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, September 19, 2023

9:30 AM

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

Absent: Supervisor Solis

The Board observed a moment of silence in memory of Los Angeles County Sheriff's Deputy Ryan Clinkunbroomer, who lost his life on September 16, 2023.

I. PUBLIC HEARINGS 1 - 6

1. Hearing on Ordinance Amending County Code, Title 8 - Consumer Protection, Business and Wage Regulations

Hearing on ordinance for adoption amending County Code, Title 8 - Consumer Protection, Business and Wage Regulations, to establish new and updated public health permit, plan check, and service fees related to requirements for compact mobile food operations, mobile food facilities, and commissaries to align with recent changes to the California Retail Food Code, pursuant to Senate Bill 972 (All Districts). **(Department of Public Health)** (Continued from the meetings of 5-23-23 and 6-13-23) (23-1813)

Correspondence was received.

On motion of Supervisor Mitchell, seconded by Supervisor Barger, this item was continued to December 12, 2023.

Ayes: 4 - Supervisor Mitchell, Supervisor Horvath, Supervisor Barger and Supervisor Hahn

Absent: 1 - Supervisor Solis

Later in the meeting, on motion of Supervisor Barger, and by Common Consent, there being no objection, the foregoing motion was reconsidered.

Supervisor Barger directed the Chief Executive Officer to report back to the Board on the status of the outdoor vending ordinance that will be submitted by the Director of Economic Opportunity, in conjunction with the Director of Public Health, for the Board's consideration.

After discussion, this item was continued to December 12, 2023; and the Chief Executive Officer was directed to report back to the Board on the status of the outdoor vending ordinance that will be submitted by the Director of Economic Opportunity, in conjunction with the Director of Public Health, for the Board's consideration.

Said motion was duly carried by the following vote:

Ayes:	3 -	Supervisor Mitchell, Supervisor Horvath and Supervisor Hahn
Noes:	1 -	Supervisor Barger
Absent:	1 -	Supervisor Solis

Attachments: Revised Board Letter
Board Letter
Public Comment/Correspondence

2. Hearing on Paratransit Services Grant Funding

Hearing on adoption of a resolution certifying that no nonprofit transit providers are readily available to provide paratransit services for elderly and persons with disabilities in certain unincorporated areas of East Los Angeles, Whittier, et al. and Willowbrook, et al. (1, 2, 4 and 5); authorize the Director of Public Works to file applications, accept grant funds, execute certifications and assurances, agreements, amendments, or any other required documents on behalf of the County related to the Federal Transit Administration Section (FTAS) 5310 grant application, and submit and approve requests for reimbursement of funds associated with the FTAS 5310 grant application from Los Angeles County Metropolitan Transportation Authority. **(Department of Public Works)** (23-3034)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Steve Burger, Deputy Director of Public Works, was present. Opportunity was given for interested persons to address the Board. Eric Preven and Dr. Genevieve Clavreul addressed the Board. Correspondence was received.

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

1. **Adopted a resolution certifying that no nonprofit transit providers are readily available to provide paratransit services for elderly and persons with disabilities in certain unincorporated County areas in and adjacent to East Los Angeles, Whittier, and Willowbrook;**

2. **Authorized the Director of Public Works to file applications, accept grant funds, and execute certifications and assurances, agreements, amendments, or any other required documents on behalf of the County related to the Federal Transit Administration Section 5310 grant application; and**

3. **Authorized the Director of Public Works to submit and approve requests for reimbursement of funds associated with the Federal Transit Administration Section 5310 grant application from the Los Angeles County Metropolitan Transportation Authority.**

Said motion was duly carried by the following vote:

Ayes: 4 - Supervisor Mitchell, Supervisor Horvath, Supervisor Barger and Supervisor Hahn

Absent: 1 - Supervisor Solis

Attachments: Board Letter
Public Comment/Correspondence
Audio

3. Hearing on Ordinance Amending County Code, Title 7 - Business Licenses

Hearing on ordinance for adoption amending County Code, Title 7 - Business Licenses to add Division 3 - Short-Term Rentals Registration, to allow for the regulation of such activity in the County Unincorporated areas (All Districts), as directed by Board Order No. 3 of March 19, 2019; instruct the Director of Regional Planning to initiate amendments to County Code, Title 22 - Planning and Zoning, any specific plans as needed, and the County's Local Coastal Programs, to ensure the applicability of the ordinance to the County Unincorporated areas and strengthen the County's ability to enforce the ordinance. **(Treasurer and Tax Collector)** (23-2975)

Correspondence was received.

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

Ayes: 4 - Supervisor Mitchell, Supervisor Horvath, Supervisor Barger and Supervisor Hahn

Absent: 1 - Supervisor Solis

Attachments: Board Letter
Public Comment/Correspondence

4. Hearing on the 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 within the Monte Nido Rural Village in the unincorporated community of the Santa Monica Mountains Coastal Zone within the Malibu Zoned District, applied for by Stephen Montoya; and find that the proposed Project is exempt from the California Environmental Quality Act. (Appeal from the Regional Planning Commission's approval.) **(Department of Regional Planning)** (23-3019)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Amy Bodek, Director of Regional Planning, made a presentation and responded to questions posed by the Board. Opportunity was given for interested persons to address the Board. Alicia Gonzalez, Steven Montoya, Kim Lamorie, Eric Preven, Joan Slimocosky, Roger Pugliese and Erit Shamam addressed the Board. Correspondence was received.

