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, November 28, 2023

9:30 AM

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

Video Link for the Entire Meeting (03-1075)

Attachments: Video Transcript

I. PUBLIC HEARINGS 1 - 7

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

Hearing on the annexation of tentative subdivision project known as Tract 82160 within the unincorporated area of Hacienda Heights (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and Lighting Act-1 (CLD LLA-1), Unincorporated Zone; order the tabulation of assessment ballots submitted and not withdrawn, in support of, or in opposition to, the proposed assessments; and if there is no majority protest, adopt a resolution ordering annexation of tentative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 territory to CLMD 1687 and CLD LLA-1, Unincorporated Zone, confirming a diagram and assessment and levying of assessments within the annexed territory 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 territory to CLMD 1687 as approved by the nonexempt taxing agencies. **(Department of Public Works)** (23-3377)

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. Steve Burger, Deputy Director, Department of Public Works, was present. Opportunity was given for interested persons to address the Board. Eric Preven addressed the Board. 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public hearing and instructed the Executive Officer of the Board to tabulate the assessment ballots submitted and not withdrawn, in support of, or in opposition to, the proposed annexation and levying of assessments; and tabled the matter for later in the meeting for a report on the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: 5 - Supervisor Solis, Supervisor Mitchell, Supervisor Hahn, Supervisor Barger and Supervisor Horvath

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 assessments and property tax transfer proceedings for tentative subdivision territory known as Tract 82160 in the unincorporated area of Hacienda Heights 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 Horvath, the Board took the following actions:

1. **Made a finding that the annexation 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 streetlight(s) necessary to maintain service within the proposed annexation territory;**

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

3. **Adopted a resolution ordering annexation of approved tentative subdivision territory to CLMD 1687 and CLD LLA-1, Unincorporated Zone, confirming a diagram and assessment and levying of assessments within the annexed territory for Fiscal Year (FY) 2024-25; and the annexation and the exchange of property tax revenues shall not become effective unless the legal description for the annexed territory is 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 territory to CLMD 1687 as approved by the nonexempt taxing agencies.**

Said motion was duly carried by the following vote:

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

Attachments: Board Letter
Departmental Statement
Public Comment/Correspondence
Audio I
Audio II

2. Hearing on the Amended and Restated Calabasas Landfill Joint Powers Agreement and Ordinance Amending County Code, Title 12 - Environmental Protection

Hearing on the Amended and Restated Calabasas Landfill Joint Powers Agreement (JPA) between the County and County Sanitation District No. 2 (District) to consolidate the original Calabasas Landfill JPA and its subsequent amendments and to provide for continued funding and operation of the Calabasas Landfill (3); ordinance for adoption amending County Code, Title 12 - Environmental Protection, Section 12.48.050, which authorized the County to set refuse disposal rates at the Calabasas Landfill, to delete all references to tipping fee rates for the Calabasas Landfill and transfer the rate-setting authority back to the District; and find that approval of the JPA is not a project under the California Environmental Quality Act, or in the alternative, is exempt for the reasons stated. **(Chief Executive Office)** (23-4030)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Fesia Davenport, Chief Executive Officer, and John Cooke, Assistant Chief Executive Officer, were present. Opportunity was given for interested persons to address the Board. Eric Preven 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. **Made a finding that the Amended and Restated Calabasas Landfill Joint Powers Agreement (JPA) is not a project under, or is exempt from the California Environmental Quality Act;**

2. **Approved and instructed the Chair to sign the Amended and Restated Calabasas Landfill JPA, which amends and restates the previous JPA dated April 1, 1966, and subsequent six amendments; and**

3. Adopted Ordinance No. 2023-0053 entitled, "An ordinance amending, County Code, Title 12 - Environmental Protection, Chapter 12.48, relating to fee and charge rates for waste disposal including, but not limited to, municipal solid and inert waste and acceptance of Beneficial Materials at the Calabasas Landfill." This ordinance shall take effect pursuant to Section 2 of this ordinance.

