

Communication from Public

Name: Tony Malinda

Date Submitted: 10/02/2023 01:06 PM

Council File No: 23-1066

Comments for Public Posting: 10/2/23 File# 23-1066 Dear Council Men and Women, I am writing to implore you not to approve funding for the Midvale/Pico project at 2377 Midvale ave. My name is Tony Malinda, I have been a licensed psychotherapist for 30 years and I am currently in my 7th year as an addiction medicine specialist for Kaiser Permanente. I have worked in every aspect of mental health imaginable including with the homeless mentally ill. The “human experiment” that Katy Yaroslavsky and Mayor Bass would like to put up in our neighborhood will be just another failure in the name of solving homelessness. These projects have proven to be major disasters and this one is not going to be any different. It may look a little more modern as a very expensive architect has designed it, but a phone facade is not going to work. The only way to truly get these people off the street is to place them in long term psychiatric facilities where they can detox safely, be assessed by licensed professionals, and treated accordingly. The majority of these people have a major mental illness which is typically coupled with addiction. What you have not considered is that most of them do not want help. What do you do when a person is “gravely disabled” and/or a “Danger to self and others?” You conserve them and make the healthy decision for them. Gavin Newsom is attempting to take care of this problem on the state level with “care court.” That too is going to be complicated given multiple antiquated California laws and out of control patient’s rights, but it is a start. Many homeless advocates would want us to believe that less than half of the homeless population is mentally ill. I beg to differ. When you consider that all substance use disorders (Addictions) are classified as mental illnesses the numbers go up dramatically and I challenge any of you to find a person on the street who does not meet the diagnostic criteria for “Major depressive Disorder” (MDD). This is a huge problem, and it is not going to be solved in a parking lot and it will never be solved if sobriety is not required. You can fool yourselves as much as you want but all these tiny home projects are going to do is cause way more problems than they propose to solve. Our entire civilized society is based on behavior modification. All successful systems are protected with rewards and consequences which means that Katy’s human experiment is going to fail. We already know that these people are

going to be severely mentally ill, addicted and have criminal records and that there will have no behavioral expectations in place. They will be given free shelter, free food, and free toilets. These are not rewards, these are handouts. There will also be no expectation of sobriety or stabilization of any sort. There will be no consequences for bad behavior therefore they will behave badly. The people who own homes on Midvale ave. are going to be sitting ducks when an angry resident decides to walk out. They will terrorize our neighborhood and vandalize our property; in fact, it has already started as the word is out and they are coming to our neighborhood. Our neighbors have already been threatened and are scared to leave their homes. We have multiple families with little children and numerous elderly folks who have lived in the area for 40 + years. All of these people are in danger and now you want to invite 32 dangerous people who have nothing to lose to share our neighborhood??? WHY???? You have also not considered what will happen when people are turned away; what do you think they are going to do when they don't get a shed to live in? This lack of programming and planning is going to attract more and more homeless people to West Los Angeles and enable them to remain sick. There is no upside to this as you all will be allowing the homeless industrial complex to waste our taxpayer funds. Please use those funds to build large psychiatric facilities that are staffed with mental health professionals who know how to create programs with evidence-base approaches and well thought out treatment plans. Please don't punish us, we don't deserve it. I have poured by heart and soul into my home on Midvale for 20 years and I don't want to have to protect it and my family from dangerous people who want what I have. My 99 year old mother in law has lived with us the entire time and she does not deserve to live her last years in fear. The homeless advocates like to disparage us by calling us "NIMBY's". Please show me the people who actually want this in their back yards...REALLY!!! Covid set us all back and we are slowly recovering. The parking lot at 2377 Midvale ave. is being used by our local businesses and is absolutely necessary for small businesses to recover and thrive. Katy's people would like you to believe that it is under-utilized and that simply is not true. Of course it was underutilized during Covid, but so was most of the civilized world. DO NOT LET THIS PROJECT HAPPEN! We will all regret it

Communication from Public

Name: Jaimie

Date Submitted: 10/02/2023 11:55 AM

Council File No: 23-1066

Comments for Public Posting: I am writing in regard to the Pico midvale housing project as concerned local resident. While I am in favor of creating interim and permanent housing, I feel strongly that we need to do so in a way that doesn't threaten businesses and neighborhoods. This project is smack in the middle of a neighborhood full of young kids and the elderly with very little (from everything i've heard) that would prevent residents from the project from creating mayhem in the local neighborhood. We've already suffered considerably in this neighborhood due to the city's lack of a proactive stance on addressing homelessness-at one point, we had a massive encampment about a half mile from this site that led to daily crime (including home invasions), explosions, unbearable noise, etc. The city has not clearly articulated how it would prevent that situation from being our new reality around this project--it sounds like the plan is to have ONE unarmed security guard (completely ineffective) and minimal barriers to entry/exit. The above does not even account for the impacts to our tax paying, local businesses on the once thriving Pico corridor. It's incredibly disheartening that rather than investing in reinvigorating the neighborhood, the city is planning something that will cause permanent damage. Last point i'll make-Katy Yaroslavsky's lack of willingness to listen to her constituents and engage in DIALOGUE (not one sided conversations with no room for opposition) is truly disgusting. She is a city council member-not an authoritarian dictator. However, she acts more like the latter.

Communication from Public

Name: Jennifer Ferris

Date Submitted: 10/02/2023 09:52 AM

Council File No: 23-1066

Comments for Public Posting: I'm a concerned resident and am writing to express my strong opposition to the proposed Midvale-Pico interim housing project. I ask the Committee to deny the request to fund this project, which would divert away scarce dollars from alternative options that have a much higher likelihood of success. The Midvale-Pico parking lot interim housing project is a poorly thought-out project that will gravely compromise neighborhood safety for a number of reasons: 1) the project has a high likelihood of housing individuals with a criminal record; 2) the site will only employ one *unarmed* security guard; 3) the proposed site is adjacent to families with young children (who walk to nearby schools), senior citizens, and small businesses that lack security to protect their employees and patrons; and 4) Los Angeles Family Housing (LAFH), the vendor selected by Councilmember Yaroslavsky to operate this project, has a catastrophic track record of operating similar shelters in other parts of Los Angeles, which have led to rampant drug use and overdoses, tents, and criminal activity in the neighborhoods in which LAFH shelters are located. I am also deeply concerned that the loss of this parking lot will negatively impact the local businesses that rely on it. Most of these local businesses are minority, immigrant and family owned restaurants. The parking lot is full of cars every single night, which means customers use it to dine at these restaurants. If this lot is converted to a shelter, these restaurants will undoubtedly lose customers, which will lead to a drop in revenue, and then loss of jobs. There are better locations for an interim shelter — locations that will not jeopardize neighborhood safety and force small businesses to close shop. Please make the right decision and deny the funding for Councilmember Yaroslavsky's ill-conceived project. Thank you for listening.

