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SUBJECT TO MAYOR'S APPROVAL

COUNCIL FILE NO. PROJ 99-2107

COUNCIL DISTRICT NO. _____

COUNCIL APPROVAL DATE FEBRUARY 22, 2000

RE: PURCHASE OF LAND FOR BIOSOLIDS APPLICATION WITH VALLEY COMMUNITY INC.

MAR 06 2000

LAST DAY FOR MAYOR TO ACT _____
(10 Day Charter requirement as per Charter Section 354)

DO NOT WRITE BELOW THIS LINE - FOR MAYOR OFFICE USE ONLY

APPROVED

*DISAPPROVED

*Transmit objections in writing
pursuant to Charter Section 354

DATE OF MAYOR APPROVAL OR DISAPPROVAL FEB 24 2000

MAYOR
stano\992107

VERBAL MOTION

I HEREBY MOVE that Council ADOPT the recommendations of the Board of Public Works and the Bureau of Sanitation on today's Council agenda (Item No. 15; CF 99-2107) and waived by the Environmental Quality and Waste Management Committee relative to the purchase of land for biosolids application from Valley Community Inc. (VCI), as follows, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. APPROVE the purchase agreement to pay \$9,630,000 to VCI for 4,688 acres located in Kern County for biosolids application.
2. AUTHORIZE the President, Board of Public Works, to execute the Agreement on behalf of the City, the City Clerk to attest, and return it to the Board of Public Works for execution and further processing.
3. INSTRUCT the Controller to prepare a check in the amount of \$9,630,000 to ~~Ever~~ First American Title Company from the Sewer Capital Fund, Fund No. 761, Department 50, Account No. PG52, titled "Biosolids Land Acquisition".
(Ridley-Thomas - Wachs)
4. AUTHORIZE the Department of Public Works to finalize negotiations for a five-year lease contract with VCI to continue its farm operations at the site.
5. AUTHORIZE the Department of Public Works to finalize negotiations for a ten-year contract with Responsible Biosolids Management to continue the biosolids application operation at a reduced cost.

MOTION
ADOPTED
*** AS AMENDED**
FEB 22 2000

PRESENTED BY

MARK RIDLEY-THOMAS
Councilmember, 8th District

Los Angeles City Council

TO THE MAYOR FORTHWITH

SECONDED BY

JOEL WACHS
Councilmember, 2nd District

February 22, 2000
CF 99-2107
992107.mot

Adopted as amended by Council action on 2-22-00. *Clarke*

ATTACHMENT to Form CAO/LW-2**LIVING WAGE ORDINANCE AND SERVICE WORKER RETENTION
ORDINANCE REQUEST FOR NON-COVERAGE OR EXEMPTION FOR THE
LOADING, HAULING, AND LAND-APPLICATION OF BIOSOLIDS**

The Department of Public Works, Bureau of Sanitation is requesting determination of the Living Wage Ordinance (LWO) and Service Worker Retention applicability to the attached **Agreement Between The City of Los Angeles and Yakima Company For The Loading, Hauling, and Beneficial Use Of City Biosolids**.

The award of this agreement was a result of a Request for Proposal (RFP) that was released by the Bureau of Sanitation on February 9, 1998 in order to solicit proposals to replace an expiring biosolids contract. The Bureau of Contract Administration has previously determined that the RFP was exempt from the LWO (see letter dated March 25, 1998). We had also informed contractors who had attended the pre-proposal meeting that the contract(s) awarded through this RFP will be exempt from the LWO (see letter dated March 6, 1998). In the past, biosolids contracts were also determined to be exempt from LWO (see letter dated December 23, 1997).

The nature of services that will be provided by Yakima and other biosolids contractors cannot be feasibly provided by existing City staff pursuant to Los Angeles Administrative Code 10.37.1(j). The existing City biosolids contracts include farmland application and composting. Contracts are typically for a period of three years with 2-three year renewals and are usually well over \$100,000 per year per contract. We believe that the City, even with enough financial and staffing resources will be not be amenable to biosolids hauling to farms in Kern and other counties nor acquiring, permitting and operating farmlands.

Attached are copies of the RFP, the Agreement (signed agreements are currently with Linda Lowe of CAO for processing), and correspondences from Bureau of Contract Administration.