. This Ordinance shall take effect (30) days after its adoption. Within fifteen days after the date of adoption of this ordinance, a summary shall be published once with the name of those members voting for and against the same in the newspaper of general circulation published in the County of San Diego.

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL
BY

Gregory L. Lusitana, Senior Deputy County Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 14th day of December 2022.



NATHAN FLETCHER
Chair, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Vargas, Anderson, Lawson-Remer, Fletcher
ABSENT: Desmond

ATTEST my hand and the seal of the Board of Supervisors this 14th day of December 2022.

ANDREW POTTER
Clerk of the Board of Supervisors

By 
Teresa Zurita, Deputy



Ordinance No.: 10821 (N.S.)
Meeting Date: 12/14/2022 (02)