



**STATEMENT OF PROCEEDINGS FOR THE
PUBLIC HEARING MEETING OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES HELD IN ROOM 381B
OF THE KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012**

Tuesday, January 31, 2023

9:30 AM

Present: Supervisor Solis, Supervisor Mitchell, Supervisor Horvath,
Supervisor Barger and Supervisor Hahn

Video Link for the Entire Virtual Meeting (03-1075)

Attachments: [Video Transcript](#)

I. PUBLIC HEARINGS 1 - 8

1. Hearing on Interim Urgency Ordinance No. 2022-0065U for New Drive-Through Establishments within the Boundaries of the Green Zones District Communities

Hearing on an ordinance for adoption to extend Interim Urgency Ordinance No. 2022-0065U for a period of 10 months and 15 days to December 15, 2023, to temporarily require a Conditional Use Permit for the establishment of new drive-through establishments on all properties located within the boundaries of the Green Zones District communities (1, 2 and 4) in the unincorporated areas of Los Angeles County, and subject to the standards therein; and find that adoption of the ordinance is exempt from the California Environmental Quality Act. **(Department of Regional Planning) 4-VOTES (22-4698)**

The Department of Regional Planning submitted a written statement for the record.

All persons wishing to testify were sworn in by the Executive Officer of the Board. Opportunity was given for interested persons to address the Board. Ariana Rodriguez, Eric Preven and Dr. Genevieve Clavreul addressed the Board. Correspondence was received.

After discussion, on motion of Supervisor Solis, seconded by Supervisor Horvath, the Board closed the public hearing and took the following actions:

1. Introduced, waived reading, and adopted Ordinance No. 2023-0006U, "An ordinance extending for 10 months and 15 days to December 15, 2023, Interim Ordinance No. 2022-0065U, which requires a Conditional Use Permit (CUP) for the establishment of new drive-through establishments on all properties within the unincorporated communities of Avocado Heights, East Los Angeles, East Rancho Dominguez, Florence-Firestone, South San Jose Hills, Walnut Park, West Athens-Westmont, West Rancho Dominguez-Victoria, West Whittier-Los Nietos, West Carson, and Willowbrook, which communities are subject to the Green Zones Ordinance, to allow for the possible development of a permanent ordinance that would require a CUP for drive-through establishments, and provide additional standards, to regulate this land use." This ordinance shall take effect on January 31, 2023; and
2. Made a finding that the adoption of this ordinance extending Interim Urgency Ordinance No. 2022-0065U is exempt from the California Environmental Quality Act.

Said motion was duly carried by the following vote:

Ayes: 5 - Supervisor Solis, Supervisor Mitchell, Supervisor Horvath, Supervisor Barger and Supervisor Hahn

Attachments: [Board Letter](#)
[Certified Ordinance](#)
[Department Statement](#)
[Public Comment/Correspondence](#)

2. Hearing on Fiscal Year-End Report and Updated Developer Fee

Hearing on adoption of a resolution updating the Developer Fee Program to approve the Developer Fee Detailed Fire Station Plan, the District's Developer Fee Funds 2021-22 Fiscal Year-End Report, and the 2022 Developer Fee Update Fee Calculation Summary to increase the Developer Fee rates in the unincorporated Areas of Benefit 1, Malibu/Santa Monica Mountains and the City of Calabasas to \$1.1345 per sq ft (+\$0.0931), Area of Benefit 2, Santa Clarita Valley, to \$1.5499 per sq ft (+\$0.1183), and Area of Benefit 3, Antelope Valley, to \$1.0881 per sq ft (+\$0.0961) (3 and 5), effective April 1, 2023, to reflect the current average costs associated with land acquisition, fire station construction, apparatus, equipment, and administration in each of the three Areas of Benefit; and find that the Developer Fee Program is exempt from the California Environmental Quality Act. **(Fire Department) (23-0353)**

All persons wishing to testify were sworn in by the Executive Officer of the Board. Anthony C. Marrone, Interim Fire Chief, addressed the Board. Opportunity was given for interested persons to address the Board. Eric Preven addressed the Board. No correspondence was received.

