**STATEMENT OF PROCEEDINGS FOR THE**

**PUBLIC HEARING AND CLOSED SESSION 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, March 14, 2023**

**9:30 AM**

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

Absent: Supervisor Hahn

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

***Attachments:*** Video Transcript

## I. PUBLIC HEARINGS 1 - 5

**1. Hearing on the Annexation and Levying of Assessments for County Lighting Districts in the Unincorporated Areas of Hacienda Heights and Valinda**

Hearing on the annexation of tentative subdivision projects known as Tract Nos. 82498 and 82836 within the unincorporated areas of Hacienda Heights and Valinda (1) to County Lighting Maintenance District (CLMD) 1687 and County Lighting District Landscaping and Lighting Act-1 (CLD LLA-1), Unincorporated Zone; order the tabulation of assessment ballots submitted and not withdrawn, in support of, or in opposition to, the proposed assessments; and if there is no majority protest, adopt a resolution ordering annexation of tentative subdivision territories to CLMD 1687 and CLD LLA-1, Unincorporated Zone, confirming a diagram and assessment and levying of assessments within the annexed territories for Fiscal Year 2024-25; and adopt joint resolutions between the Board and other taxing agencies approving and accepting the negotiated exchange of property tax revenues resulting from the annexation of subdivision territories to CLMD 1687 as approved by the nonexempt taxing agencies. **(Department of Public Works)** (23-0053)

**The Department of Public Works 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.**

**Eric Preven addressed the Board. No correspondence was received.**

**By Common Consent, there being no objection, the Board closed the public hearing and instructed the Executive Officer of the Board to tabulate the assessment ballots submitted and not withdrawn, in support of, or in opposition to, the proposed annexation and levying of assessments; and tabled the matter for later in the meeting for a report on the tabulation of the ballots and decision.**

**Ayes:** 4 - Supervisor Solis, Supervisor Mitchell, Supervisor Horvath and Supervisor Barger

**Absent:** 1 - Supervisor Hahn

**Later in the meeting, after tabulating the ballots, the Executive Officer of the Board reported that a determination was made that no majority protest exists against the proposed annexation and levying of annual assessments for tentative subdivision territories known as Tract Nos. 82498 and 82836 in the unincorporated areas of Hacienda Heights and Valinda to County Lighting Maintenance District (CLMD) 1687 and County Lighting District Landscaping and Lighting Act-1 (CLD LLA-1), Unincorporated Zone.**

**On motion of Supervisor Solis, seconded by Supervisor Mitchell, the Board took the following actions:**

1. **Made a finding that the annexations and assessments are for the purposes of meeting operating expenses, purchasing supplies, equipment, or materials, meeting financial reserve needs and requirements, and obtaining funds for capital projects, including the operation and maintenance of streetlights necessary to maintain service within the proposed annexation territories;**

2. **Made a determination that no majority protest exists against the proposed annexation and levying of assessment;**

3. **Adopted a resolution ordering annexation of approved tentative subdivision territories to CLMD 1687 and CLD LLA-1, Unincorporated Zone, confirming a diagram and assessment and levying of assessments within the annexed territories for Fiscal Year (FY) 2024-25; the annexations, levy of assessments, and the exchange of property tax revenues shall not become effective unless the legal descriptions for the annexed territories are approved as to definiteness and certainty by the Assessor, with the adoption of the resolution ordering annexation to constitute the levying of assessments in FY 2024-25; and**

**4. Adopted joint resolutions between the Board and other taxing agencies approving and accepting the negotiated exchange of property tax revenues resulting from the annexation of subdivision territories to CLMD 1687 as approved by the nonexempt taxing agencies.**

**Said motion was duly carried by the following vote:**

**Ayes:** 4 - Supervisor Solis, Supervisor Mitchell, Supervisor Horvath and Supervisor Barger

**Absent:** 1 - Supervisor Hahn

***Attachments:*** Board Letter
Department Statement
Public Comment/Correspondence

**2. Hearing on the 2023 Weed Abatement and Brush Clearance Referees' Hearing Report**

Hearing on the Weed Abatement and Brush Clearance Referees' Hearing Report, acting as the Governing Body of the Fire Protection District and of the County, to abate hazardous brush, dry grass, weeds, rubbish, illegal dumping and combustible growth or flammable vegetation, including native and ornamental vegetation, on designated improved and unimproved properties in Los Angeles County (All Districts). **(Department of Agricultural Commissioner/Weights and Measures and Fire Department)** (23-0076)

