

MEMORANDUM

Date: 5-27-08

To: Ann Chaney
Community Development Director

From: Randy Leptien
City Engineer and
Assessment District Engineer

Subject: Comments on Budgets for Landscaping and Lighting Assessment
Districts, 2008-09 Fiscal Year

The City has two assessment districts that were established pursuant to the provisions of the Streets and Highways Code. This section of the Code is known as the Landscaping and Lighting Act of 1972 (Section 22500 et.seq.) Each year it is necessary for the City to prepare a report on the scope of work and budget for the activities within each district for the next fiscal year. Before the budget may be adopted, the City Council must conduct a public hearing on the proposed scope of work and budget. It has been customary in the past for the Parks and Recreation Commission to review the proposed scope of work for the next year and to make comments and recommendations to the Council prior to the Public Hearing. The current schedule calls for a public hearing to be held at the June 2, 2008 meeting of the Council. The Commission or the Council may extend the schedule in order to provide additional deliberation on the budget; however, if assessments are to be posted to the tax roll for the next year, a report must be approved and delivered to the County Auditor's office no later than August 10.

AD 1988-1, Landscaping and Lighting

The older of the two Districts, Assessment District No. 1988-1 (AD 88-1) was formed in the summer of 1988. Its initial purpose was to provide for the maintenance and replacement of park and recreation facilities. The scope of work was expanded in the following year to provide for the installation and maintenance of street lighting on Solano Avenue and landscaped medians in commercial areas. In 1992 bonds were issued for the construction of the Community Center and a proposed Maintenance Center. The scope of services for AD 88-1 was expanded to include the payment of the debt service on the bonds. The bonds expire (will be paid off) in 2012

A statement of the actual income and expense for FY 2006-07, the projected income and expense for FY 2007-08 and the estimated income and expense for FY 2008-09 and 2009-10 is attached. The following is a summary of the proposed existing and proposed revenues, expenditures, and projected balances to be carried forward in each year:

Revenue – Revenue is listed on the attached spreadsheet as “Sources”. Assessments under AD 88-1 are levied in proportion to the benefits that are estimated to be received by a property from the improvements (including maintenance of the improvements. The

assessment for a detached single-family residence (termed an SFR unit in the report) is \$75.54 per year. Other assessments are levied in proportion to the estimated benefits received when compared to those estimated to be received by a SFR unit. There are approximately 6,900 Equivalent Residential Units (or ERU) in the District and the assessments produce approximately \$521,000 per year in revenue. The interest on the bond fund generates another \$19,000 and the total annual income is approximately \$540,000.

Expenditures – The assessment district expenditures are divided into two categories, “Fund Uses” and “Projects”. Fund Uses include debt service and maintenance expense. Project expenditures are generally capital expenditures for parks, lighting and landscaping projects included in the City’s Capital Improvement Program (CIP).

Debt Service - The annual debt service is approximately \$363,000 per year. As noted above, the annual debt service will expire in 2012 and revenues may be used for other authorized uses or projects.

Maintenance – The proposed maintenance activities include the Community Center, Street trees, graffiti abatement, tennis courts, street lights on Solano Avenue and Ohlone Greenway, sidewalks and the urban forest program. The budget for sidewalks consists of matching funds for the replacement of sidewalks that are uprooted by trees. Since these funds are committed in the 5 year CIP they were moved in FY 2006-07 from “Projects” to “Uses”. Last year (FY 2007-08) the street tree maintenance program was increased by 20%. The sidewalk maintenance program was moved from projects to uses, and a \$30,000 budget has been allocated for the Urban Forest Program. Lastly, \$30,000 was earmarked as City matching funds for the Ohlone Greenway [lighting and bicycle path realignment] project which exceeded, slightly the original budget included in the Grant Application. At the request of the Park and Recreation Commission the resurfacing of the tennis courts at Terrace Park has been moved up from 2009-10 to this year. Funds for the repairs to the Community Center Tower have also been included in this years budget.