Said motion was duly carried by the following vote:

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

Attachments: Board Letter
Certified Ordinance
Public Comment/Correspondence
Audio

3. Hearing on Resolution on the Proposed Energy Services Agreements

Hearing on adoption of a resolution on the proposed Energy Services Agreements (ESAs) for the installation, operation and maintenance of Solar Systems at 36 County facilities (All Districts), with ForeFront Power LLC, a Delaware limited liability company; find that the anticipated cost to the County for energy services provided by the systems under the proposed ESAs will be less than the anticipated marginal cost to the County of electrical energy that would have been consumed by the County in the absence of the ESA purchases, and the difference, if any, between the fair market rental value for the real property subject to the facility license agreement and the agreed rent is anticipated to be offset by below-market energy purchases or other benefits provided under the ESAs; and find that the proposed ESAs are exempt from the California Environmental Quality Act. **(Internal Services Department)** (23-3972)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Minh Le, General Manager of Energy and Environmental Services, Internal Services Department, responded to questions posed by the Board. Christie Carr, Division Manager, Contract Division, Internal Services Department, was also present. Opportunity was given for interested persons to address the Board. Eric Preven addressed the Board. Correspondence was received.

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

1. **Adopted a resolution making a finding that anticipated cost to the County for energy services provided by the systems under the proposed Energy Services Agreements (ESAs) will be less than the anticipated marginal cost to the County of electrical energy that would have been consumed by the County in the absence of the ESA purchases, and that the difference, if any, between the fair market rental value for the real property subject to the facility license agreement and the agreed rent is anticipated to be offset by below-market energy purchases or other benefits provided under the ESAs, pursuant to Government Code Section 4217.12;**

2. **Authorized the Director of Internal Services to execute ESAs for 36 County facilities, including applicable amendments, and assign the ESAs, including any ancillary license agreement(s) and other documents necessary for the operation and maintenance of the solar systems at the County facilities, with ForeFront Power LLC., a Delaware limited liability company; and**

3. **Made a finding that the proposed ESAs are exempt from the California Environmental Quality Act.**

Said motion was duly carried by the following vote:

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

Attachments: Board Letter
Public Comment/Correspondence
Audio

4. Hearing on the LA County Library Facilities Mitigation Fee Funds 2022-23 Fiscal Year-End Report and Resolution Updating the Capital Improvement Plan

Hearing on the 2022-23 Fiscal Year-End Report for the library facilities mitigation fee Funds (All Districts); adopt a resolution updating the Capital Improvement Plan for LA County Library Facilities as of November 28, 2023; and find that the proposed actions are not a project under the California Environmental Quality Act. **(LA County Library)** (23-3991)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Skye Patrick, County Librarian, addressed the Board. Grace Reyes, Administrative Deputy, LA County Library, was also present. Opportunity was given for interested persons to address the Board. Eric Preven addressed the Board. Correspondence was received.

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

1. **Received and filed the Fiscal Year-End Report for the Library Facilities Mitigation Fee Funds for Fiscal Year 2022-23;**

2. **Adopted a resolution updating the Capital Improvement Plan for LA County Library Facilities, as of November 28, 2023; and**

3. **Made a finding that the proposed actions are not a project under the California Environmental Quality Act.**

Said motion was duly carried by the following vote:

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

Attachments: Board Letter
Public Comment/Correspondence
Audio

5. Hearing on Implementation of an Online Candidate Statement Program and Fee to Publish Candidate Statement Online

Hearing on implementation of a new Online Candidate Statement Program (All Districts); and charge a fee of $279.60 per candidate statement requested to be published online, for the purpose of cost-recovery, effective November 29, 2023. **(Registrar-Recorder/County Clerk)** (23-3974)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Dean Logan, Registrar-Recorder/County Clerk, responded to questions posed by the Board. Opportunity was given for interested persons to address the Board. Eric Preven addressed the Board. Correspondence was received.

