

**FIX THE CITY CHALLENGES 2377 MIDVALE PROJECT AND MAYORAL EMERGENCY  
DECLARATION IN NEW LAWSUIT**

**Los Angeles, CA – December 6, 2023** Fix the City, Inc. (FTC), an all-volunteer nonprofit public benefit corporation, has filed a comprehensive lawsuit against the City of Los Angeles, challenging the legality of the Midvale Avenue Interim Housing Project and the broader framework under which it was approved. The suit, filed in the Los Angeles Superior Court, alleges multiple violations of city and state laws, focusing on the Mayor's expired emergency declaration including the law it was based on, and the lack of transparency and competitive bidding in the selection of vendors for the project.

FTC contends that the 2377 Midvale Avenue Shelter, aimed at providing 33 "low-barrier" homeless shelter beds in West Los Angeles in a single-family neighborhood, on a city parking lot which local businesses rely upon, was unlawfully approved using a secretive process on a site that is legally ineligible for such a project. The lawsuit further highlights that the project was sanctioned under an expired emergency declaration and contends that LAAC 8.33, which allowed for the project's approval, is unlawful.

FTC argues that the city's actions represent a dangerous precedent, with decisions made behind closed doors, apparent ethics violations, circumvention of public participation, ignoring public safety, and ignoring local, small-business impacts all while ignoring city financial policies.

A list of key assertions made by the suit and the suit itself can be found on the [FixTheCity.Org](https://www.fixthecity.org) website.

"This lawsuit is not just about the Midvale Project; it's about the fact that laws matter and we all deserve transparency in government actions and a right to fair, open and legal processes," said Mike Eveloff, President FTC. "Instead, with the Midvale project, we have an expensive, illegal and ill-conceived project being jammed through despite the fact that it harms residents and businesses - especially when there are community-supported superior locations that house more people and cost less. It makes no sense," he concluded.

And jammed through it is. The approval of the Midvale project pushed the bounds of power over substance when the Mayor fired the president of the Transportation Commission simply for asking for more information. Former Commissioner Eisenberg said it best: "I've never seen anything like this" Eisenberg said. "It's sending a message of 'You do what we tell you or we're going to cut you.' That's the wrong message. That's not the message you want to send when you're in a democracy."

"No project is so important that it justifies breaking the law and firing good people for trying to do their jobs. This is supposed to be a fact-based representative democracy." said Ms. Lake.

FTC is asking the court to vacate the emergency declaration under which the Midvale Project was approved. The suit also calls for an injunction against the City of Los Angeles, preventing the enforcement of any directives issued under the expired emergency declaration and stopping the progression of the Midvale Project. "The residents of Los Angeles deserve a government that operates with transparency and accountability, especially when tackling high-priority, high-cost issues like homelessness" said Eveloff.

FTC is committed to ensuring that the City of Los Angeles adheres to legal and ethical standards in its operations and decision-making processes, especially in matters that impact public safety and utilize public funds. ###