

PHYLLIS M. DAUGHERTY

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February 3, 2014

City Clerk's File: **CF 11-0754-S1**

Sent by electronic facsimile and e-mail on 2/3/2014

City Clerk (FAX 213/978-1027, 978 -1050)
City of Los Angeles
200 N. Spring Street, 3rd Flr.
Los Angeles, CA 90012

The Office of the City Attorney (FAX 213/978-8312)
800 City Hall East
200 N. Main Street
Los Angeles CA 90012

Dear Sir or Madam:

RE: Notice to Cease and Desist; Notice to Cure or Correct Violations; Notice of Intent to File
Petition for Writ of Mandamus; All regarding approval of Ordinance 182816 including
Council File **11-0754-S1** and Zoning Interpretation **ZA-2013-3104-ZAI**.

Pursuant to Government Code § 54960.2, please take notice that I am hereby demanding that the City of Los Angeles, via its elected representatives, immediately "cease and desist" and "cure or correct" its violations by way of rescinding Ordinance No.182816, which became effective on January 19, 2014.

The process by which this ordinance was enacted is in violation of the Los Angeles City Charter, the Rules of the Los Angeles City Council, the Los Angeles Municipal Code, and the Brown Act, among other laws. Specifically, but not exclusively, there was a lack of public notice that a change was being made to a Zoning Code; a lack of response to a CPRA request; the Planning and Land Use Management Committee inappropriately and illegally waived consideration of the ordinance, thereby denying the public the right to notice and hearing on such change; and inaccurate documents falsely indicating approval by the Director of Planning and Planning Commission were submitted to the Mayor when the ordinance was submitted for his signature.

Please take notice that I intend to file an ex parte action on or about February 11, 2014, in the Los Angeles Superior Court, 111 North Hill Street, Los Angeles California, for an alternative writ of mandate and order to show cause why the City's approval of the ordinance should not be set aside. In addition I intend to seek a stay of the ordinance pending a decision on the merits of the Verified Petition.

If the City wishes to make an effort to resolve this matter without the need for litigation, please contact me immediately, and specifically before 5:00 p.m. on Thursday, February 6, 2014.

Sincerely,

Phyllis M. Daugherty

Phyllis M. Daugherty

cc: Mayor Eric Garcetti
Council President Herb Wesson
Jeffrey E. Zinder, Esq.
Harold W. Holmes, Esq.