Communication from Public

Name: Jackson Ferris

Date Submitted: 10/02/2023 10:02 AM

Council File No: 23-1066

Comments for Public Posting: I'm a concerned resident and am writing to express my strong opposition to the proposed Midvale-Pico interim housing project. I ask the Committee to deny the request to fund this project, which would divert away scarce dollars from alternative options that have a much higher likelihood of success. The Midvale-Pico parking lot interim housing project is a poorly thought-out project that will gravely compromise neighborhood safety for a number of reasons: 1) the project has a high likelihood of housing individuals with a criminal record; 2) the site will only employ one *unarmed* security guard; 3) the proposed site is adjacent to families with young children, senior citizens, and small businesses that lack security to protect their employees and patrons; and 4) Los Angeles Family Housing (LAFH), the vendor selected by Councilmember Yaroslavsky to operate this project, has a catastrophic track record of operating similar shelters in other parts of Los Angeles, which have led to rampant drug use and overdoses, tents, and criminal activity in the neighborhoods in which LAFH shelters are located. I am also deeply concerned that the loss of this parking lot will negatively impact the local businesses that rely on it. Most of these local businesses are minority, immigrant and family owned restaurants. The parking lot is full of cars every single night, which means customers use it to dine at these restaurants. If this lot is converted to a shelter, these restaurants will undoubtedly lose customers, which will lead to a drop in revenue, and then loss of jobs. There are better locations for an interim shelter — locations that will not jeopardize neighborhood safety and force small businesses to close shop. Please make the right decision and deny the funding for Councilmember Yaroslavsky's ill-conceived project.

Communication from Public

Name: Carter Ferris

Date Submitted: 10/02/2023 10:05 AM

Council File No: 23-1066

Comments for Public Posting: I'm a concerned resident and am writing to express my strong opposition to the proposed Midvale-Pico interim housing project. I ask the Committee to deny the request to fund this project, which would divert away scarce dollars from alternative options that have a much higher likelihood of success. The Midvale-Pico parking lot interim housing project is a poorly thought-out project that will gravely compromise neighborhood safety for a number of reasons: 1) the project has a high likelihood of housing individuals with a criminal record; 2) the site will only employ one *unarmed* security guard; 3) the proposed site is adjacent to families with young children, senior citizens, and small businesses that lack security to protect their employees and patrons; and 4) Los Angeles Family Housing (LAFH), the vendor selected by Councilmember Yaroslavsky to operate this project, has a catastrophic track record of operating similar shelters in other parts of Los Angeles, which have led to rampant drug use and overdoses, tents, and criminal activity in the neighborhoods in which LAFH shelters are located. I am also deeply concerned that the loss of this parking lot will negatively impact the local businesses that rely on it. Most of these local businesses are minority, immigrant and family owned restaurants. The parking lot is full of cars every single night, which means customers use it to dine at these restaurants. If this lot is converted to a shelter, these restaurants will undoubtedly lose customers, which will lead to a drop in revenue, and then loss of jobs. There are better locations for an interim shelter — locations that will not jeopardize neighborhood safety and force small businesses to close shop. Please make the right decision and deny the funding for Councilmember Yaroslavsky's ill-conceived project.

Communication from Public

Name: Reagan Ferris

Date Submitted: 10/02/2023 10:50 AM

Council File No: 23-1066

Comments for Public Posting: Please do not fund/approve or otherwise allow the Midvale Pico interim housing project to proceed at this location. Our neighborhood is already unsafe as it is. Last year when I was 17 yes old, I was attacked by a homeless woman on a Saturday before noon near Olympic and Selby (a few blocks from this proposed project). The woman was sitting down against the wall of a corner house, and I was walking back from the local strip mall after getting my nails done. I did not make eye contact and did not say anything and went out of my way to walk around woman's extended legs on the sidewalk as to not engage with her. The woman started screaming at me, cursing and saying foul language and telling me I should die. She then picked up a bottle that she had been balancing on her head and threw it at me, which then cut my foot, and I started to bleed. I ran home terrified and came into the house in tears, and looked white as a ghost from fear. After telling my mom what happened, she promptly went around the corner back down to where the woman was now again sitting to get a good look at her and honestly just snap a photo that we could then alert the neighborhood and to give the cops. When my mom got close enough, she just looked at her like nothing had happened and as she got closer she pulled out her cell phone to take a photo. Then she jumped up off the sidewalk and started screaming at my mom. My mom then said "why did you attack my daughter?" She then said all these horrible things about me and my mom, and how we should all die. As my mom backed away while looking at her, she got far enough to then turn my back from her and walk briskly home. She then threw a heavy make up mirror of glass at my mom which luckily missed and burst into pieces, which she then picked up and threw over my corner neighbors fence. When my mom got back home we called the cops and they arrived within 30 minutes. They said we had a few options: if we could actually find her (because she's probably long gone by now) we could either have her arrested for assault and she would then be back out on the streets in less than 24 hours or if we felt that she had a mental issue we could file a 5150 and they could at least hold her for three days and do a mental assessment which at the end of it they could again let her go if she wasn't deemed as incompetent to be out on the street. Unfortunately, after the police talked with us and then went to go

look for her she was long gone and we haven't seen her since even though her face is burned in my memory forever as harming me and scaring the living daylights out of me. This was in broad daylight on a Saturday morning not far from Big Chill and other business not to mention an entire neighborhood. It's not ok to not feel safe in my own neighborhood. Please do not fund this project. There are better locations that can help more people without harming local communities, families, and struggling businesses. Thank you.