After discussion, on motion of Supervisor Hahn, seconded by Supervisor Barger, the Board closed the public hearing and took the following actions:

- 1. Adopted a resolution updating the Developer Fee Program which approves the Developer Fee Detailed Fire Station Plan dated October 2022; approves the Developer Fee Funds 2021-22 Fiscal Year-End Report; and approves the 2022 Developer Fee Update Fee Calculation Summary to increase the Developer Fee rates in the unincorporated areas of each of the three Areas of Benefit and the City of Calabasas, effective April 1, 2023 to reflect the current average costs associated with land acquisition, fire station construction, apparatus, equipment, and administration in each of the three Areas of Benefit as follows: Area of Benefit 1 (Malibu/Santa Monica Mountains and the City of Calabasas) for \$1.1345 per sq ft (+\$0.0931); Area of Benefit 2 (Santa Clarita Valley) for \$1.5499 per sq ft (+\$0.1183); and Area of Benefit 3 (Antelope Valley) for \$1.0881 per sq ft (+\$0.0961); and**

2. **Made a finding that updating the Developer Fee Program is exempt from the California Environmental Quality Act.**

Said motion was duly carried by the following vote:

Ayes: 5 - Supervisor Solis, Supervisor Mitchell, Supervisor Horvath, Supervisor Barger and Supervisor Hahn

Attachments: [Board Letter](#)
[Public Comment/Correspondence](#)

3. Hearing on County Code, Title 12 - Environmental Protection Amendment

Hearing on an ordinance for adoption amending County Code, Title 12 - Environmental Protection, acting as the Governing Body of the county consolidated Fire Protection District, to amend the definition within the County Code, Chapter 12.52 - Hazardous Waste Control of "large quantity generators" to the same standard established in Federal regulation and to delete the exemption provided to hazardous material handlers of carbon dioxide to be consistent with California State law, which will allow for permitting and regulating these facilities; and find that the amendments to the ordinance are exempt from the California Environmental Quality Act. **(Fire Department)** (23-0335)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Opportunity was given for interested persons to address the Board. No interested persons addressed the Board. No correspondence was received.

On motion of Supervisor Mitchell, seconded by Supervisor Horvath, the Board closed the public hearing and took the following actions:

- 1. Introduced, waived reading, and adopted Ordinance No. 2023-0007, "An ordinance amending Title 12 – Environmental Protection of the Los Angeles County Code to amend the definition of "large quantity generator" in Section 12.52.015 and to remove Exemption 4 of Section 12.64.040 in Chapter 12.64. The County will align and implement the State's threshold for carbon dioxide specified in Health and Safety Code Section 25507 without stating the same requirements in the County Code, and define "large quantity generator" consistent with California Code of Regulations, Title 22, Section 66260.10 and Title 40, Code of Federal Regulations, Part 260." This ordinance shall take effect on March 2, 2023; and**
- 2. Made a finding that the amendments to this ordinance are exempt from the California Environmental Quality Act.**

Said motion was duly carried by the following vote:

Ayes: 5 - Supervisor Solis, Supervisor Mitchell, Supervisor Horvath, Supervisor Barger and Supervisor Hahn

Attachments: [Board Letter](#)
[Certified Ordinance](#)
[Public Comment/Correspondence](#)

4. Hearing on County Code, Title 32 - Fire Code Amendment

Hearing on an ordinance for adoption amending County Code, Title 32 - Fire Code, to repeal Title 32 - Fire Code, which incorporated by reference portions of the 2019 Edition of the California Fire Code, and replaces it with a new Title 32 that incorporates by reference the 2022 Edition of the California Fire Code, with certain changes and amendments, which itself largely incorporates by reference, with certain changes and amendments, the 2021 Edition of the International Fire Code; State law allows the County and Consolidated Fire Protection District (District) to adopt more restrictive building standards than the 2022 Edition of the California Fire Code if they are reasonably necessary because of local climatic, geological, and/or topographical conditions; this ordinance contains findings that all of the amendments to the 2022 Edition of the California Fire Code that constitute more restrictive building standards are reasonably necessary because of local climatic, geological, and/or topographical conditions in the County; this ordinance further amends Title 32 by making administrative changes and editorial corrections; unless deleted or modified herein, the previously enacted provisions of Title 32 continue in effect; this ordinance adopts Title 32 as the Fire Code for the District. **(Fire Department) (23-0061)**

All persons wishing to testify were sworn in by the Executive Officer of the Board. Anthony C. Marrone, Interim Fire Chief, responded to questions posed by the Board. Opportunity was given for interested persons to address the Board. Grace Pratt, Lauren Nevitt and Eric Preven addressed the Board. Correspondence was received.

Supervisors Horvath and Hahn instructed the Interim Fire Chief to report back to the Board with an incremental fee increase proposal, or a tiered approach for small businesses and the film industry, including the revenue impact, for the Fire Department.