Ending Fund Balance - This amount varies from year to year based upon the projects that are funded by the District. It is necessary to keep approximately 50% of the value of next year’s fund uses in reserve so that the fund does not have to borrow from the general fund. This is because revenues are not received from the County Auditor until approximately January of the next calendar year.

AD 1996-1 (Measure R)

Assessment District No. 1996-1, also pursuant to the Landscaping and Lighting Act of 1972, commonly referred to as Measure R was formed in 1996 following an advisory election. Measure R provides funding for acquisition of Open Space, Recreational Playfields and Creek Restoration. Following passage of Measure R, bonds were issued in 1998 to finance the property acquisition and capital costs. The recreational playfield budget comprises 25% of the total. The attached spreadsheet addresses just this part of the Measure R budget, only. These funds are generally being held for major Capital Project

or Land Acquisition expenditures. The bonds and the assessment authority will expire in 2018.

Assessments under Measure R are \$69 per year for a single-family household (SFR). The total revenue including bonds interest is approximately \$646,000. The total debt service is \$480,000. Each activity is managed as a separate fund. Over the years, several parcels of land were acquired on Albany Hill with only one large piece of land remaining. The value of this parcel exceeds the amount of funds remaining which approximately \$2,000,000. The playfield account has nearly been depleted with contributions to the recent park program improvements. The Creek budget has approximately \$628,000 remaining. The remaining creek funds have been budgeted as matching funds for the ongoing Codornices Restoration program.

The budget for creek restoration for 2007-08 included \$5,000 for removal of non-native species from Cerrito Creek on the north side of Albany Hill. This work is to be performed under the direction of the Friends of Five Creeks. It is proposed that this activity be funded at the same level in 2008-09.

A budget of \$10,000 was also allocated in 2007-08 for vegetation management on Albany Hill. It is expected that this amount will again be expended this year and in the 2008-09 FY. The proposed budget for the creek program included \$95,000 for the design of the improvements to Codornices Creek between Kains and San Pablo Avenue and \$10,000 for City plan review. These amounts are being carried over from 2007-08.

With the minor exceptions noted for maintenance activities and environmental studies on Albany Hill, which are expressly permitted under Measure R, the interest on the capital is returned to the Capital fund for future acquisition or construction costs.

Encl.: Draft Budget AD 88-1
Draft Budget AD 96-1 Measure R, 2007-08

PART A
Description of Improvements

Assessment District No. 1988-1 improvements include the following operation and maintenance activities, bond payments and construction projects including plans, specifications and estimates related thereto:

1. Operation and Maintenance Activities (Recurrent Annual Expense)
 - a) Community Center Maintenance - janitorial services and other maintenance at the Community Center
 - b) Engineering, Legal & Notice (Dept. 440) – annual cost to publish the resolution or intention in paper of general circulation as required by law and to deliver the report to the County Auditor
 - c) Street Tree Maintenance- Commercial areas (Dept. 969) – maintenance of street trees in commercial areas
 - d) Street Tree Maintenance- Res. Areas (Dept. 970) – maintenance of trees in residential areas
 - e) Graffiti Abatement (Dept. 974) – Citywide abatement of graffiti on public property including the bulb
 - f) Tennis Court Maintenance (Dept 912) – resurfacing and striping of tennis courts
 - g) Street Light maintenance (Dept. 978) – maintenance and energizing of street lights on Solano Avenue
 - h) Park Maintenance (Dept. 916) – replacement of irrigation valves and controllers in City parks
 - i) Buchanan-San Pablo Medians – maintenance of medians on Buchanan Street and San Pablo Avenue
 - j) Playfield Maintenance – maintenance of ball-fields at Ocean View Park and Memorial Park
 - k) Ohlone Path Lighting Service and Maintenance – maintenance of the lights along the Ohlone Greenway that were installed with a Safe Routes to Transit Grant in 2007.
 - l) Ohlone Path Irrigation System Service and Maintenance – maintenance and repairs to the irrigation valves and BFPs along the Ohlone Greenway
 - m) Sidewalk maintenance program (Dept.929) - Continued implementation of a Citywide sidewalk repair program whereby City reimburses a portion of the repair when a city street tree is involved in the damaged area. Pilot residential sidewalk repair program involving about 75 sites marked by the City primarily along Marin Avenue. Residents who participate will reimburse City for construction (concrete and labor) costs; however City will pay for any necessary arborist review, hire the concrete contractor and manage the contract. Pilot program began in 2006-07; citywide program continues annually.

