

MOTION

TO CITY CLERK FOR PLACEMENT ON NEXT
REGULAR COUNCIL AGENDA TO BE POSTED

#53

The 94th and Broadway project site is a City-owned vacant commercial parcel of approximately two acres located at 9402-9422 South Broadway (Site) in Council District 8. The Site has been proposed for redevelopment with a mixed-use project consisting of up to 180 residential units and a 24,000 square foot grocery store, which is currently anticipated to be leased to ALDI. Eleven percent of the residential units will be designated as affordable housing units (Project).

In April 2022, the Economic and Workforce Development Department (EWDD) submitted an application to the California Department of Toxic Substances Control (DTSC) in its first round of the Equitable Community Revitalization Grant (ECRG) to pay for costs related to site characterization and testing, and implementation of a removal action workplan for the Site. The Site will benefit from strategic investment to support current conditions and projected growth. In June 2022, DTSC awarded the City of Los Angeles with a grant in the amount of \$2,779,589 for the Site. The City Council approved acceptance of the grant in order to conduct the environmental investigations and assess the site cleanup that may be needed (C.F. 22-1396). The Grant Agreement was executed in September 2022.

On August 9, 2018, the City entered into an Exclusive Negotiation Agreement with 94B, LLC, to negotiate terms for the proposed Project (Contract No. C-138131). EWDD proposes to contract on a sole source basis with 94B, LLC, since they have a vested interest in developing the Site. The selection of 94B, LLC, would allow the City to negotiate with one contractor instead of multiple contractors as time is of essence, thereby ensuring that services are provided continuously and efficiently. It is imperative that the work be done expeditiously in order to prevent any delays in development of the Project. The budget for the environmental related work was reviewed and approved by DTSC. The Los Angeles County Fire Department will provide oversight of the work and no City General Fund money will be used. Council action is needed to authorize EWDD to solicit and enter into contracts for environmental site assessment and possible remediation of the Site.

I THEREFORE MOVE that Council instruct and authorize the Economic and Workforce Development Department (EWDD), with the assistance of the Los Angeles Housing Department, to prepare, process, and execute contracts and documents on as-needed basis related to the use of a California Department of Toxic Substance Control Equitable Community Revitalization Grant in the amount of \$2,779,589, subject to compliance with the City's contracting policies for the above purpose, approval of the City Attorney as to form, funding availability, and in accordance with the terms contained in the related Grant Agreement (C.F. 22-1396).

I FURTHER MOVE that the Council find that the services to be performed by 94B, LLC are for the benefit of the City, that competitive bidding is not practicable or advantageous, that oversight of the budget will be provided by DTSC in addition to EWDD, that oversight of the work will be provided by the Los Angeles County Fire Department in addition to EWDD, and that the work can be performed more economically or feasibly by independent contractors than by City employees.

I FURTHER MOVE that Council authorize the EWDD to make any technical corrections or clarification as necessary in order to effectuate the intent of this Motion.

PRESENTED BY:

MARQUEECE HARRIS-DAWSON
Councilmember, 8th District

SECONDED BY:

[Signature]

DEC 13 2022

ORIGINAL