After discussion, on motion of Supervisor Horvath, seconded by Supervisor Solis, the Board, acting as the Governing Body of the Consolidated Fire Protection District of Los Angeles County, closed the public hearing and took the following actions:

1. **Adopted Ordinance No. 2023-0008 entitled, "An ordinance amending Title 32 – Fire Code of the Los Angeles County Code, by repealing it and replacing it with the 2022 Edition of the California Fire Code, by incorporating it by reference with certain changes and amendments, which itself largely incorporates by reference, with certain changes and amendments, the 2021 Edition of the International Fire Code." This ordinance shall take effect on March 2, 2023; and**
2. **Instructed the Interim Fire Chief to report back to the Board with an incremental fee increase proposal, or a tiered approach for small businesses and the film industry, including the revenue impact, for the Fire Department.**

Said motion was duly carried by the following vote:

Ayes: 5 - Supervisor Solis, Supervisor Mitchell, Supervisor Horvath, Supervisor Barger and Supervisor Hahn

Attachments: [Ordinance](#)
[Certified Ordinance](#)
[Report](#)
[Public Comment/Correspondence](#)

5. Hearing to Grant a Water Pipeline Franchise to Walnut Park Mutual Water Company

Hearing on an ordinance for adoption granting a water pipeline franchise to Walnut Park Mutual Water Company, a California corporation (Franchisee), to collect, transport, and distribute water for a period of 15 years, beginning March 2, 2023, and expiring on March 1, 2038, in the unincorporated territory of the County, with the base annual fee payable to the County by Franchisee to be determined according to a formula contained in Section 2 of the franchise ordinance, and with the Franchisee to also pay a granting fee of \$10,000.

(Department of Public Works) (22-4378)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Opportunity was given for interested persons to address the Board. Eric Preven addressed the Board. No correspondence was received.

On motion of Supervisor Barger, seconded by Supervisor Mitchell, the Board closed the public hearing and adopted Ordinance No. 2023-0009F, "An ordinance granting a water pipeline franchise to Walnut Park Mutual Water Company, a California corporation, for the transportation and distribution of water for a period of 15 years, beginning on March 2, 2023, and expiring on March 1, 2038." This ordinance shall take effect and become operative on March 2, 2023.

Said motion was duly carried by the following vote:

Ayes: 5 - Supervisor Solis, Supervisor Mitchell, Supervisor Horvath, Supervisor Barger and Supervisor Hahn

Attachments: [Ordinance](#)
 [Certified Ordinance](#)
 [Public Comment/Correspondence](#)

6. Hearing on County Code, Title 20 - Utilities Amendment

Hearing on an ordinance for adoption, amending County Code, Title 20 - Utilities, Division 4, to increase the minimum construction and demolition recycling rate for projects in the unincorporated County, from 50% to 70%, authorize future increases to the minimum recycling rate to be in compliance with State law, require 100% recycling rate for land clearing debris, require proper disposal of universal waste, introduce a refundable project deposit, require reporting for all debris generated, require certification for mixed construction and demolition debris recycling facilities, and make other technical changes. **(Department of Public Works) (23-0336)**

All persons wishing to testify were sworn in by the Executive Officer of the Board. Mark Pestrella, Director of Public Works, responded to questions posed by the Board. Opportunity was given for interested persons to address the Board. Eric Preven addressed the Board. No correspondence was received.

Supervisor Mitchell instructed the Director of Public Works to ensure the 1-888-CLEAN-LA is readily available on the Department's website.

After discussion, on motion of Supervisor Mitchell, seconded by Supervisor Horvath, the Board closed the public hearing and introduced, waived reading, and adopted Ordinance No. 2023-0010, "An ordinance amending Title 20 – Utilities of the Los Angeles County Code, Chapter 20.87, pertaining to the recycling and reuse of construction and demolition debris in the unincorporated areas of the County of Los Angeles." This ordinance shall take effect on March 2, 2023.

Said motion was duly carried by the following vote:

Ayes: 5 - Supervisor Solis, Supervisor Mitchell, Supervisor Horvath, Supervisor Barger and Supervisor Hahn

Attachments: [Board Letter](#)
 [Certified Ordinance](#)
 [Public Comment/Correspondence](#)

7. Hearing on Appeal of Project No. 2017-003465-(3) for Construction of a Single-Family Residence in the Santa Monica Mountains Planning Area

Hearing on the appeal of Project No. 2017-003465-(3) and Minor Coastal Development Permit No. RPPL2017005925-(3), to authorize the construction of a 2,241 sq ft single-family residence on a 0.5-acre parcel located at 661 Cold Canyon Road in the Santa Monica Mountains Planning Area, applied for by Stephen Montoya; and find that the project is exempt from the California Environmental Quality Act. (Appeal from the Regional Planning Commission's approval.) **(Department of Regional Planning)** (23-0340)

Eric Preven addressed the Board.

