

RESOLUTION

WHEREAS, the City Council of the City of Los Angeles (City Council) adopted Article 1.3 of Chapter 1 of the Los Angeles Municipal Code (Revocation or Termination Ordinance) to establish a procedure for the City Council to revoke approvals of development projects and terminate project applications tainted by corruption or fraud;

WHEREAS, the Revocation or Termination Ordinance puts on notice developers and individuals and businesses associated with developers that the consequences of their unlawful conduct can lead to revocation and termination of their project entitlements, approvals, permits, and applications;

WHEREAS, the Revocation or Termination Ordinance provides developers and individuals and businesses associated with developers a hearing and an opportunity to present their case to the City Council before it makes any decision to revoke or terminate project entitlements, approvals, permits and applications; and

WHEREAS, pursuant to the Revocation or Termination Ordinance, the City Council shall adopt by resolution rules and procedures for hearings held pursuant to the ordinance;

NOW, THEREFORE, BE IT RESOLVED that the City Council adopts the following rules and procedures for a revocation or termination hearing pursuant to Article 1.3 of Chapter 1 of the Los Angeles Municipal Code (LAMC):

A. Definitions. For purposes of this Section, the definitions set forth in LAMC Section 11.3.2. shall apply, as well as the following:

“Representative” means the “Agent/Representative” identified on an official application of the Planning Department.

B. Notice.

1. Notice of Initiation of Revocation or Termination Proceedings and Initial Stay Pursuant to LAMC Section 11.3.3.C (Initiation). The Clerk shall provide notice of the Initiation of the revocation or termination proceedings, including the date of the Preliminary Hearing provided for in LAMC Section 11.3.3.D, to the Applicant, Owner, Representative and any other individual listed on the project or permit application as the primary contact for the project (collectively “Notice Recipients”). The Clerk shall overnight mail the notice to the Notice Recipients within 48 hours after the introduction of the motion initiating the hearing at City Council or the Clerk’s receipt of the communication initiating the hearing, unless the communication is received on a Saturday or Sunday or City holiday, in which case the Clerk shall overnight mail the notice within 48 hours after the first city business day after the Saturday, Sunday, or holiday. The notice shall include the following information:

- (a) a copy of the motion or communication initiating the hearing process;
- (b) a link to the associated Council File where evidence or information provided to the Clerk supporting the motion or communication may be found;
- (c) the imposition of the temporary stay; and
- (d) the date, time, and location of the Preliminary Hearing when the City Council will consider whether to pursue revocation or termination.

2. Notice of Decision After the Preliminary Hearing (LAMC Section 11.3.3.D) and Notice if City Council Proceeds With Revocation or Termination Hearing (LAMC Section 11.3.3.E).

A. Notice of City Council's Decision after Preliminary Hearing. Written notice of the City Council's decision whether to proceed with a Revocation or Termination Hearing shall be sent by the City Clerk to the Applicant, Owner, Representative, and any other individual listed on the project or permit application as the primary contact for project information within five calendar days of the City Council's decision after the Preliminary Hearing.

B. Notice of Revocation or Termination Hearing. If the City Council decides to pursue revocation or termination, the Clerk shall mail notice of the date, time, and location of the Revocation or Termination Hearing to the Notice Recipients and any other party legally required to receive notice no less than 24 days prior to the date of the hearing. The Clerk shall also provide notice by publication in at least one newspaper of general circulation in the City, designated for that purpose by the City Clerk, no less than 24 days prior to the date of hearing.

C. Revocation or Termination Hearing.

1. At the Revocation or Termination Hearing, the City Council shall consider the facts showing fraud or corruption as set forth in the Revocation or Termination Ordinance.

2. The Applicant and/or Owner shall have the opportunity to address the City Council and to:

- (a) introduce exhibits;
- (b) rebut the evidence against them;

(c) represent themselves or be represented by anyone of their choice; and

(d) be provided sufficient time to present their arguments, including any rebuttal, before the final vote on the matter.

D. Form of Decision. The City Council shall issue its decision whether to revoke any entitlement, approval, or permit, or terminate any application for entitlement, approval or permit, within 30 days of the hearing. The decision shall be in writing, based on a preponderance of the evidence, and supported by findings, as set forth in LAMC Section 11.3.3.E in the Revocation or Termination Ordinance.

E. Reasonable Dispatch. The City Council shall proceed with reasonable dispatch to conclude any matter being heard under the Revocation or Termination Ordinance. Due regard shall be shown for the convenience and necessity of Owners, Applicants, and their representatives.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Los Angeles City Council at its meeting of _____, 2020.

HOLLY L. WOLCOTT, City Clerk

By _____

Council File No. 20-0980