Communication from Public

Name: Julie Philips

Date Submitted: 10/02/2023 09:44 PM

Council File No: 23-1066

Comments for Public Posting: I am a concerned resident and am writing to express my STRONG OPPOSITION to the proposed Midvale-Pico interim housing project. I ask the Committee to deny the request to fund this project, which would divert scarce dollars from alternative options that have a much higher likelihood of success. The Midvale-Pico parking lot interim housing project is a poorly thought-out project that will gravely compromise neighborhood safety for a number of reasons: 1) the project has a high likelihood of housing individuals with a criminal record, mental illness, and/or drug addiction; 2) the site will only employ one security guard, who will not be armed, and will not be authorized to deal with anything outside the facility, such as a resident having a psychotic episode on Midvale Ave.; 3) the proposed site is adjacent to families with young children, senior citizens, and small businesses that lack security to protect their employees and patrons; and 4) Los Angeles Family Housing (LAFH), the vendor selected by Council member Yaroslavsky to operate this project, has a catastrophic track record of operating similar shelters in other parts of Los Angeles, which have led to rampant drug use and overdoses, tents, and criminal activity in the neighborhoods in which LAFH shelters are located. I am also deeply concerned that the loss of this parking lot will destroy the local businesses that rely on it. Most of these local businesses are minority, immigrant and family-owned restaurants. The parking lot is full of cars every night from 6:00pm on, which means customers use it to dine at these restaurants. If this lot is converted to a shelter, these restaurants will undoubtedly lose customers, which will lead to a drop in revenue, and then loss of jobs. Many have told us that without that parking lot their business will not survive. The city calls the parking lot underutilized, but we've learned their study was done only during the weekday, before 5, when there is still plenty of street parking. They didn't study the lot after 6pm or on the weekend, when street parking is not allowed without a permit, because the city would not pay overtime for the study to be done after 6 or on weekends. There are much better locations for an interim shelter — locations that will not jeopardize neighborhood safety and force small businesses to close shop. Please make the right decision and deny the funding for Councilmember Yaroslavsky's ill-conceived project.

Communication from Public

Name: Theresa Healy

Date Submitted: 10/02/2023 09:58 PM

Council File No: 23-1066

Comments for Public Posting: I am strongly opposed to the proposed Pico-Midvale project. My parents and disabled adult sister live on the block where Council Member Katy Yaroslavsky is moving to convert a parking lot into interim housing for approximately 30-34 individuals. Several other families on the block include senior citizens with mobility and other health issues and young children. Unfortunately, for the last several years the neighborhood has seen an incursion of homeless individuals, many with severe substance abuse problems and high acuity mental illness (a danger to themselves or others). It is not uncommon to see individuals openly using hard narcotics (injecting themselves with needles or smoking out of a crack pipe), in an altered state (sometimes hostile), or nodding off on the sidewalk or on a person's lawn. Unfortunately, there have been incidents where people in the neighborhood have been threatened, harassed and even assaulted by these individuals. They have also been victims of property crimes. Council Member Yaroslavsky's project will escalate the safety issues faced by the residents here, which include children, senior citizens and disabled adults. Please understand the level of stress and anxiety this fast-tracked proposal is causing for this community since it was announced in late July. Since that time levels of stress and anxiety have only increased for members of this community-- they have done their homework and have seen the devastating effects that similar projects have had on communities in North Hollywood and elsewhere. Additionally, this project will also jeopardize the viability of the surrounding small businesses, many that are independent and immigrant owned, which are still trying to rebuild after the effects of COVID. The design of Council Member Yaroslavsky's project lacks any meaningful accountability measures for those who will live there and affords no protections for the residents in the neighborhood or local businesses. Council Member Yaroslavsky has admitted that this will be a "low bar" facility and that a criminal record will not preclude someone from living there. These individuals will not be subject to drug testing. There is also no requirement that they participate in any counseling, classes or rehabilitation program in exchange for their food and housing. In other words, there are no real strings attached for them. These residents are free to leave the premises each day to go buy and use drugs and engage in

whatever activity they see fit. The other thing Council Member Yaroslavsky's project lacks is transparency for the neighborhood. The criminal backgrounds of these individuals will be concealed from the neighborhood even though families and vulnerable members of the populations such as elderly and disabled adults reside adjacent to the project. Forcing a project that poses a threat to the safety of one's "constituents" is clearly wrong. This is a neighborhood with a long track record of lifting up and helping others, including the homeless and other vulnerable populations. There are other facilities in the area, not co-located on a block with families and elderly seniors, which could service these individuals. In fact, these other locations contain space to house and service a much larger number of people.

Communication from Public

Name: Alana

Date Submitted: 10/02/2023 08:35 PM

Council File No: 23-1066

Comments for Public Posting: I am writing to express my STRONG opposition to the proposed Midvale-Pico interim housing project. Are there any circumstances under which this project should be allowed to proceed? As my children would say - “no, no, no, no, no.” I ask the Committee to deny the request to fund this project, which would divert away scarce dollars from alternative options that have a much higher likelihood of success. The Midvale-Pico parking lot interim housing project is a poorly designed, and is putting the lives of my children, my family, my neighbors, and all the other hard working tax paying citizens in this community at risk. I am also deeply concerned that the loss of this parking lot will negatively impact the local businesses that rely on it. The parking lot is full of cars every single night. There are better locations for an interim shelter — locations that will not jeopardize neighborhood safety and force small businesses to close shop. Please make the right decision and deny the funding for Councilmember Yaroslavsky’s ill-conceived project.

Communication from Public

Name: Timothy P Murphy

Date Submitted: 10/02/2023 08:54 PM

Council File No: 23-1066

Comments for Public Posting: I'm a concerned resident and am writing to express my strong opposition to the proposed Midvale-Pico interim housing project. I ask the Committee to deny the request to fund this project, which would divert away scarce dollars from alternative options that have a much higher likelihood of success. The Midvale-Pico parking lot interim housing project is a poorly thought-out project that will gravely compromise neighborhood safety for a number of reasons: 1) the project has a high likelihood of housing individuals with a criminal record; 2) the site will only employ one *unarmed* security guard; 3) the proposed site is adjacent to families with young children, senior citizens, and small businesses that lack security to protect their employees and patrons; and 4) Los Angeles Family Housing (LAFH), the vendor selected by Councilmember Yaroslavsky to operate this project, has a catastrophic track record of operating similar shelters in other parts of Los Angeles, which have led to rampant drug use and overdoses, tents, and criminal activity in the neighborhoods in which LAFH shelters are located. I am also deeply concerned that the loss of this parking lot will negatively impact the local businesses that rely on it. Most of these local businesses are minority, immigrant and family owned restaurants. The parking lot is full of cars every single night, which means customers use it to dine at these restaurants. If this lot is converted to a shelter, these restaurants will undoubtedly lose customers, which will lead to a drop in revenue, and then loss of jobs. There are better locations for an interim shelter — locations that will not jeopardize neighborhood safety and force small businesses to close shop. Please make the right decision and deny the funding for Councilmember Yaroslavsky's ill-conceived project. ?