- n) Urban Forestry Program - The City's Urban Forestry Program identifies trees as a valuable asset to our community. Street trees (trees between the sidewalk and roadway in the public right of way) can beautify neighborhoods and increase property values. Trees can also reduce noise and air pollution, keep our homes cool in the summer, create privacy, and furnish homes for birds. The City conducts pruning of street trees in a 5-year cycle, with priority given to trees that have a greater tendency towards speedy growth, any emergency pruning for clearance or other immediate needs. Additionally, the City also conducts tree planting (and concrete removal if needed) as requested by homeowners.
- o) Urban Forestry Program - Tree Task Force This task force will discuss ways to increase Albany's inventory of street trees, propose revisions to the Street Tree Master List, and will consider solutions for enhancing funding for street tree plantings

2. Bond Payments

- a) Maintenance Center
- b) Community Center

3. Capital Improvement Plan Projects

Projects completed in recent year have been listed for reference.

a) Tasks performed during the 2004-05 FY

- P18 EEMP Tree Planting – on hold pending funding
- P32 Buchanan/Marin Medians – Preliminary Plans
- P42 Sidewalk Maintenance

b) Projects performed during 2005-06 FY:

- P09 Tennis Court resurfacing at Ocean View Park
- P32 Buchanan – Marin Medians

c) Projects performed during 2006-07 FY:

- P32 Buchanan – Marin
- P13 Ocean View Park electrical upgrade

d) Projects performed during 2007-08 FY:

- P32 San Pablo Avenue
- P13 Ocean View Park
- S62 & S43 Ohlone Greenway Project

e) Projects proposed for 2008-09 FY:

P09 Terrace Park Tennis Courts
P44 Community Center Tower repairs

4. Description of Projects

Brief descriptions of projects funded by Assessment District No. 1988-1 are listed below. Current activities are indicated in italics.

Project: **P04 - Memorial Park Improvements Phase I**
Location: Memorial Park, between the playfields and Portland Avenue
Description: Construction of new adjoining children's play areas with all new play apparatus and parent seating, new walkways, new landscaping adjacent to park buildings, new turf and irrigation system, re-grading of the entire south side of the park with installation of a complete new drainage system.
Status: Completed in 2003/04

Project: **P09 - Tennis Courts**
Location: Ocean View Park
Description: Repair and resurface the 2 tennis courts at Ocean View Park.
Status: Construction was completed in 2005.

Project: **P32 - Buchanan/Marin Medians**
Location: Buchanan Street and Marin Avenue from San Pablo Avenue to Pierce Street.
Description: Planting and irrigation improvements to medians on Buchanan Street and Marin Avenue was funded by a grant from Waste Management. Preliminary plans were prepared in 2004/05.
Status: Construction was completed in 2005/06.

Project: **- Ocean View Park and Memorial Park Playfields**
Location: 900 Buchanan Street
1331 Portland Avenue
Description: Maintenance of Playfields.
Status: Maintenance was performed in 2006/07.

Project: **P13 - Ocean View Park Improvement Plan**
Location: Ocean View Park, 900 Buchanan Avenue
Description: The goal of this project was to improve specific areas of the park to make it more attractive and user friendly.
The existing electrical service was replaced and brought up to code in 2006/07. A Landscape Architect developed designs for the permanent restroom building, new play structure, redesigned picnic area, improved park lighting and pathway improvements.
Status: Construction was completed in 2007.