**All persons wishing to testify were sworn in by the Executive Officer of the Board. Anthony Marrone, Fire Chief, responded to questions posed by the Board. Opportunity was given for interested persons to address the Board. Beth Chan, Eric Preven and Thomas Brown addressed the Board. Correspondence was received.**

**Supervisor Solis instructed the Fire Chief to report back to the Board on the Fire Department's public education and outreach efforts on wildfire preparedness.**

**On motion of Supervisor Solis, seconded by Supervisor Barger, the Board, acting as the Governing Body of the Consolidated Fire Protection District and of the County, closed the public hearing and took the following actions:**

1. **Approved the Weed Abatement and Brush Clearance Referees' Hearing Report;**

2. **Instructed the Fire Chief and Agricultural Commissioner/Director of Weights and Measures to enforce the removal of hazardous brush, dry grass, weeds, rubbish, illegal dumping, combustible growth or flammable vegetation, to include native and ornamental vegetation, from improved and unimproved properties in Los Angeles County; and**

**3. Instructed the Fire Chief to report back to the Board on the Fire Department's public education and outreach efforts on wildfire preparedness.**

**Said motion was duly carried by the following vote:**

**Ayes:** 3 - Supervisor Solis, Supervisor Mitchell and Supervisor Horvath

**Abstentions:** 1 - Supervisor Barger

**Absent:** 1 - Supervisor Hahn

***Attachments:*** Board Letter
Report
Public Comment/Correspondence

**3. Hearing on the Junior Lifeguard Program Fee Increase**

Hearing on a resolution, acting as the Governing Body of the Consolidated Fire Protection District, to increase the Junior Lifeguard Program fee by $50 from $585 to $635; find that the proposed fee increase is to meet increased operational expenses of the Junior Lifeguard Program; and find that the recommended action is exempt from the California Environmental Quality Act (All Districts). **(Fire Department)** (23-0815)

**On motion of Supervisor Mitchell, seconded by Supervisor Barger, this item was referred back to the Department.**

**Ayes:** 4 - Supervisor Solis, Supervisor Mitchell, Supervisor Horvath and Supervisor Barger

**Absent:** 1 - Supervisor Hahn

***Attachments:*** Board Letter
Revised Board Letter
Public Comment/Correspondence

**4. Hearing on Project No. PRJ2021-000053-(2), for the Construction of an Apartment Building in the Willowbrook Community**

Hearing on Project No. PRJ2021-000053-(2), Plan Amendment No. RPPL2021006758-(2), Zone Change Permit No. RPPL2021000160-(2) and the Mitigative Negative Declaration and Mitigation Monitoring and Reporting Program associated with Environmental Plan No. RPPL2021003907-(2), for the construction of a new three-story, 49,156 sq ft, 51-unit affordable apartment building, with on-site supportive services, located at 12611-12625 South Willowbrook Avenue in the Willowbrook community within the Willowbrook Metro Planning Area, applied for by LINC Housing. (The Regional Planning Commission recommended approval of this project.) **(Department of Regional Planning)** (23-0947)

**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. Carmen Noyola addressed the Board. Correspondence was received.**

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

1. **Indicated its intent to adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program associated with Environmental Plan No. RPPL2021003907-(2), finding that the Project will not have a significant impact on the environment by the implementation of the proposed mitigation measures;**

2. **Indicated its intent to adopt Plan Amendment No. RPPL2021007658-(2) and Zone Change No. RPPL2021000160-(2); and**

**3. Instructed County Counsel to prepare the necessary Resolution, Ordinance, and Findings to approve Project No. 2021-000053-(2), including Plan Amendment No. RPPL2021007658-(2) and Zone Change No. RPPL2021000160-(2).**