On motion of Supervisor Barger, seconded by Supervisor Solis, this item was continued to February 14, 2023 to meet legal requirements.

Ayes: 5 - Supervisor Solis, Supervisor Mitchell, Supervisor Horvath, Supervisor Barger and Supervisor Hahn

Attachments: [Board Letter](#)
 [Department Statement](#)
 [Public Comment/Correspondence](#)

8. Hearing on Appeal of Project No. PRJ2021-000295-(5) for a New Wireless Communication Facility in the Unincorporated Community of Stevenson Ranch

Hearing on appeal of Project No. PRJ2021-000295-(5) and Conditional Use Permit No. RPPL2021000766-(5), to authorize the construction, operation and maintenance of a new unmanned wireless communication facility and appurtenant facilities located at 25550 West Kavenagh Lane in the unincorporated community of Stevenson Ranch within the Newhall Zoned District, applied for by New Cingular Wireless PCS, LLC; and find that the project is exempt from the California Environmental Quality Act. (Appeal from the Regional Planning Commission's approval.) **(Department of Regional Planning)** (Continued from the meeting of 12-20-22) (22-3851)

The Department of Regional Planning submitted a written statement for the record.

All persons wishing to testify were sworn in by the Executive Officer of the Board. Amy Bodek, Director of Regional Planning, and Roland Trinh, Senior Deputy County Counsel, responded to questions posed by the Board. Opportunity was given for interested persons to address the Board. Tiffany Hedgpeth, Jerry Ambrose, Eric Preven, Mazen Baayoun, Claude Mays, Roozy Saviss, Ron Koblin, Frazier Campbell, Janan Hafez, Anna Hill, Patricia Krieger, Robin Gallo, Amber Dolle, Annette Petersen, Bradley Hunter and other interested persons addressed the Board. Correspondence was received.

Supervisor Barger indicated her intent to grant the appeal and deny the project.

After discussion, on motion of Supervisor Barger, seconded by Supervisor Horvath, the Board closed the public hearing, and the Director of Regional Planning's recommended actions to deny the appeal and approve the project failed to carry by the following vote:

Noes: 5 - Supervisor Solis, Supervisor Mitchell, Supervisor Horvath, Supervisor Barger and Supervisor Hahn

Therefore, the Board granted the appeal, indicated its intent to deny Project No. PRJ2021-000259-(5) and Conditional Use Permit No. RPPL2021000766-(5), and instructed County Counsel to prepare denial findings.

Attachments: [Board Letter](#)
 [Public Comment/Correspondence](#)

**STATEMENT OF PROCEEDINGS FOR THE MEETING OF
NEWHALL RANCH SANITATION DISTRICT
OF LOS ANGELES COUNTY
TUESDAY, JANUARY 31, 2023
9:30 A.M.**

SD-1. Hearing on the Newhall Ranch Sanitation District Revised Annexation Fee Ordinance

Hearing on an ordinance for adoption prescribing fees for the annexation of territory to Newhall Ranch Sanitation District of Los Angeles County; and find that adoption of the ordinance is exempt from the California Environmental Quality Act. (22-4435)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Opportunity was given for interested persons to address the Board. No interested persons addressed the Board. No correspondence was received.

On motion of Supervisor Barger, seconded by Supervisor Solis, the Board closed the public hearing and took the following actions:

- 1. Adopted an ordinance prescribing fees for the annexation of territory to Newhall Ranch Sanitation District of Los Angeles County; and**
- 2. Made a finding that adoption of the ordinance is exempt from the California Environmental Quality Act.**

Said motion was duly carried by the following vote:

Ayes: 5 - Supervisor Solis, Supervisor Mitchell, Supervisor Horvath, Supervisor Barger and Supervisor Hahn

Attachments: [Board Letter](#)
 [Public Comment/Correspondence](#)

II. CLOSED SESSION MATTERS FOR JANUARY 31, 2023**CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

(Paragraph (1) of Subdivision (d) of Government Code Section 54956.9)

LA Alliance for Human Rights, et al. v. City of Los Angeles, et al., U.S. District Court, Central District of California, Case Number: 20-cv-02291-DOC-KES.

This lawsuit seeks relief stemming from the homelessness conditions in the City and County of Los Angeles.

No reportable action was taken. (20-2724)

Attachments: [Public Comment/Correspondence](#)

CS-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

(Paragraph (2) of subdivision (d) of Government Code Section 54956.9)

Significant exposure to litigation (two cases).