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

1. **Authorized the Registrar-Recorder/County Clerk to implement an Online Candidate Statement Program; and**

2. **Authorized the Registrar-Recorder/County Clerk to charge a fee of $279.60 per candidate statement requested to be published online, for the purpose of cost-recovery, to be established effective November 29, 2023.**

Said motion was duly carried by the following vote:

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

Attachments: Board Letter
Public Comment/Correspondence
Audio

6. Hearing on Project No. 2018-003138-(1), for the Construction of an Attached Residential Condominium Development in the Rowland Heights Zoned District

Hearing on Project No. 2018-003138-(1), Plan Amendment No. RPPL2018004782-(1), Vesting Tentative Tract Map No. 82400 (RPPL2018004778), Variance No. RPPL2018005398-(1), and Conditional Use Permit No. RPPL2018004781-(1) and Mitigated Negative Declaration associated with Environmental Assessment No. RPPL2018004780-(1), to authorize a 17-unit attached residential condominium development on a 1.2 gross-acre multi-family lot, located at 18002 Colima Road in Rowland Heights in the Rowland Heights Zoned District, East San Gabriel Valley Planning Area, applied for by Tsai Capital, LLC. (On June 21, 2023, the Regional Planning Commission recommended approval of this Project.) **(Department of Regional Planning)** (23-4093)

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, was present. Opportunity was given for interested persons to address the Board. Lisa Griffin, Roy Humphreys, Amanda Yuan, Irene Li, and Tramell Carter 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 adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program associated with Environmental Assessment No. RPPL2018004780, finding that the Project will not have a significant effect on the environment;**

2. **Indicated its intent to adopt Plan Amendment (PA) No. RPPL2018004782-(1);**

3. **Indicated its intent to approve Vesting Tentative Tract Map (VTTM) No. 82400 (RPPL2018004778), Variance (VAR) No. RPPL2018005398-(1), and Conditional Use Permit (CUP) No. RPPL2018004781-(1), with the addition and/or modification of three conditions of approval regarding the trail connector and voluntary affordable units:**

A. VTTM Condition No. 22/CUP Condition No. 25: Within 90 days of final approval submit an Amended Exhibit Map/Revised Exhibit "A" to reflect the separate five-ft-wide walkway through the Project site and connecting to the public trail, a lowered building pad for Building No. 5 and the tot lot, guest parking stalls, and removal of the vehicular gates, to the satisfaction of the Director of Regional Planning;

B. VTTM Condition No. 28: The subdivider shall enter into a covenant with the Los Angeles County Development Authority (LACDA) for the two voluntary affordable units, including the following terms:

i. The income restricted units shall be indistinguishable in exterior and interior design from the non-restricted units within the Project in terms of appearance, materials, and finished quality, and have the same number of bedrooms as the non-restricted units at the Project; and in a development with a variety of bedroom counts per unit, the percentage of income restricted units with a particular number of bedrooms shall be equal to the percentage of the non-restricted units at the Project with the same number of bedrooms;

ii. The income restricted units shall be dispersed throughout the Project equitably and be no less attractive or desirable on average (whether because of convenient access or amenities) than the other non-restricted units;

iii. An affordable housing covenant related to the income-restricted units shall be approved and recorded within 180 days of the Tentative Tract Map approval;

iv. A one-time compliance monitoring fee shall be collected for each income restricted unit at the time of covenant recordation; and monitoring shall include annual owner certification; and

v. All affordable units, including voluntary or proffered units, shall align with the income categories as defined in County Code, Title 22 - Planning and Zoning. Under exceed 120% AMI as defined by California Department of Housing and Community Development's income and rent limits;

vi. The affordable housing covenant for homeownership Projects shall include provisions restricting the initial sale to eligible buyers and

requiring an equity sharing agreement with the County that states the terms set forth in Section 22.56.2630.A.6.e of the County Code; and all income restricted units, regardless if they are voluntary/ proffered or approved under the County's Density Bonus and/or Inclusionary Housing ordinances, are subject to LACDA's equity sharing program and guidelines;

vii. The initial sales price of the income restricted units in homeownership Projects shall be determined by LACDA's Affordable Sales Price Calculator (subject to be updated and changed periodically), available on the Department of Regional Planning's website; and

viii. The affordable housing covenant is a land use covenant and shall be senior to all deeds of trust; and

C. CUP Condition No. 35: Prior to issuance of a building permit, the permittee shall establish hours of operation for the gates controlling public access to the on-site five-ft-wide pedestrian trail connection to the satisfaction of County Department of Parks and Recreation (DPR) and LA County Planning, and a sign plan shall be submitted to LA County Planning with DPR approved hours of operation; and

4. Instructed County Counsel to prepare the necessary Resolution and Findings and Conditions to affirm the Regional Planning Commission's approval of Project No. 2018-003138-(1) including PA No. RPPL2018004782-(1), VTTM No. 82400 (RPPL2018004778), VAR No. RPPL2018005398-(1), and CUP No. RPPL2018004781-(1), including the changes noted above.