Project: – **San Pablo Avenue Banners**
Location: San Pablo Ave from south to North City Limit line.
Description: Install decorative metal banners on the existing street light poles.
Status: *Installation is scheduled for 2007/08.*

Project: – **Ohlone Greenway Lighting and Pathway Improvements**
Location: Adjacent to Masonic Avenue and follows the course of the BART tracks from Berkeley to El Cerrito
Description: Replacement of the lighting system since the current one is in disrepair with some sections inoperable. Improvements include: installation of new lights beneath the BART Tracks, the realignment of the path at Portland Avenue and Washington Avenue in and to eliminate the existing mid-block crosswalks, and relocation of the curb ramps at Marin and Masonic to align the path with the existing crosswalk.
Status: *Continuing work is scheduled for 2007/08.*

Project: P09 - Tennis Courts
Location: Terrace Park
Description: Repair and resurface the 2 tennis courts at Terrace Park.
Status: *Construction scheduled for 2008-09*

Project: – **Repairs to Community Center Tower Windows**
Location: Community Center (Marin at Masonic)
Description: The project will remove and replace existing windows together with flashing in order to eliminate leaks.
Status: *Repairs are scheduled for 2008/09.*

Conceptual plans and specifications for the improvements are available for review in the office of the Director of Community Development and are incorporated in this Report by reference.

ASSESSMENT DISTRICT NO. 1988-1

PART B
Estimate of Cost
Fiscal Year 2008/09

	2006/07 Actual	2007/08 Budget	2007/08 Projected	2008/09 Estimate	2009/10 Estimate
EST. FUND BALANCE, JULY 1 (Fund 730)	\$ 439,993	\$ 594,396	\$ 714,440	\$ 443,152	\$ 169,804
REVENUE					
Assessments	514,901	521,000	521,000	536,630	521,000
Interest	23,324	17,438	17,438	17,961	15,205
Excess Debt Service Reserve	280,000				
TOTAL REVENUE	818,225	538,438	538,438	554,591	536,205
FUND USES:					
DEBT SERVICE:					
Bond Payments	352,453	362,877	362,877	362,370	367,393
MAINTENANCE:					
Community Center Maintenance		35,260	35,260	35,260	35,260
Engineering, Legal & Notice (Dept. 440)		1,500	1,500	1,500	1,500
Street Tree Maintenance- Coml areas (Dept. 969)	28,328	38,850	40,016	40,816	40,816
Street Tree Maintenance- Res. Areas (Dept. 970)	38,875	53,315	53,315	54,381	54,381
Graffiti Abatement (Dept. 974)	14,804		23,814	23,814	23,814
Tennis Court Maintenance (Dept 912)	10,162			10,000	
Street Light maintenance (Dept. 978)	10,307	8,171	22,596	22,596	22,596
Park Maintenance (Dept. 916)		15,750	15,750	15,750	15,750
Buchanan-San Pablo Medians		26,000	26,000	26,000	26,000
Playfield Maintenance		36,000	36,000	43,200	43,200
Ohlone Path Lighting Service and Maintenance		3,500	3,500	3,500	3,500
Ohlone Path Irrigation System Service and Maint		1,000	1,000	1,000	1,000
Sidewalk maintenance program (Dept.929)		100,000	26,946	50,000	50,000
Urban Forestry Program		20,000	20,000	27,752	30,152
Urban Forestry Program - Tree Task Force		10,000		10,000	3
Subtotal Maintenance	102,476	349,346	305,697	365,569	347,969
PROJECTS:					
Key Route Medians		30,000			
Buchanan Entryway signage		25,000	2	2	
San Pablo Ave. Banners		5,000		5,000	
Buchanan-Marin Medians (Dept. 976)	26,842		180		
Sidewalk Maintenance (Dept. 929)	38,681	1			
Tennis Courts (Dept. 912)		1			
Ocean View Park (Dept. 916)	23,326		105,973		
Matching funds for Ohlone Greenway Project		30,000	30,000		
Community Center Tower repairs		100,000		100,000	
Subtotal Projects	88,849	190,000	141,153	100,000	
TOTAL EXPENDITURES	543,778	902,223	809,727	827,939	715,362
ENDING FUND BALANCE	\$ 714,440	\$ 230,611	\$ 443,152	\$ 169,804	\$ (9,354)
Recommended Year end balance = 50% annual cost		\$ 174,672	\$ 152,848	\$ 182,785	\$ 173,984
(Amount in excess of 50% of Fund Uses)		\$ 55,939		\$ -	\$ -
NOTES:					

