

ENERGY, CLIMATE CHANGE, AND ENVIRONMENTAL JUSTICE COMMITTEE REPORT relative to a Memorandum of Agreement (MOA) with Metabolic Studio, LLC (Metabolic Studio) for the operation and maintenance of the *Bending the River Back into the City* Project.

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

AUTHORIZE the Director, Bureau of Sanitation (BOS), or designee, to execute the MOA between the BOS, Los Angeles Department of Water and Power, and Metabolic Studio for the operation and maintenance of the *Bending the River Back into the City* Project, for a term of 50 years, with a renewal option of additional 50 years, subject to approval of the City Attorney and compliance with the City's contracting requirements.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that there is no impact to the General Fund as Metabolic Studio has agreed to pay for the cost of the Project.

Financial Policies Statement: The CAO reports that the recommended action complies with the City's financial policies as there are sufficient funds budgeted to support the expenditures.

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 19, 2020

(LAST DAY FOR COUNCIL ACTION - OCTOBER 16, 2020)

SUMMARY

At its regular meeting held on September 15, 2020, the Energy, Climate Change, and Environmental Justice Committee considered the CAO report dated July 30, 2020, relative to authorizing the Director, BOS, to execute the proposed MOA between the BOS, LADWP, and Metabolic Studio for the operation and maintenance of the Los Angeles River diversion and appurtenances constructed as part of Metabolic Studio's Project, for a term of 50 years and a renewal option of additional 50 years. The proposed MOA will replace Contract No. C-131638 entered into between the BOS, LADWP, and Metabolic Studio in 2017 (Council File No. 14-0254). The Project scope includes a low-flow diversion structure, intake pipeline, waterwheel, water pit, treatment, storage and distribution system, discharge outlet, and screen to be constructed within the Los Angeles River and Metabolic Studio's property adjacent to the Los Angeles River, to divert water from the Los Angeles River that will power the waterwheel, treat the water to acceptable use standards, and return it back to the Los Angeles River. A portion of the diverted water will be used to irrigate properties surrounding the waterwheel at no cost to the owners.

After providing an opportunity for public comment, the Committee moved to approve the recommendation contained in the subject CAO report, as detailed above. This matter is now transmitted to the Council for its consideration.

Respectfully Submitted,

ENERGY, CLIMATE CHANGE, AND ENVIRONMENTAL JUSTICE COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
MARTINEZ:	YES
KORETZ:	YES
KREKORIAN:	YES
CEDILLO:	YES
O'FARRELL:	YES

A large, stylized handwritten signature in black ink, appearing to read "Mary Martinez", is written over the right side of the table.

AXB
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-NOT OFFICIAL UNTIL COUNCIL ACTS-