

AGN. NO.

MOTION BY SUPERVISOR HILDA L. SOLIS

January 5, 2021

Economic Relief to Certified Unified Program Agency Regulated Businesses

On March 19, 2020, Governor Gavin Newsom issued a Stay-at-Home Executive Order ("Executive Order") to protect the health and well-being of the State and to slow the spread of the COVID-19 pandemic. The Executive Order directed all California residents to stay home except for essential needs. On December 3, 2020, Governor Newsom issued a Regional Stay Home Order to preserve the health care system if intensive care unit capacity drop below 15 percent in any of the monitored regions, Los Angeles County is within one of the five regions being monitored. Despite some businesses being able to reopen, many businesses were unable to do so or had to severely curtailed their business operations.

Some of those businesses that were severely impacted are businesses that handle hazardous materials and generate waste. The Consolidated Fire Protection District's ("District's") Certified Unified Program Agency (CUPA) levies permit fees to these regulated businesses. The fees are apportioned in accordance with program costs to ensure recovery of Health Hazardous Materials Division operating costs pursuant to Title

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12 of the Los Angeles County Code. When businesses are unable to pay the permit fees, the CUPA is required to assess a late payment fee of forty (40) percent of the total assessed fee(s) per section 12.50.060 of the County Code. As a result, many of these regulated businesses that have been forced to close, or unable to open or have had to limit their business operations are now unable to pay the permit fees and the forty percent penalty fee.

The District has an interest in maintaining its relationships with the community, including the regulated businesses and the purpose of the penalty fee is not to create a hardship for businesses forced to close or limit their operations due to the unprecedented circumstances of a pandemic. Section 12.50.060 of the County Code, however, does not allow the Fire Department the discretion to provide any relief for those businesses. By suspending the requirements of section 12.50.060 and providing the District the ability to temporarily waive the forty percent penalty fee would help keep these businesses already struggling from the economic effects of the pandemic from further compounded debt.

I, THEREFORE, MOVE that the Board of Supervisors, Acting as the Governing Body of the Consolidated Fire Protection District of Los Angeles County:

1. Approve and allow the District, until June 30, 2021, the end of Fiscal Year 2020 2021, to waive late payment penalty equal to 40 percent of the total assessed fee(s) after 61 days to the businesses that fail to pay the fees due to financial hardship, which deviates from the requirement set forth in Section 12.50.060.

2. Find that the deviation of Sections 12.50.060 Title 12 is exempt under the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Section 21080(b)(8) and Sections 15273 and 15061(b)(3) of the CEQA Guidelines.

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