PART A DESCRIPTION OF IMPROVEMENTS

BACKGROUND

On November 5, 1996, the voters of the City of Albany approved Measure "R", an advisory measure that ratified the prior formation of an assessment district created for the purpose of funding the acquisition of open space on Albany Hill, creating recreational play fields and restoring creeks. On January 4, 1999 the Albany City Council adopted Resolution 99-1. This resolution determined that the estimated cost of the land to be acquired and the improvements to be made was greater than could be conveniently raised from a single annual assessment and provided for annual assessments to be collected in installments over a period not to exceed 21 years. In February 1999 the City issued bonds in the amount of \$6,230,000. The bond sale yielded \$5,456,347, which was deposited into the improvement fund.

Measure R provides that the assessment district revenues be allocated as follows:

- One half (50%) to the acquisition and improvement of open space
- One fourth (25%) to the acquisition and improvement of recreational playfields
- One fourth (25%) to the acquisition and improvement of creek restoration projects.

Accordingly, the initial amounts available in the respective improvement funds were:

- Open Space, \$2.782 million
- Playfields, \$1.364 million
- Creek Restoration, \$1.364 million

GENERAL DESCRIPTION OF IMPROVEMENTS

Assessment District 1996-1 provides, in general, for the following improvements:

1. **Albany Hill Open Space.** The acquisition of interests in real property for permanent open space on Albany Hill together with studies and projects that will serve to maximize the value of the open space to the property owners in Albany.

According to the Staff report prepared by the City's Planning Manager on February 8, 1996, the proposed projects for Albany Hill open space will "expand opportunities for environmental outreach and educational programming involving schools, service organizations, neighborhoods, and volunteers." Projects will in general serve to:

- Protect, maintain and enhance the natural features, native vegetation and wildlife habitats of the site;
- Protect cultural resources, improve basic services to make the site safe and accessible; and
- Provide simple amenities that respect the character of the site, educate the user and allow for the appreciation and enjoyment of the site.

The Albany Hill Master Plan contains the following series of components and projects that will focus on the following:

- Cultural Resource Protection
- Wildlife Management Vegetation Management
- Access and Circulation
- Services/Amenities

Specific projects and priorities are as contained in the Albany Hill Creekside Master Plan and Staff report dated June 23, 1996.

Included in the Hill Master Plan are goals for protection of the recorded archeological site within and around the park site including site borings and laboratory analysis of the site relative to the former habitation of the Costamoan Tribe.

A vegetation management tree study is a major goal of the Master Plan.

The vegetation zones and wildlife diversity will also be protected. This includes the Monarch butterfly roosting area. A study by a Monarch Butterfly Specialist is also provided for in the Master Plan.

Construction projects identified in the current Master Plan include vegetation management, minor grading, trails, roads, fencing, benches, rails, trash containers, signs, restrooms, a pedestrian bridge, irrigation, and planting. Additional projects consistent with the goals of the master plan will be identified as specific sites are acquired.

