



STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO SOLID WASTE HEARING PANEL
MEETING MINUTES

Tuesday August 25, 2026, 9:00 A.M.

HYBRID MEETING
VIRTUAL/IN-PERSON
1600 PACIFIC HIGHWAY
SUITE 302A
San Diego, CA 92101

Order of Business

I. ROLL CALL

- a. The meeting was called to order by Deborah Mosley at 9:16 a.m. in person and via Microsoft Teams continued from July 9, 2026, in which panel member John Snyder recused himself based on a financial conflict pursuant to Rule 5 of the Solid Waste Hearing Panel rules and regulations. In accordance with County Administrative Code Section 860.23, the Clerk of the Board was notified of the recusal and appointed County Hearing Officer Robert Pearman to sit on the panel as an Alternate.
- b. Roll call was conducted. The following members were present, constituting a quorum of the Solid Waste Hearing Panel: Supervisor Jim Desmond, Jurg Hueberger, and Robert Pearman.

II. HEARING OF APPEAL

- a. **Selection of Chairperson.** MOTION TO APPROVE CHAIRPERSON, Jurg Hueberger, 2nd Robert Pearman.
All IN FAVOR – 3-0-0
- b. **Selection of Vice Chairperson.** MOTION TO APPROVE VICE CHAIRPERSON, Jurg Hueberger, 2nd Supervisor Jim Desmond.
- c. **Conflict-of interest/recusal request.**
MOTION TO DENY THE CONFLICT OF INTEREST, Robert Pearman, 2nd Jurg Hueberger.
- d. **Swearing in Lenora Azou witness for SECV Inc.**
- e. **Swearing in Jay Augustine, and Heather Buonomo from LEA. Rosa Lybarger, Manager, Special Functions Division, Treasurer-Tax Collector Office.**
- f. **Swearing in Samad Attisha from SECV Inc.**
- g. **Recess.** Recess at 11:01 AM. Meeting reconvened at 11:17 AM.
- h. **Solid Waste Hearing Panel Decision.** The Solid Waste Hearing Panel made the following findings and decision:
 - a. **Findings:** Found that SECV Inc had not complied with the LEA's orders 1 through 4 as stated on page 9 of Notice and Order Re Penalty Assessment No. EA-2026-01 (hereinafter "NOPA"), Items 1 through 4.

- b. **Compliance Requirements:** Upheld the NOPA, with modifications to both the LEA's orders 1 through 4, and the administrative penalties, as stated on page 9 of the NOPA. The modifications to the NOPA are as follows:
 - i. SECV, Inc. must comply with Requirements 1 through 4, as outlined on page 9, within 180 days from August 25, 2026.
 - ii. Regarding Requirement 3, SEVC Inc is required to begin implementing the corrective action plan as described in the implementation schedule, with the understanding that the time needed for LEA to review and approve the submitted plans shall not be counted against the 180-day compliance deadline.
- c. **Modified Penalties:** Reevaluated the LEA's NOPA administrative penalty amount based on the factors set forth in Public Resources Code Section 45016. Based on its evaluation of the factors, the Solid Waste Hearing Panel reduced the penalty from \$750 per day to \$700 per day.

The penalties would be calculated as follows: Penalties begin accruing on June 8, 2021. SEVC Inc. would not incur penalties from June 9, 2026 through the effective date of the Solid Waste Hearing Panel's decision. Penalties would resume accruing on the effective date of the Solid Waste Hearing Panel's decision.

If SECV Inc. complies with the NOPA orders 1 through 4 as modified by the Solid Waste Hearing Panel, within one-hundred and eighty days (180) calendar days of August 25, 2026, then all assessed penalties shall be abated in their entirety. If SECV Inc. does not fully comply with the NOPA orders 1 through 4 as modified by the Solid Waste Hearing Panel, within one-hundred and eighty days (180) calendar days of August 25, 2026, then all assessed penalties shall be imposed.

MOTION TO APPROVE THE ABOVE, put forth by Robert Pearman, modified by Chairman Jim Desmond, the modified motion was seconded by Robert Pearman
ALL IN FAVOR – 3-0-0

- i. Parties present: Samad Attisha, on behalf of SECV Inc., Catherine Dean, Supervisor of the Solid Waste Department, and Greg Lusitana, on behalf of LEA.

III. ADJOURNMENT

The meeting was adjourned at 12:09 p.m.