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

1. **Indicated its intent to deny the appeal of the Regional Planning Commission's (Commission) and uphold the approval of Project No. 2017-003465-(3), consisting of Minor Coastal Development Permit No. RPL2017005925-(3) (Project), and instructed County Counsel to prepare the necessary findings to uphold the Commission's approval of the Project; and**

2. **Made a finding that the proposed Project is exempt from the California Environmental Quality Act.**

Said motion was duly carried by the following vote:

Ayes: 4 - Supervisor Mitchell, Supervisor Horvath, Supervisor Barger and Supervisor Hahn

Absent: 1 - Supervisor Solis

Attachments: Board Letter
Public Comment/Correspondence
Audio

5. Hearing on the Appeal of Project No. 2019-000686-(3) for Construction of 15 Single-Family Residences in the Santa Monica Mountains Planning Area

Hearing on the appeal of Project No. 2019-000686-(3), Minor Coastal Development Permit Nos. RPPL2019002073-(3), RPPL2019002474-(3), RPPL2019002479-(3), RPPL2019002885-(3), RPPL2019002887-(3), RPPL2019001222-(3), RPPL2019003431-(3), RPPL2019003435-(3), RPPL2019003852-(3), RPPL2019003854-(3), RPPL2019004230-(3), RPPL2019004232-(3), RPPL2019004674-(3), RPPL2019004677-(3), RPPL2019004678-(3), and Variance Nos. RPPL2019002074-(3), RPPL2019002475-(3), RPPL2019002480-(3), RPPL2019002886-(3), RPPL2019002888-(3), RPPL2019001224-(3), RPPL2019003432-(3), RPPL2019003436-(3), RPPL2019003853-(3), RPPL2019003855-(3), RPPL2019004231-(3), and RPPL2019004675-(3), to authorize the construction of 15 single-family residences on 16 lots located on the 25600 and 25700 blocks of Piuma Road within the Monte Nido Rural Village in the unincorporated community of the Santa Monica Mountains Coastal Zone within the Malibu Zone District, applied for by California Pacific Homes. (Appeal from the Regional Planning Commission's denial.) **(Department of Regional Planning)** (23-2974)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Amy Bodek, Director of Regional Planning, made a presentation and responded to questions posed by the Board. Opportunity was given for interested persons to address the Board. Michael Shonafelt, Paul Edelman, Gary Bardovi, Kim Lamorie, Dr. Genevieve Clavreul, Eric Preven, Alicia Gonzalez, Carrie Baltin, Brent Alan, Joan Slimocosky, Sally Livingston, Patrick Sherman, Russel Hammerl, Tina Payne, Doug Rosen and Roger Pugliese addressed the Board. Correspondence was received.

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

1. **Indicated its intent to deny the appeal and instruct County Counsel to prepare the necessary findings to uphold the Regional Planning Commission's denial of Project No. 2019-000686-(3) and Minor Coastal Development Permit Nos. RPPL2019002073-(3), RPPL2019002474-(3), RPPL2019002479-(3), RPPL2019002885-(3), RPPL2019002887-(3), RPPL2019001222-(3), RPPL2019003431-(3), RPPL2019003435-(3), RPPL2019003852-(3), RPPL2019003854-(3), RPPL2019004230-(3), RPPL2019004232-(3), RPPL2019004674-(3), RPPL2019004677-(3), RPPL2019004678-(3), and Variance Nos. RPPL2019002074-(3), RPPL2019002475-(3), RPPL2019002480-(3), RPPL2019002886-(3), RPPL2019002888-(3), RPPL2019001224-(3), RPPL2019003432-(3), RPPL2019003436-(3), RPPL2019003853-(3), RPPL2019003855-(3), RPPL2019004231-(3), and RPPL2019004675-(3); and**

2. **Made a finding that no determination has been made regarding the applicability of the California Environmental Quality Act (CEQA) to this Project, as per State CEQA guidelines and the Environmental Document Reporting Procedures and Guidelines for the County, a CEQA determination is not required when a project is denied.**

Said motion was duly carried by the following vote:

Ayes: 4 - Supervisor Mitchell, Supervisor Horvath, Supervisor Barger and Supervisor Hahn

Absent: 1 - Supervisor Solis

Attachments: Board Letter
Public Comment/Correspondence
Audio

6. Hearing on Project No. 2022-004173-(All Districts) for the Green Zone Technical Update

Hearing on Project No. 2022-004173-(All Districts), Advance Planning Project No. RPPL2022010227 and Zone Change No. RPPL2022013866, to approve the Green Zone Technical Update, which amends County Code, Title 22 - Planning and Zoning, to include minor and technical changes to the Green Zones Ordinance for clarity and ease of use, to add the Green Zone (-GZ) Combining Zone on industrially-zoned parcels that are subject to existing Green Zones regulations in the unincorporated communities of West Carson and West Whittier - Los Nietos, to add a Conditional Use Permit requirement for new drive-through establishments and automobile service stations, which had been omitted in error; and find that the proposed actions are exempt from the California Environmental Quality Act. (On May 24, 2023, the Regional Planning Commission recommended approval of this project.) **(Department of Regional Planning)** (23-2985)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Amy Bodek, Director of Regional Planning, made a presentation and responded to questions posed by the Board. Opportunity was given for interested persons to address the Board. Dr. Genevieve Clavreul and Eric Preven addressed the Board. Correspondence was received.