2. Recreational Playfield

Playfield improvements will consist of constructing baseball, softball, soccer or other recreational fields. The work will include but not be limited to clearing, grading, planting, constructing backstops and goals, restroom facilities, parking improvements, curb gutters, paving, planting, irrigation, lighting and fencing improvements and include the maintenance of the foregoing.

3. Creek Restoration

Creek restoration improvements will include the demolition and removal of existing culverts and drainage improvements and replacement with open channels lined with vegetation. The work will include demolition, excavation, grading, planting, irrigation, constructing trails or pathways and lighting system together with the maintenance of the improvements.

DESCRIPTION OF PROPERTY ACQUISITIONS AND PROJECTS

Developments during the 2007-08 and planned activities for the 2008-09 fiscal years are indicated in italics.

1. Albany Hill Open Space

The following parcels of land on the southerly and easterly slopes of Albany Hill have been acquired to date:

APN	Description	Approx. Area	Purchased	Approx. Cost
66-2758-	End of Madison St.	1 Acre	1997/98	\$ 0.27 million
66-2756-5-2 thru 66-2756-64	Between Jackson and Taft	4 Acres	1998/99	\$ 1.36 million
66-2755-097-00	Between Jackson and Taft	1 Acre	1999/00	\$ 0.28 million
Totals		6 Acres		\$ 2.00 million

In 1998 the City purchased 1 acre at the end of Madison (the Willis property) for \$270,000 and 4 acres between Taft and Jackson (the Burke property) for \$1,350,000 plus \$10,000 for environmental analysis. In 1999 the City purchased an additional acre between Taft and Jackson in the amount of \$270,000 plus \$10,000 environmental analysis from Lands Ends.

Other sites that have been considered include approximately 11 acres located near Pierce Street at the end of Gateview and Hillside Avenues (assessor's parcel number 66-2760-10-7).

Approximately 5 acres that are contiguous with existing public or private open space, contiguous with parcels subject to purchase as open space, are in private ownership and considered private open space, or are located in the public right of way. The location of the open space on Albany Hill that has been acquired to date and sites that may be considered for acquisition in the future are shown on Figure 1.

Consideration was given to expending some funds for the proposed repairs to Catherine's Walk (formerly Sunset Walk). This project consists of replacing the old patchwork of wood and concrete stairs and bare soil with a new pedestrian walkway and landscaping between Washington Street and Hillside Avenue near Polk Street. A survey has been completed and the architect (Beals Group) has prepared a conceptual design and budget estimate.

In 2002/03 the Council authorized \$20,000 for the design and construction of a new ADA compliant driveway at the trailhead on Pierce Street. Primary funding for this project was through a Safe Routes to School grant for the construction of a sidewalk on Pierce Street.

Consideration may be given in the future to using some of the funds for the acquisition of a portion of the former freeway and off-ramp for passive park and open space use.

Overall, there remains \$1.1 million in the open space fund and approximately 15 acres of undeveloped, potential open space land on Albany Hill.

2. Recreational Play fields

- a. **Pierce Street Park.** Considerable progress has been made with negotiations aimed at securing the site located at the former freeway on and off ramps at Pierce Street, north of Washington Avenue and east of Cleveland Avenue. The City Council authorized, with a vote of the neighbors of the Pierce Street area, to eliminate the building of a soundwall and small pocket park and proceed with phase one design for a 4.5-acre park. In FY 2000/01 the City prepared conceptual plans and preliminary right of way documents for the acquisition and construction of play fields, parking and open space at this location. In the winter of 2001 the State of California Department of Transportation (Caltrans) prepared the grading and drainage plans for phase one of the project. The City obtained additional funding through Caltrans to cover unanticipated construction costs for the earthwork project. Earthwork commenced with funds from the freeway project (i.e., at no cost to the City) in the summer of 2002. The City and Caltrans have executed a cooperative agreement for purchase / lease of the park area and an additional lease of airspace for a parking lot under the existing I-80 interchange along Cleveland Ave. At that time it had been proposed that, Caltrans would deed or lease this site to the City and a public process concerning the development of the park site would commence following execution of an agreement conveying rights in the land to the City.