Communication from Public

Name:

Date Submitted: 10/02/2023 02:46 PM

Council File No: 23-1066

Comments for Public Posting: Dear Council Members, I have lived in the Midvale/Pico area for over 20 years and have raised two children, now 21 and 22. They safely rode their bikes past the 2377 Midvale parking lot (which is now slated to become a low- barrier homeless shelter) they walked to Cold Stones for ice cream safely and we all walked as a family to Backhouse, Gayu Kaku, Nizams and other businesses while passing this parking lot. These businesses mentioned are still standing after the Pandemic. They have struggled to hang on and are coming back. I am deeply opposed to the Midvale/Pico low-barrier housing project for the general population of the homeless. This population will be recently incarcerated, mentally ill and drug addicted people. I am a compassionate person who has had family members with mental illness and drug addiction and I know the difficulty in treating these people. I also understand how dangerous they can be to self and others. A low- barrier facility does NOT require them to be sober, it does not require them to have tackled their addiction before they are admitted. It does not require them to have a curfew and they can come and go all hours of the day and night. How are you going to treat these people if they have not first tackled their addiction??? A low barrier facility was designed to NOT require anything from the homeless that are admitted. It was designed to encourage them to seek treatment. The truth is the majority of them do not want to seek treatment. This system is a set up for FAILURE, for both the community and the homeless. Our community has REAL solutions and an alternative space which will be a fraction of the cost of the proposed Midvale/Pico shelter . This type of facility DOES NOT BELONG IN A RESIDENTIAL NEIGHBORHOOD where small businesses are located and CHILDREN walk with their parents, grandparents and care givers. We have proof that this type of facility is not working. What if the mentally ill addict that has just smoked a meth pipe while on their way to the low-barrier homeless shelter has a psychotic break and meets the family passing by??? Can we think about that for a moment?? This facility will create imminent danger and irreparable damage. The drug dealers will come tapping on the 8x8 tiny plastic houses or call out from the outside. When the addicts run out of money to pay for the drugs, will they break into our homes? Will they break into our cars? We will be forced to lock ourselves inside, be stripped of our freedoms and become mentally unstable ourselves. I urge you to deny the funding for Councilmember Yaroslavsky's fast track development by Life Arc. Why Life Arc? Why all that money? We already have something much better and ready to go in a much better location. Please hear our voices. Why were we silenced? If this was such a great idea, why was it not announced to the stakeholders before it was made public? There was no attention to detail here. I have attached a link below. There is also part one but it will take some time. Governor Newsom has begun with CARE COURT which is definitely a start. <https://www.youtube.com/watch?v=0IHEMHc2yfY> ? Homelessness in California: "It's not normal the level of homelessness we have here." Video 2/3: In this SIEPR video series, Stanford Research Scholar Jialu Streeter leads policymakers, academics, and homeless individuals in a discussion about factors that contribute to California's homelessness crisis. Watch the series: <https://youtube.com/playlist?list=PLs-p47TpkzbemYfBVVz8ocxZ4olEgAu8f>. To view full-length interviews of ... www.youtube.com

Communication from Public

Name: Lizzy Chapman

Date Submitted: 10/02/2023 03:17 PM

Council File No: 23-1066

Comments for Public Posting: I would like to voice my strong opposition to this misguided project. Everyone agrees that we need more homeless housing. However, this is the wrong place for a homeless shelter. The only reason that CD5 would like to build a homeless shelter in this location is because it is cheaper than other options. That simply is not a good enough reason to build a shelter on this land-- next to families, young children, seniors, and minority-owned mom & pop businesses-- and unnecessarily add chaos, crime, and disruption to this community. CD5 has completely disregarded the legitimate safety concerns of the nearby residents and businesses. One unarmed security guard, who has no authority to act beyond the shelter's threshold, is laughably insufficient to provide the neighborhood with security. Ms. Yaroslavsky claims that she will designate the 500 feet surrounding the shelter as a 41.18 no camping zone. There are 41.18 no camping zones all over the city, and even 4 blocks away from Midvale, and they are NEVER enforced. Indeed, the process to have the 41.18 enforced (wait on hold for 1-hour or more with the non-emergency police, hope that they will come within 24 hours, hope that the police will actually ask the person to move and not tell us that their "hands are tied" as often happens, then file a request with MyLA311 to clean up the trash and debris left behind and hope that the city will come clean within 2 weeks) is so tedious and often futile that it is essentially worthless. Members of Ms. Yaroslavsky's team have told us that many of the unhoused individuals that currently camp in the neighborhood do not have the mental capacity to be considered for residency in this shelter. Thus, the shelter will not meaningfully help the problems that currently exist in the neighborhood. Lastly, the negative impacts of this shelter on the Pico business corridor are undeniable. Indeed, the landlord of the former Starbucks informed Yaroslavsky's office that a tenant cancelled their lease once they heard that their restaurant would be next to a homeless shelter and that their customer parking would be taken away. The small businesses on this block of Pico -- like the Backhouse, Gyu-Kaku Japanese BBQ, Chili Thai, The Wellesbourne, and Jennifer Pennifer -- will suffer if this shelter is built. This block was once a thriving commercial center, and with the imminent opening of Google across this street, this area could be vibrant once again, especially if the city invests in its success.

Removing the parking for this commercial corridor and replacing it with a homeless shelter will be disastrous for the businesses, which is why the West LA Chamber of Commerce opposes the Midvale project. Concerned neighbors have identified a better location for this project on Cotner that will not harm neighbors and destroy businesses. Please consider the concerns of the tax-payers and businesses owners of Rancho Park and deny the funding for this misguided project.

Communication from Public

Name: Kate
Date Submitted: 10/02/2023 05:22 PM
Council File No: 23-1066

Comments for Public Posting: Hi, I'm a concerned resident and am writing to express my strong opposition to the proposed Midvale-Pico interim housing project. I ask the Committee to deny the request to fund this project, which would divert away scarce dollars from alternative options that have a much higher likelihood of success. The Midvale-Pico parking lot interim housing project is a poorly thought-out project that will gravely compromise neighborhood safety for a number of reasons: 1) the project has a high likelihood of housing individuals with a criminal record; 2) the site will only employ one *unarmed* security guard; 3) the proposed site is adjacent to families with young children, senior citizens, and small businesses that lack security to protect their employees and patrons; and 4) Los Angeles Family Housing (LAFH), the vendor selected by Councilmember Yaroslavsky to operate this project, has a catastrophic track record of operating similar shelters in other parts of Los Angeles, which have led to rampant drug use and overdoses, tents, and criminal activity in the neighborhoods in which LAFH shelters are located. I am also deeply concerned that the loss of this parking lot will negatively impact the local businesses that rely on it. Most of these local businesses are minority, immigrant and family owned restaurants. The parking lot is full of cars every single night, which means customers use it to dine at these restaurants. If this lot is converted to a shelter, these restaurants will undoubtedly lose customers, which will lead to a drop in revenue, and then loss of jobs. There are better locations for an interim shelter — locations that will not jeopardize neighborhood safety and force small businesses to close shop. Please make the right decision and deny the funding for Councilmember Yaroslavsky's ill-conceived project.