Said motion was duly carried by the following vote:

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

Attachments: Board Letter
Departmental Statement
Public Comment/Correspondence
Audio

7. Hearing on Project No. 2023-002078, County Code, Title 22 - Planning and Zoning Amendment Related to the Gun Dealer Ordinance

Hearing on Project No. 2023-002078-(All Districts), Advance Planning Project No. RPPL2023003021-(All Districts), on proposed amendments to County Code, Title 22 - Planning and Zoning, to align with concurrent updates to the licensing requirements for gun dealers in County Code, Title 7 - Business Licenses, to enhance gun regulations, including defining gun dealers and clarifying the allowance of gun dealers in some commercial zones and industrial zones; prohibiting new gun dealers within 1,000 ft of a sensitive use and other gun dealers, requiring a Conditional Use Permit for new gun dealers where permitted, in conjunction with County Code, Title 7, including hours of operation and requiring a business license, and prohibiting the discharge of a firearm on the premises of a gun dealership; and find that the project is exempt from the California Environmental Quality Act. (On September 20, 2023, the Regional Planning Commission recommended approval of this project.) **(Department of Regional Planning)** (23-3970)

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, was present. Opportunity was given for interested persons to address the Board. Mia Livas-Porter, Megan Oddeson, Eric Preven, Roy Humphreys, and Hector Ramirez addressed the Board. Correspondence was received.

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

1. **Indicated its intent to approve the Gun Dealer Ordinance (Ordinance) Advance Planning Project No. RPPL2023003021, 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 the Project is exempt from the California Environmental Quality Act.

Said motion was duly carried by the following vote:

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

Attachments: Public Comment/Correspondence

II. CLOSED SESSION MATTERS FOR NOVEMBER 28, 2023

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

Consideration of candidate(s) for appointment to the position of Interim Executive Officer of the Board.

No reportable action was taken. (23-4272)

Attachments: Public Comment/Correspondence
Audio

CS-2. 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: Local 721, SEIU; Union of American Physicians & Dentists (UAPD).

No reportable action was taken. (23-4150)

Attachments: Public Comment/Correspondence

Report of Closed Session (CSR-23)

Attachments: Audio Report of Closed Session 11/28/23

III. GENERAL PUBLIC COMMENT 8

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

Roy Humphreys, Paul Hennessy, Heather Detwiler, Annonomous Number One, Eric Preven, Matthew Hom, Susan Ashley, Tramell Carter, Roy Gorham, and Joaquin Beltran addressed the Board. Interested persons(s) also submitted written testimony.

In addition, Tramell Carter addressed the Board on the matter of CS-1, Public Employment pursuant to Government Code Section 54957, prior to the Board adjourning into Closed Session. (23-4301)

Attachments: Public Comment/Correspondence
Audio

Closing 9

9. Open Session adjourned to Closed Session at 10:41 a.m. following public comment:

CS-1:
Consider Public Employment, pursuant to Government Code Section 54957(b)(1): Consideration of candidate(s) for appointment to the position of Interim Executive Officer of the Board.

CS-2.
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: Local 721, SEIU; Union of American Physicians & Dentists (UAPD).

Closed Session convened at 12:11 p.m. Present were Supervisors Hilda L. Solis, Holly J. Mitchell, Lindsey P. Horvath, Kathryn Barger and Janice Hahn, Chair presiding.

Closed Session adjourned at 12:12 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 12:13 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.

On motion by Supervisor Hahn, and by Common Consent, there being no objection, 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 12:14 p.m.

The next Regular Meeting of the Board will be Tuesday, December 5, 2023, at 9:30 a.m. (23-4412)

The foregoing is a fair statement of the proceedings of the public hearing and closed session meeting held November 28, 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