**Said motion was duly carried by the following vote:**

**Ayes:** 4 - Supervisor Solis, Supervisor Mitchell, Supervisor Horvath and Supervisor Barger

**Absent:** 1 - Supervisor Hahn

***Attachments:*** Board Letter
Department Statement
Public Comment/Correspondence

**5. Hearing on Project No. PRJ2021-003909-(1-5) Amending County Code, Title 22 - Planning and Zoning for the Tune Up "Series 002" Ordinance**

Hearing on Project No. PRJ2021-003909-(1-5) and Advance Planning Case No. RPPL2021010991-(1-5), amending County Code, Title 22 - Planning and Zoning with the Title 22 Tune Up "Series 002" Ordinance (Ordinance), to make modifications where necessary to correct discrepancies, typographical errors and outdated and redundant provisions, including, but not limited to, correcting Zoned District map errors (22.06.060-Zoned Districts Established); to revise for internal consistency; to streamline procedures; to clarify provisions, including, but not limited to, sections of the Oak Tree Permit Chapter, such as sections 22.174.030 (Applicability) and 22.174.040 (Application and Review Procedures), as well as sections of the Administrative Procedures Chapter, such as Sections 22.222.070 (Application Filing and Withdrawal), 22.222.080 (Fees and Deposits) and 22.222.100 (Denial of Inactive Application); adding, reorganizing and updating definitions in Section 22.14.010-A, 22.14.080-H, 22.14.150-O and 22.14.190-S to correct errors and to be consistent with State law and the location of other definitions in Title 22; and revising and adding other sections to maintain consistency with State law, such as the Housing Accountability Act, AB 1851 and requirements of the California Department of Fish and Wildlife, and other County regulations; find that the adoption of the ordinance is exempt from the California Environmental Quality Act (Class 5 and Section 15061(b)(3)) (The Regional Planning Commission recommended approval of this project on January 26, 2022.) **(Department of Regional Planning)** (23-1019)

**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. Lynn Plambeck addressed the Board. Correspondence was received.**

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

1. **Indicated its intent to approve the proposed Title 22 Tune Up "Series 002" Ordinance, Advance Planning Case No. RPPL 2021010991-(1-5), as recommended by the Regional Planning Commission;**

2. **Instructed County Counsel to prepare the necessary final documents amending County Code, Title 22 - Planning and Zoning for the Board's consideration; and**

**3. Made a finding that adoption of the Title 22 Tune Up "Series 002" Ordinance is exempt from the California Environmental Quality Act.**

**Said motion was duly carried by the following vote:**

**Ayes:** 4 - Supervisor Solis, Supervisor Mitchell, Supervisor Horvath and Supervisor Barger

**Absent:** 1 - Supervisor Hahn

***Attachments:*** Board Letter
Department Statement
Public Comment/Correspondence

## II. CLOSED SESSION MATTERS FOR MARCH 14, 2023

**CS-1.** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of Subdivision (d) of Government Code Section 54956.9)

Trina Ray and Sasha Walker, et al. v. County of Los Angeles, United States District Court for the Central District of California, Case Number: 2:17-cv-04239-PA-SK; Ninth Circuit Court of Appeals Case Number: 20-56245.

**The Board authorized County Counsel to file a petition for review in the matter of Trina Ray and Sasha Walker, et al. v. County of Los Angeles before the United States Supreme Court of the Ninth Circuit Court of Appeals' decision that the County is a "joint employer," along with care recipients, of In-Home Supportive Services' providers. The vote of the Board was 3 to 0, with Supervisors Solis and Hahn being absent.** (20-2996)

***Attachments:*** Public Comment/Correspondence

**CS-2.** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of Subdivision (d) of Government Code Section 54956.9)

People of the State of California v. Purdue Pharma L.P., et al., Orange County Superior Court Case No. 30-2014-00725287-CU-BT-CXC.

**No reportable action was taken.** (21-4697)

***Attachments:*** Public Comment/Correspondence

**CS-3.** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of Subdivision (d) of Government Code Section 54956.9)

County of Los Angeles, People of the State of California v. CVS Health Corp., et al., In Re: National Prescription Opiate Litigation, United States District Court (N.D. Ohio) Case No. 1:17-md-02804-DAP, MDL No. 2802.

**No reportable action was taken.** (23-1047)

***Attachments:*** Public Comment/Correspondence

**CS-4.** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Paragraph (4) of subdivision (d) of Government Code Section 54956.9)

Initiation of litigation (one case).