Communication from Public

Name: Fix The City
Date Submitted: 10/02/2023 04:49 PM
Council File No: 23-1066
Comments for Public Posting: Please see attached comments.

Housing & Homelessness Committee
Re: CF 23-1066
Item 5 on the October 4, 2023 Agenda

October 2, 2023

Dear Committee Members,

Please accept this letter as [Fix The City's](#) comments concerning the 2377 Midvale Project (CF-23-1066) (Project).

The 2377 Midvale Project is an ill-conceived and unlawful project which cannot and must not be approved for at least the following reasons:

1. **Los Angeles Administrative Code (LAAC) 8.33 is fatally flawed.** The Project relies on the [Mayor's emergency declaration](#) and related [executive directives](#). The [July 7, 2023 declaration](#) was based on and derives its authority from [LAAC 8.33](#).

LAAC 8.33 is in violation of [Cal. Gov. Code 8630](#) which states: "If proclaimed by an official designated by ordinance, the proclamation must be ratified by the governing body within seven (7) days." The validity of LAAC 8.33 is being litigated now and Project approval should be stayed until the case is resolved. ([Los Angeles Superior Court Case # 23STCP03519](#)).

2. **The current declaration is invalid for failure to comply with LAAC 8.33's requirements.** Even if LAAC 8.33 was valid, per [LAAC 8.33 \(e\)](#), the Chief Legislative Analyst(CLA) with the assistance of the City Attorney(CA) must submit a resolution to the council so that the council may rescind the declaration within 30 days. No such resolution has been located in the council files. The current declaration has therefore expired and is not operable and the Project should be rejected. [LAAC 8.33\(e\)](#) reads:

"Whenever the Mayor declares a local housing and/or homelessness emergency, the Chief Legislative Analyst's Office shall prepare, with the assistance of the City Attorney, a resolution ratifying the existence of a local housing and/or homelessness emergency. Such resolution **shall be submitted** by the Mayor to the City Clerk for presentation to the City Council. Within 30 days from the date of the original declaration by the Mayor, the City Council may consider the resolution and rescind it by majority vote. "

3. **The declared emergency expired.** The declared emergency was not ratified within 7 days by the council as required by state law. No action, including this Project, can rely on the declaration. [Cal Govt Code Section 8630\(b\)](#) states:

"Whenever a local emergency is proclaimed by an official designated by ordinance, the local emergency **shall not remain in effect** for a period in excess of seven days unless it has been ratified by the governing body." (emphasis added)

4. **All Executive Directives, rules, regulations, orders and related "guidelines" have expired.** As the declared emergency under LAAC 8.33 was invalid and/or expired due to a failure to ratify the declaration within seven days and/or expired as the required resolution was never submitted to council, all Executive Directives and rules, regulations, orders and guidelines which were derived from the emergency declaration are now null and void. To the extent that the current Project relies on the declaration or any directive, rule or process related to the declaration, such reliance is flawed.

5. **The homelessness crisis does not qualify legally as an “occurrence.”** [LAAC 8.22](#) contains the definition of a “local emergency” which reads:

“The term **“local emergency”** as used in this chapter shall mean any **occurrence** which by reason of its magnitude is or is likely to become beyond the control of the normal services, personnel, equipment and facilities of the regularly constituted branches and departments of the City government.” (emphasis added)

Homelessness, while a long-enduring crisis, is not a new, unexpected occurrence as required for a local emergency in LAAC 8.22 such as earthquakes, fires and storms. The City has long acknowledged homelessness is beyond its capabilities including a declared Shelter Crisis ([CF 15-1138](#)) and ([CF 15-1138-S24](#)) and creation of the Los Angeles Homeless Services Authority (LAHSA) which was established in 1993 as a Joint Exercise of Power Agency (JPA).

6. **Not ‘sudden and unexpected’ as represented.** The current Project does not qualify as an emergency under CEQA. The California Environmental Quality Act (CEQA) ([21060.3](#)) defines an “emergency” as:

“a **sudden, unexpected occurrence**, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. “Emergency” includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage.”

Demonstrating that homelessness is neither sudden nor unexpected, the City [Addressed](#) the idea of declaring a State of Emergency for homelessness in 2015, rejecting the concept in favor of issuing a [“shelter crisis” declaration](#). At the time, and hundreds of times over the years, the City has acknowledged that “Los Angeles has a tremendous lack of emergency shelter.” And that “Los Angeles has a staggering number of homeless residents.” During the 2015 deliberations, the City Attorney [report](#) stated:

“The City’s emergency power has been historically utilized in cases of natural disasters and other discrete emergencies. There is limited precedent of the City declaring a local emergency to address issues surrounding homelessness.”

The ‘limited precedent’ cited related to emergency declarations related to weather impacts on the homeless.

7. **‘Sudden and unexpected’ misapplied.** The “sudden and unexpected” increase in homelessness is cited in the [BOE report](#) as follows:

“The Project is a specific action necessary to prevent or mitigate an emergency – the conditions arising from a sudden and unexpected dramatic rise in the City’s already dangerously large homeless population, **now adversely impacted by the COVID-19 Pandemic.**” (emphasis added)

The City’s own language in support of the Project indicates that the suddenness/unexpectedness of homelessness was the result of the [Covid-19 emergency](#) for which an entirely separate emergency declaration was put in place. The Covid-19 emergency was [declared over](#) as of February 1, 2023.

8. **LifeArk Issues.** The Project uses a pre-fabricated, self-sustainable, water and land-based modular building system from LifeArk. The selection of LifeArk is improper as:

- a. CD5 sought to have LifeArk placed on a list of approved vendors only after the selection of LifeArk was complete.
- b. No bidder forms have been provided by LifeArk, its officers or subcontractors as required.
- c. As indicated by the request within the Project description, a sole-source contract is being sought despite no competitive bidding being conducted as required.
- d. LAMC 48.01 et seq. includes the following definitions:

“Attempting to influence” means promoting, supporting, opposing or seeking to modify or delay any action on municipal legislation by any means, including but not limited to providing or using persuasion, information, statistics, analyses or studies. A person attempts to influence municipal legislation when he or she engages in lobbying activities for the purpose of influencing a decision.