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

1. **Indicated its intent to approve the Project Zone Change No. RPPL2022013866, and Advance Planning Project No. RPPL2022010227, as recommended by the Regional Planning Commission;**

2. **Instructed County Counsel to prepare the necessary final documents for the Board's consideration; and**

3. **Made a finding that the Project is exempt from the California Environmental Quality Act.**

Said motion was duly carried by the following vote:

Ayes: 4 - Supervisor Mitchell, Supervisor Horvath, Supervisor Barger and Supervisor Hahn

Absent: 1 - Supervisor Solis

Attachments: Board Letter
Public Comment/Correspondence
Audio

BOARD OF SUPERVISORS

Items not on the posted agenda, to be presented and (if requested) referred to staff or placed on the agenda for action at a future meeting of the Board, or matters requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda. (12-9996)

MISC-1. Establish a Reward Offer in the Investigation of the Murder of Deputy Ryan Clinkunbroomer

Recommendation as submitted by Supervisor Barger: Make a finding pursuant to Government Code Section 54954.2(b)(2) that there is a need to take immediate action and that the need to take action came to the attention of the Board subsequent to the agenda being posted as specified in subdivision(a); and establish a $100,000 reward offered in exchange for information leading to the apprehension and conviction of person or persons responsible for the heinous murder of Deputy Ryan Clinkunbroomer, who was fatally shot in his patrol vehicle at the intersection of Sierra Highway and East Avenue Q, while on duty, in the City of Palmdale on September 16, 2023, at approximately 5:57 p.m. The suspected vehicle involved is a 2006-2012 Toyota Corolla. (23-3436)

On motion of Supervisor Barger, seconded by Supervisor Hahn, this item was placed on the Consent Calendar for consideration by the following vote:

Ayes: 4 - Supervisor Mitchell, Supervisor Horvath, Supervisor Barger and Supervisor Hahn

Absent: 1 - Supervisor Solis

Later in the meeting, on motion of Supervisor Barger, seconded by Supervisor Hahn, this item was duly carried by the following vote:

Ayes: 4 - Supervisor Mitchell, Supervisor Horvath, Supervisor Barger and Supervisor Hahn

Absent: 1 - Supervisor Solis

Attachments: Motion by Supervisor Barger
Notice of Reward
Public Comment/Correspondence
Audio

II. CLOSED SESSION MATTERS FOR SEPTEMBER 19, 2023

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

The People of the State of California, ex rel. Xavier Becerra, Attorney General of the State of California vs. County of Los Angeles, et al., Los Angeles County Superior Court Case No. 21STCV01309.

In Open Session, this item was continued one week to September 26, 2023. (23-1790)

Attachments: Public Comment/Correspondence

CS-2. PUBLIC EMPLOYMENT
(Government Code Section 54957)

Consideration of candidate(s) for appointment to the position of Chief Probation Officer.

In Open Session, this item was continued one week to September 26, 2023. (23-2797)

Attachments: Public Comment/Correspondence

CS-3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957(b)(1))

Interim Chief Probation Officer.

In Open Session, this item was continued one week to September 26, 2023. (23-2795)

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.

Unrepresented employee: (Chief Probation Officer).

In Open Session, this item was continued one week to September 26, 2023. (23-2828)

Attachments: Public Comment/Correspondence

III. GENERAL PUBLIC COMMENT 7

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

Heather Detwiler, Paul Hennesy, Elizabeth Z, Greta Hassakis, Eric Preven, Tiffany, Gabriela Orona, Kerry Horton, Carolina Montes, Miriam Zamora, Claudia Moreno, Brian Thomas, Araceli Sanchez, Samantha Jacober, Iris Martinez, Angelique Johnson, Cesar Benitez, Angelica Francisco, Michael Pitkin, Pilar Castillon, Joaquin Beltran, and Sharina Jones addressed the Board. Interested person(s) also submitted written testimony.

In addition, Dr. Genevieve Clavreul addressed the Board on the matters of CS-1, Conference with Legal Counsel- Existing Litigation pursuant to Government Code Section 54956.9. (23-3413)

Attachments: Public Comment/Correspondence
Audio

Closing 8

8. 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 11:42 a.m. Absent was Supervisor Hilda L. Solis.

The next Regular Meeting of the Board will be Tuesday, September 26, 2023 at 9:30 a.m. (23-3608)

The foregoing is a fair statement of the proceedings of the public hearing and closed session meeting held September 19, 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
Administrative Services Manager I,
Board Services Division