

DEPARTMENT OF PUBLIC WORKS
BUREAU OF SANITATION
BOARD REPORT NO. 1
NOVEMBER 8, 2023

ADOPTED BY THE BOARD
PUBLIC WORKS OF THE CITY
OF LOS ANGELES
AND REFERRED TO THE MAYOR
NOV 08 2023
AND REFERRED TO THE CITY COUNCIL


Executive Officer
Board of Public Works

CD: 1

AUTHORITY TO EXECUTE AN AGREEMENT BETWEEN THE BUREAU OF SANITATION AND METABOLIC STUDIO LLC FOR THE OPERATION AND MAINTENANCE OF THE LOS ANGELES RIVER WATER WHEEL PROJECT

RECOMMENDATIONS

1. Approve and forward this report, with its transmittal, to the Mayor and the City Council, with the recommendation that the City Council, subject to concurrence of the Mayor, authorize the Director of LA Sanitation and Environment (LASAN) to execute the proposed Memorandum of Agreement (MOA) between LASAN and Metabolic Studio LLC (Metabolic Studio) for the Los Angeles River Water Wheel Project.
2. Upon the Mayor's and Council's authorization, the President or two Commissioners of the Board of Public Works and the General Manager of LA Sanitation and Environment (LASAN) will execute the MOA.

TRANSMITTAL

1. Copy of the MOA between the LASAN and Metabolic Studio for the LA River Water Wheel Project.
2. Copy of LASAN Letter of Intent to Operate and Maintain the In-River Features of Bending the River Back into the City, April 17, 2023

DISCUSSION

Metabolic Studio is delivering the *Bending the River Back into the City* project (Project), in collaboration with LASAN and the Los Angeles Department of Water and Power (LADWP). The purpose of the MOA is to update the previously executed agreement between LASAN, Metabolic Studio, and LADWP regarding the operation and maintenance of the Project. On July 24, 2017, the original MOA No. C-131638 was established between LASAN, Metabolic Studio, and LADWP for the operation and maintenance of the Los Angeles River Rubber Dam and Appurtenant Structures to be constructed as part of the Project.

On May 12, 2021, a revised MOA No. C-138331 was established which removed the rubber dam and replaced it with an intake structure, side channel, intake pipeline and outlet structure. The revised MOA superseded the previous MOA (C-131638).

The project has since been revised, and now consists of a smaller, approximately 2-foot by 3-foot, screened inlet from the low flow channel of the Los Angeles River, a 300-foot long, 42-inch diameter vitrified clay pipe, a 12-inch diameter pipe inside a 36-inch diameter steel casing

BUREAU OF SANITATION
BOARD REPORT NO. 1
NOVEMBER 8, 2023

PAGE 2

connecting river water to a fully lined stilling well on Metabolic Studio property, and a water treatment and distribution system to deliver treated water to the Los Angeles State Historic Park and the Los Angeles Department of Recreation and Parks locations on both sides of the River.

This new MOA will amend, supersede and replace the previous MOA (C-138331). LADWP is a signatory to this MOA since LADWP has been acknowledged as the designated purveyor of water rights within the City of Los Angeles (City). Metabolic Studio is the entity implementing the Project. When the Project is completed LASAN will operate and maintain the intake structure, intake pipeline, and other in-river appurtenances on Metabolic Studio's behalf and at Metabolic Studio's expense. A letter of intent by LASAN to operate and maintain the Project was originally sent to the U.S. Army Corps of Engineers (USACE) in January of 2016 to facilitate the permitting process. An updated letter of intent was sent to the USACE in April of 2023 to further refine the project areas LASAN will be responsible for maintaining.

Metabolic Studio has secured all required permits from the USACE and the State Water Resources Control Board (SWRCB) to implement this Project. Permit No. 21342 was issued by the SWRCB on March 7, 2014, and Metabolic has the right to divert for beneficial use up to 0.22 cubic feet per second of water from the Los Angeles River up to a maximum of 106 acre-feet per year.

Construction of the Project began in September 2020 and will be completed in September 2024. When the Project is completed, the MOA designates LASAN to operate and maintain the intake structure, intake pipeline and other in-river appurtenances as described in Exhibit C of the MOA. Metabolic Studio will establish an endowment fund for payment of all costs to LASAN to operate and maintain the Project for a period of 50 years with an option to renew for another 50 years.

FISCAL IMPACT STATEMENT

The Project will not impact the City's General Fund. Metabolic Studio shall reimburse LASAN for the cost of operations and maintenance performed by LASAN or its subcontractors.

PROJECT SCHEDULE

The construction began in September of 2020 and completion is anticipated by September of 2024.

PROJECT ADMINISTRATION

The MOA will be administered by the Safe Clean Water Implementation Division (SCWID) of LASAN.

BUREAU OF SANITATION
BOARD REPORT NO. 1
NOVEMBER 8, 2023

PAGE 3

APPROVAL AS TO FORM

The MOA has been reviewed by Adena M. Hopenstand, Deputy City Attorney of the City Attorney's Office, and has been approved as to form.

PROJECT REVIEW BY COMMITTEE/DIRECTOR (PRC/PRD) APPROVAL

This Agreement was approved by PRD on August 9, 2023

STATUS OF FINANCING

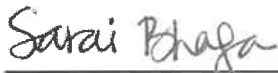
There is no impact to the General Fund. Reimbursements will be deposited into the Fund No. 60W, Safe Clean Water Municipal Fund, Department No. 50, Departmental Revenue Source Code 381100, Reimbursement from Other Agencies.

Respectfully submitted,



BARBARA ROMERO, Director
LA Sanitation and Environment

REVIEWED AND APPROVED BY:



SARAI BHAGA, Chief Financial Officer
Bureau of Sanitation

Date: 10/16/23

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