“Lobbying activities” includes the following and similar compensated conduct when that conduct is related to a direct communication to influence any municipal legislation: 1. engaging in, either personally or through an agent, written or oral direct communication with a City official; 2. drafting ordinances, resolutions or regulations; 3. providing advice or recommending strategy to a client or others; 4. research, investigation and information gathering; 5. seeking to influence the position of a third party on municipal legislation or an issue related to municipal legislation by any means, including but not limited to engaging in community, public or press relations activities; and 6. attending or monitoring City meetings, hearings or other events.

Sec 48.07 Requirement. An individual who qualifies as a lobbyist shall register with the City Ethics Commission within 10 days after the end of the calendar month in which the individual qualifies as a lobbyist. A person, including an individual lobbyist, shall register with the City Ethics Commission as a lobbying firm within 10 days after the end of the calendar month in which a partner, owner, shareholder, officer or employee qualifies as a lobbyist. If a person is not registered as a lobbyist or lobbying firm, but is performing acts which would require that person to so register, that person may continue to act as a lobbyist or lobbying firm so long as the person registers with the City Ethics Commission within 10 days after the person knew or should have known of the obligation to register.

- e. As demonstrated by [numerous email messages](#), LifeArk’s activities clearly appear to qualify as lobbying activities.
- f. Neither LifeArk, its officers nor agents are registered as lobbyists as required despite having numerous contacts with CD5 and other city officials to secure business for LifeArk, including placement on a list of approved vendors.
- g. [LAMC 49.7.35](#) states that:

“In addition to any other penalties or remedies established by this Article, a person who is found to have violated or to have aided or abetted a violation of this Section or Charter Section 470(c)(12) shall not be eligible to bid on or be considered for a contract, extension, or amendment unless the Ethics Commission, as a body, determines that mitigating circumstances exist concerning such violation.”

As a result of the violations, LifeArk is ineligible for an award of this contract.

9. LA Family Housing (LAFH)

CD5 has declared that LAFH was selected as the service provider for the Project. Oddly, the presented Project does not mention LA Family Housing(LAFH), perhaps because of an [ongoing ethics investigation](#). This selection is improper because:

- a. Based on the above LAMC sections relating to lobbying, LAHF is not a registered lobbyist nor are any of its executives despite lobbying for the Project.
- b. No bidder forms for LAFH have been located or produced.
- c. Based on an initial review, it appears that the CEO of LAFH contributed to candidates in the past within the restricted period for previous projects.
- d. The process for the selection of LAFH as the service provider tainted the Project because the selection involved CD5 policy advisor Zachary Warma who announced the selection of LAFH. Zachary Warma's immediate previous employer was LAFH as recently as December, 2022, violating LAMC 49.5.6(B). CD5 claimed that Warma had been "walled-off" from the Project yet numerous documents show otherwise with Warma being the person to announce that LAFH had been selected as noted above and also that Warma had attended numerous meetings with LAFH senior leadership. See L.A. Municipal Code § 49.5.6(B) ("In the first 12 months of City service, a City official or agency employee shall not knowingly make, participate in making, or attempt to use his or her official position to influence a City decision directly relating to a contract when a party to the contract is a person by whom the individual was employed in the 12 months immediately prior to entering City service.").
- e. LAMC 49.7.35 states:

"In addition to any other penalties or remedies established by this Article, a person who is found to have violated or to have aided or abetted a violation of this Section or Charter Section 470(c)(12) shall not be eligible to bid on or be considered for a contract, extension, or amendment unless the Ethics Commission, as a body, determines that mitigating circumstances exist concerning such violation."

As a result, LAFH is ineligible for an award of this contract.

10. **Lobbying exemptions do not apply to LifeArk or LAFH.** The exemption listed under [LAMC 48.03.E](#) is inapplicable. The exemption clearly states:

"This exemption shall not apply to direct contracts with a City official in other than a publicly noticed meeting."

Meetings with CD5 were held in secret and were not part of a publicly noticed meeting. Further, LifeArk SPC is not a 501(c)3 corporation.

11. **Bidding and contract rules have been violated.** The award of the Project to LifeArk (and perhaps LA Family Housing) violates both City and State contracting rules. This includes the awarding of a sole-source contract as other vendors with similar products were reviewed. See [Pub. Contract Code § 20162](#), [Los Angeles Charter \(LAC\) Sec. 371.](#), [LAC Sec. 10.15](#), [LAC Sec. 10.17](#).

12. The CEQA exemption listed is invalid.

- a. Per [Public Resources Code \(PRC\) 21080\(d\)](#), there is substantial evidence that the Project may have a significant effect on the environment, namely accumulated debris, public safety impacts, noise, traffic disruptions due to parking loss and more. A report must be prepared.
- b. PRC 21080(b)(4) fails as the declared emergency expired as described above.

13. The Project is not compatible with CEQA Guidelines Section 15269(c).

- a. [Cal. Code Regs. 16269\(c\)](#) specifies the types of projects which are exempt from CEQA. Exemption (c) relates to "Specific actions necessary to prevent or mitigate an emergency. "
- b. The emergency cited by the City in its application (Covid-19) has expired. The emergency declaration by Mayor Bass has also expired as described above. The exemption does not apply.
- c. Section 16269(c) also states that the exemption "does not apply (i) if the anticipated period of time to conduct an environmental review of such a long-term project would create a risk to public health, safety or welfare,"
- d. There is no evidence that "the anticipated period of time to conduct an environmental review of such a long-term project would have created a risk to public health, safety or welfare. This appears self-evident as the council office conducted a secret process for 8 months during which time a public review could have been undertaken.

14. The Project does not comply with the definition of "Local Emergency" in CA Govt Code 8680.9.

- a. [CA Govt Code 8680.9](#), part of the California Disaster Assistance Act, defines a local emergency as follows:

"8680.9. "Local emergency" means a condition of extreme peril to persons or property proclaimed as such by the governing body of the local agency affected, in accordance with Section 8630. " (emphasis added)

- b. The City did not comply with Section 8630 as the emergency was not ratified within 7 days.
- c. State funding should not be used as the City was required to make a request within 10 days after the actual occurrence of a disaster per [Ca Gov. Code 8685.2](#):

"An allocation may be made to a local agency for a project when, within 10 days after the actual occurrence of a disaster, the local agency has proclaimed a local emergency and that proclamation is acceptable to the director or upon the order of the Governor when a state of emergency proclamation has been issued, and if the Legislature has appropriated money for allocation for purposes of this chapter."