**No reportable action was taken.** (23-1048)

***Attachments:*** Public Comment/Correspondence

**CS-5.** PUBLIC EMPLOYMENT
(Government Code Section 54957 (b)(1))

Interview and consideration of candidate(s) for appointment to the position of Interim Chief Probation Officer.

**In Open Session, this item was continued one week to March 21, 2022.** (23-1058)

***Attachments:*** Public Comment/Correspondence

**CS-6.** DEPARTMENT HEAD PERFORMANCE EVALUATIONS
(Government Code Section 54957)

Department Head performance evaluations.

**No reportable action was taken.** (11-1977)

***Attachments:*** Public Comment/Correspondence

**CS-7.** 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

**CS-8.** 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

**Report of Closed Session** (CSR-23)

***Attachments:*** Audio Report of Closed Session 3/14/2023

**III. GENERAL PUBLIC COMMENT 6**

**6.** Opportunity for members of the public to address the Board on items of interest that are within jurisdiction of the Board.

**Beth Chan, Lynn Plambeck, Roy Humphries, Carlotta Jarmon, Roy Humphries, Dr. Genevieve Clavreul and Eric Preven addressed the Board. Interested person(s) also submitted written testimony.**

**In addition, Roy Humphries, Dr. Genevieve Clavreul and Eric Preven addressed the Board on the matters of CS-6, Department Head Performance Evaluations, pursuant to Government Code Section 54957, and CS-8, Conference with Legal Counsel on existing litigation, pursuant to Paragraph (1) of Subdivision (d) of Government Code Section 54956.9, prior to the Board adjourning to Closed Session.** (23-1247)

***Attachments:*** Public Comment/Correspondence

**Closing 7**

**7.** Open Session adjourned to Closed Session at 10:22 a.m. following public comment:

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

Trina Ray and Sasha Walker, et al. v. County of Los Angeles, United States District Court for the Central District of California, Case Number: 2:17-cv-04239-PA-SK; Ninth Circuit Court of Appeals Case Number: 20-56245.

CS-2.
Confer with legal counsel on existing litigation, pursuant to Paragraph (1) of Subdivision (d) of Government Code Section 54956.9:

People of the State of California v. Purdue Pharma L.P., et al., Orange County Superior Court Case No. 30-214-00725287-CU-BT-CXC.

CS-3.
Confer with legal counsel on existing litigation, pursuant to Paragraph (1) of Subdivision (d) of Government Code Section 54956.9:

County of Los Angeles, People of the State of California v. CVS Health Corp., et al., In Re: National Prescription Opiate Litigation, United States District Court (N.D. Ohio) Case No. 1:17-md-02804-DAP, MDL No. 2804.

CS-4.
Confer with legal counsel on anticipated litigation, pursuant to Paragraph (4) of Subdivision (d) of Government Code Section 54956.9:

Initiation of litigation (one case).

CS-6.
Consider Department Head performance evaluations, pursuant to Government Code Section 54957.

CS-7.
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).

CS-8.
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.

Closed Session convened at 10:30 a.m. Present were Supervisors Holly J. Mitchell, Kathryn Barger and Lindsey P. Horvath, Chair Pro Tem presiding. Absent were Supervisors Hilda L. Solis and Janice Hahn.

Closed Session adjourned at 12:31 p.m. Present were Supervisors Holly J. Mitchell, Kathryn Barger and Lindsey P. Horvath, Chair Pro Tem presiding. Absent were Supervisors Hilda L. Solis and Janice Hahn.

Open Session reconvened at 12:32 p.m. for the purpose of reporting actions taken in Closed Session. Present were Supervisors Holly J. Mitchell, Kathryn Barger and Lindsey P. Horvath, Chair Pro Tem presiding. Absent were Supervisors Hilda L. Solis and Janice Hahn.

On motion by Supervisor Horvath, and by Common Consent, there being no objection (Supervisors Solis and Hahn being absent), 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 12:34 p.m.

The next Regular Meeting of the Board will be Tuesday, March 21, 2023 at 9:30 a.m. (23-1229)

The foregoing is a fair statement of the proceedings of the public hearing and closed session meeting held March 14, 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