No reportable action was taken. (23-0293)

Attachments: [Public Comment/Correspondence](#)

CS-3. DEPARTMENT HEAD PERFORMANCE EVALUATIONS

(Government Code Section 54957)

Department Head performance evaluations.

No reportable action was taken. (11-1977)

Attachments: [Public Comment/Correspondence](#)

CS-4. CONFERENCE WITH LABOR NEGOTIATORS

(Government Code Section 54957.6)

Agency designated representatives: Fesia Davenport, Chief Executive Officer and designated staff

Employee Organization(s) for represented employees: All individual member unions of the Coalition of County Unions, AFL-CIO; Local 721, SEIU; All affiliated member unions of AFSCME Council 36; Association of Deputy District Attorneys; Los Angeles County Association of Environmental Health Specialists; Los Angeles County Public Defenders; and

Unrepresented employees (all).

No reportable action was taken. (17-0363)

Attachments: [Public Comment/Correspondence](#)

Report of Closed Session (CSR-23)

Attachments: [Audio Report of Closed Session 1/31/2023](#)

III. GENERAL PUBLIC COMMENT 9

9. Opportunity for members of the public to address the Board on items of interest that are within the subject matter jurisdiction of the Board.

Dr. Genevieve Clavreul, Eric Preven, Cheyenne Sims, Tiffany Vanzie, Michael Mack, Mykesha Mack, Kimberli Kimbrough, Nigha Robertson and Kimberly Turbin addressed the Board. Interested person(s) also submitted written testimony.

In addition, Eric Preven addressed the Board on the matters of CS-1, Conference with Legal Counsel, Existing Litigation, pursuant to Paragraph (1) of Subdivision (d) of Government Code Section 54956.9, CS-2, Conference with Legal Counsel, Anticipated Litigation, pursuant to Paragraph (2) of Subdivision (d) of Government Code Section 54956.9, CS-3, Department Head Performance Evaluations, pursuant to Government Code Section 54957, and CS-4, Conference with Labor Negotiators, pursuant to Government Code Section 54957.6, prior to the Board adjourning to Closed Session. (23-0659)

Attachments: [Public Comment/Correspondence](#)

Closing 10

10. Open Session adjourned to Closed Session at 11:40 a.m. following general public comment:

CS-1.

Confer with legal counsel on existing litigation, pursuant to Paragraph (1) of Subdivision (d) of Government Code Section 54956.9:

LA Alliance for Human Rights, et al. v. City of Los Angeles, et al.,
U.S. District Court, Central District of California, Case Number:
20-cv-02291-DOC-KES.

CS-2.

Confer with legal counsel on anticipated litigation, pursuant to Paragraph (2) of Subdivision (d) of Government Code Section 54956.9:

Significant exposure to litigation (two cases).

CS-3.

Consider Department Head performance evaluations, pursuant to Government Code Section 54957.

CS-4.

Confer with Labor Negotiators, pursuant to Government Code Section 54957.6:

Agency designated representatives: Fesia Davenport, Chief Executive Officer and designated staff

Employee Organization(s) for represented employees: All individual member unions of the Coalition of County Unions, AFL-CIO; Local 721, SEIU; All affiliated member unions of AFSCME Council 36; Association of Deputy District Attorneys; Los Angeles County Association of Environmental Health Specialists; Los Angeles County Public Defenders; and

Unrepresented employees (all).

Closed Session convened at 11:44 a.m. Present were Supervisors Hilda L. Solis, Holly J. Mitchell, Lindsey P. Horvath, Kathryn Barger and Janice Hahn, Chair presiding.

Closed Session adjourned at 2:01 p.m. Present were Supervisors Hilda L. Solis, Holly J. Mitchell, Lindsey P. Horvath, Kathryn Barger and Janice Hahn, Chair presiding.

Open Session reconvened at 2:02 p.m. for the purpose of reporting actions taken in Closed Session. Present were Supervisors Hilda L. Solis, Holly J. Mitchell, Lindsey P. Horvath, Kathryn Barger and Janice Hahn, Chair presiding.

The Board of Supervisors of the County of Los Angeles, and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts, adjourned its meeting at 2:03 p.m.

The next Regular Meeting of the Board will be Tuesday, February 7, 2023 at 9:30 a.m. (23-0694)

The foregoing is a fair statement of the proceedings of the public hearing meeting held January 31, 2023, by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

Celia Zavala, Executive Officer
Executive Officer-Clerk
of the Board of Supervisors

By



Adela Guzman
Head Board Specialist, Agenda
Preparation Section