- 15. Political, not emergency needs.** There is no evidence that this particular parcel is needed to resolve the emergency. Many parcels would satisfy the need - far more effectively. In fact, this parcel did not meet the criteria established by the City Controller and did not make the [final list](#) of potential sites. There is no evidence that only this parcel is uniquely needed or even suited for the stated need. In fact, there is substantial evidence that the parcel is being selected for political reasons and that the council office restricted review to one single parcel – this parcel.

Zachary Warma <zachary.warma@lacity.org> Fri, Apr 7, 2023 at 11:45 AM
To: Marina Quinonez <marina.quinonez@lacity.org>
Cc: Steven Fierce <steven.fierce@lacity.org>, Deborah Weintraub <Deborah.Weintraub@lacity.org>, Gary Gero <gary.gero@lacity.org>, Fernando Morales <fernando.morales@lacity.org>, Annabelle Gonzales <annabelle.gonzales@lacity.org>, Kristen Pawling <kristen.pawling@lacity.org>, Andrew Deblock <andrew.deblock@lacity.org>

Marina:

I hope this message finds you well!

As a follow up to our conversation last month - with the CAO having finalized their property profiles of various city-owned parcels in the 5th District our office is contemplating for potential housing interventions, I want to emphasize that the [2377 Midvale Ave](#) LADOT lot #707 is the **only property for which our office requests a BOE analysis for interim housing**. Would you mind reminding me the average / approximate length of time it takes to generate one of these reports?

PRA06-CAO-000284

16. The Project is inconsistent with PRC 21080.27 (AB 1179). The Project is inconsistent with Public Resources Code Section 21080.27 (AB 1179) as follows:

a. The City is not an “eligible public agency” under 21080.27(a). PRC 21080.27(a) reads:

21080.27. (a) For purposes of this section, the following definitions apply:

(1) “Eligible public agency” means any of the following:

- (A) The County of Los Angeles.
- (B) The Los Angeles Unified School District.
- (C) The Los Angeles County Metropolitan Transportation Authority.
- (D) The Housing Authority of the City of Los Angeles.
- (E) The Los Angeles Homeless Services Authority.
- (F) The Los Angeles Community College District.
- (G) The successor agency for the former Community Redevelopment Agency of the City of Los Angeles.
- (H) The Department of Transportation.
- (I) The Department of Parks and Recreation.

b. The Project is not a shelter as defined and required.

i. PRC 21080.27(a)(2) states that:

“Emergency shelters” mean shelters, during a declaration of a shelter crisis **described in Section 8698.2** of the Government Code...” (emphasis added)

c. 8698.2 states that: “A “homeless shelter” **shall include a parking lot** owned or leased by a city, county, or city and county **specifically identified as one allowed for safe parking** by homeless and unstably housed individuals.” (emphasis added)

d. The Project does not contain safe parking, is not a shelter as defined in 8698.2 and therefore is not consistent with AB 1197.

17. The Project is inconsistent with LAAC 8.59. Under [LAAC Sec. 8.59](#). Public Welfare and Shelter Division., Los Angeles Recreation and Parks should be the lead agency. 8.59 reads:

“The Public Welfare and Shelter Division shall be under and subject to the control of the Department of Recreation and Parks of the City of Los Angeles. The Chief of this division shall be the General Manager of the Department. **The chief shall be responsible for arranging, directing and coordinating sheltering services for persons rendered homeless as a result of a local emergency.**” (emphasis added)

18. **The Project does not comply with Cal. Gov. Code 65662.** The Project is not compatible with Cal. Gov. Code 65662 which limits “use by right” as follows::

“A Low Barrier Navigation Center development is a use by right in areas **zoned for mixed use and nonresidential zones permitting multifamily uses, if it meets the requirements of this article.**” (emphasis added)

The Project is located in a residential zone (R1-1) that does NOT permit multifamily uses.

19. **The Project is not a “homeless shelter” consistent with Cal. Govt Code Section 8698.4 . [Cal Gov Code 8698.4](#)** which deals with homeless shelters during a declared ‘shelter crisis’ provides the following definition at 8698.4(c)(1):

“Homeless shelter” means a facility with overnight sleeping accommodations, the primary purpose of which is to provide temporary shelter for the homeless that is not in existence after the declared shelter crisis. A temporary homeless shelter community may include supportive and self-sufficiency development services. **A “homeless shelter” shall include a parking lot owned or leased by a city, county, or city and county specifically identified as one allowed for safe parking by homeless and unstably housed individuals.**’ (emphasis added)

The Project does not contain safe parking and therefore does not meet the requirements of a “homeless shelter.”

20. **Incompatibility with Shelter Crisis LAMC Provisions.**

a. [LAMC 12.80 \(Homeless Shelters – Emergencies – City Owned and Leased Property\)](#)

- i. LAMC 12.80 provides that a shelter for the homeless (as defined in Section [12.03](#) of this Code) may be established and operated on property owned or leased by the City of Los Angeles.
- ii. LAMC Section 12.03 defines a “shelter for the homeless” as: “A facility operated by a ‘provider’, **other than** a ‘community care facility’ as defined in California Health and Safety Code Section 1502” (emphasis added).
- iii. [California Health and Safety Code 1502.3](#) defines a “community care facility” as “(a) “Community care facility” means any facility, place, or building that is maintained and operated to provide nonmedical residential care, day treatment, adult daycare, or foster family agency services for children, adults, or children and adults, including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children...”
- iv. As a purely definitional issue, the Project as described is precluded under 12.80 which does not allow for “community care facilities.”

b. [LAMC 12.81 \(Homeless Shelters – Emergencies – City Owned and Leased Property\)](#)

- i. LAMC 12.81 is inapplicable for the same reasons as 12.80 and also in that R1 is not a listed zone (“a shelter for the homeless (as defined in Section [12.03](#) of this Code) may be established and operated in the R3, RAS3, R4, RAS4, R5, C2, C4, C5, CM, M1, M2, and M3 zones”)

21. **Site ineligibility for Executive Directive 1 (ED1).** Even if the local emergency declaration was valid and [Executive Directive 1](#) was valid, 2377 Midvale is listed as not “ED1 Compatible” meaning that “ED 1 may not be applied to a project on the site.” Any use of ED1 is precluded.

22. **Neighborhood Plan.** The Project is not compliant with the [Exposition Corridor Transit Neighborhood Plan](#).

2377 Midvale is zoned R1-1 and does not permit the proposed Project. The other two parcels at 10907 and 10909 Pico Blvd are zoned NMU(EC)-POD.

- a. The Project is non-compliant with the Expo Plan including, but not limited to the following sections:
- i. Purpose I: "Implement the policies of the [General Plan Framework](#), which include conserving stable single-family neighborhoods and directing growth toward transit corridors."
 - ii. 1.1.4.A. "Relationship to Other Zoning Regulations. The regulations of this Specific Plan are in addition to those set forth in the Planning and Zoning code provisions of Chapter 1 of the Los Angeles Municipal Code (LAMC), as amended, and any other relevant ordinances, and do not convey any rights not otherwise granted under the provisions and procedures contained in the LAMC or other ordinances, except as specifically provided for herein. The Specific Plan serves to establish the zoning for the properties located within its boundaries. It is intended, therefore, to serve as a zoning designation for purposes of California Public Resources Code Section 21083.3."
 - iii. 1.1.4.E. Specific Plan Procedures. "The application requirements and procedures of LAMC Section 11.5.7 shall apply to all Projects in the Specific Plan boundaries unless stated otherwise in this Specific Plan, as set forth in Section 1.3.3."
 - iv. 1.3.1 "Prohibition of Issuance of Permits Prior to Specific Plan Approval The Department of Building and Safety shall not issue any building, grading, demolition, or change of use permit for any Project within the Specific Plan boundaries (in whole or in part) unless the Project has been reviewed and approved in accordance with this Specific Plan."
 - v. 1.3.2 "Filing Requirements for Multiple Approvals When an applicant applies for any discretionary approval under LAMC Chapter 1 for a property located in whole or in part within the Specific Plan boundaries, the applicant shall also apply for a Specific Plan approval pursuant to this subsection. A Director's Determination for Alternative Compliance, a Specific Plan Adjustment, or a Specific Plan Exception shall be a quasi-judicial approval for purposes of LAMC Section 12.36 A, and shall be processed pursuant to the procedures in LAMC Section 12.36, if applicable."
 - vi. 1.5.1 "Applicability Prior to issuance of an Administrative Clearance or other Department of City Planning approval required by this Specific Plan, all Projects within the Specific Plan boundaries shall be subject to environmental scope review as set forth in Section 5 and demonstrate compliance with all applicable environmental standards as set forth in Appendix D."

- b. Importantly, the Expo plan addresses "conflicting regulations" as follows:

"1.1.4.C: Conflicting Regulations. Wherever this Specific Plan contains regulations that are different from, more restrictive, or more permissive than would be allowed or required pursuant to the provisions contained in the LAMC or any other relevant ordinances (including, but not limited to, standards such as heights, uses, parking, open space, Setbacks or Building Lines, or landscape requirements), this Specific Plan shall prevail and supersede the applicable provisions of the LAMC and those relevant ordinances, unless otherwise stated in this Specific Plan."

The current Project ignores this section of the Expo Plan with regard to conflicts with other LAMC sections.

23. **General Plan Framework.** The Project is incompatible with the [General Plan Framework](#) (GPF) in several respects, but most importantly because the increase in density requires the existence of adequate public services including police and fire response times.

- a. The GPF emphasizes the importance of “Clear and Consistent Rules” as follows:

“Clear and consistent rules governing both public and private sector development are necessary to expand economic opportunity and protect the character of residential neighborhoods. These rules should provide predictability to anyone who develops property, including small businesses and individual homeowners.”

The current Project, and in fact the entire confused process relating to the emergency declaration and related directives, have rendered nearly all rules unclear and inconsistent. Aside from the current Project which violates R1 zoning, nothing makes this more clear than the tortured discussion concerning the “[5511, 5501 North Ethel](#)” project (CF 23-0835) which not only allowed a seven story, 220 unit project to be erected in an R1 zone, but also saw the City Council give up its discretion on such projects making them purely ministerial and unappealable.

- b. The GPF explicitly calls for the preservation of single-family neighborhoods as follows:

“GOAL 3B - Preservation of the City's stable single-family residential neighborhoods.

Objective 3.5: Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development.”

The proposed Project will disrupt the single-family neighborhood and also violates the character and scale objective.

- c. The proposed Project is inconsistent with the mandatory mitigations approved in the [Statement of Overriding Considerations](#) by the City for the GPF. This includes:
- i. Police: “Additionally, the Framework Element includes a policy that requires the City to correlate the type, amount, and location of development with the provision of adequate supporting infrastructure and public services.”
 - ii. Recreation and Open Space: “Additionally, the Framework Element includes a policy that requires the City to correlate the type, amount, and location of development with the provision of adequate supporting infrastructure and services.”

24. **Covenants & Affidavits.** The Project fails to address several covenants/affidavits relating to Lot 707 which were required as conditions of approval for certain local businesses. No provision is made for resolving this issue.

25. **Parking study for Lot 707 appears to be flawed and hasn't been released.** One of the justifications for the Midvale site is the alleged under-utilization of Lot 707. It is important to note that despite several requests, the parking study underlying this assertion has not been released to the public. City staff indicated verbally that the evaluation ended at 5p as “no one was paying for overtime.”

Pico Boulevard is tow-away, no-stopping from 4p to 7p, eliminating all street parking. The local preferential parking district prevents parking after 6pm. This leaves Lot 707 as the only parking available after 4pm. Lot 707 is highly utilized after 5pm during dinner hours in connection with several adjacent restaurants. A study that does not evaluate after 5pm entirely misses the essential nature of Lot 707 and use of the report is arbitrary and capricious.

Superior Alternate Site. The community, which was not consulted at all during the site selection, vendor selection and provider selection process, fully understands and embraces the need to find solutions. In response to this ill-conceived Project, the community has identified just such a site which will serve at least three times as many people. Details on

the proposed site can be found [here](#) and involves using existing or new RVs to house 120 people on Cotner Avenue with supportive services and also includes a safe parking lot for approximately 15-20 cars. This alternate site is supported by a wide array of local business, residential property owners and commercial property owners.

Inclusion of Public Records Requests, Linked Files. We hereby include by reference the Public Records Requests and other documents listed on the [Fix The City web page](#) related to this Project. We also include by reference those documents hyperlinked in this document.

Conclusion. For at least the reasons stated above, the Midvale Project should be rejected in its entirety and a more suitable site should be selected for addressing homelessness.

Sincerely,

A handwritten signature in blue ink, appearing to be 'JD' or similar, written over the word 'Sincerely,'.

Fix The City