In February of 2003 the City introduced AB 929 which would have required Caltrans to transfer the land as originally intended. The Senate Transportation Committee directed Caltrans to negotiate with the City. These negotiations are continuing. An appraisal of the site was ordered by the City in May 2004 and was completed in June of 2004. Negotiations with Caltrans are continuing.

- b. **University Village.** In 1998/99 the City began discussions with officials from the University of California, the City of Berkeley and local youth sports organizations regarding the possible acquisition, development and maintenance of recreational playfields on University owned property in Albany and Berkeley. The site is bounded by the University Village on the east, the Union Pacific railroad tracks on the west, the City of Berkeley (and Codornices Creek) on the south and the USDA property on the north.

The goal is to lease land from the University of California and relocate two existing little league fields currently located near San Pablo Avenue. Land used by the existing little league field is proposed for commercial development and student housing. Because of the need to preserve Albany's playfields, this project involves a lease arrangement, development and maintenance of new playfields. Some of the issues surrounding the project include funding; negotiating with UC Berkeley for land lease; and user schedules and conditions on field operations and maintenance.

In fall of 2001 the University elected to open up the Gill Tract for development and to relocate the ball fields to this new location. In January 2003, the University selected a development team to design and build the commercial portion, new student housing, and community facilities. A schematic plan for this site has been prepared in conjunction with the UC Village development project. Formal negotiations with UC Berkeley are underway. In late 2004 the University of California placed this project on hold. *In 2005 the Council approved the reallocation of \$650,000 from the contingency for sports fields' projects that could have potentially helped to fund this project. The funds were earmarked for field rehabilitation at Memorial and Ocean View Parks. Construction began in the summer of 2007.*

- c. **Ocean View Park.** Since 2004 the Ocean View Park playfield has been maintained by the Albany Little League. In 2006-07 this service began being funded by the City under Landscape and Lighting Assessment District 1988-1.

3. Creek Restoration

- a. **Codornices Creek Restoration Plan.** This project is located along the south side of the University Village between San Pablo Avenue and the Union Pacific Railroad right of way. The goal of this project is to return this segment of Codornices Creek to as natural a condition as possible. Features would include a meandering stream, removal of culverts, planting of native vegetation, installation of a bicycle/pedestrian path and bridges.

In 1999 the Codornices Creek and Recreational Playfields Schematic Master Plan was approved by technical committee. In late 1999, and then again in early 2001, the City Council authorized a total of \$41,500 toward preparation of a report for "Lower Codornices Creek – Evaluation of Design Alternatives" by Waterways Restoration Institute. Equal contributions were made by the City of Berkeley and the University of California, Berkeley. In May of 2001, a field review was conducted by Caltrans as a prerequisite for grant funding. In February 2001, the environmental document was begun through a contract with Design, Communities and Environment. Because of modifications in 2002, to the University Village plans (e.g., relocation of ball fields to Gill Tract, changes to creek right-of-way), this delayed the environmental document. In the spring of 2004, the draft was completed and on May 17, 2004, the Albany City Council certified the Mitigated Negative Declaration.

A grant of \$97,000 was received from Caltrans for trail planning and \$100,000 from the Coastal Conservancy for project management, design and hydrology studies.

In the fall of 2002, a grant for \$985,000 was received from the Department of Water Resources to complete engineered drawings and begin construction of the project. The improvements between Fifth Street and the Railroad were constructed in the fall of 2004 and between Fifth and Sixth Streets in 2006-07. *In 2007-08, a contract was approved for improvements along the U.S. Post Office property.*

b. **Codornices Creek Restoration – Creekside Apartments**

In April 1998, the Planning and Zoning Commission approved a 16-unit affordable housing project called Creekside Apartments. As a condition of approval, Resources for Community Development (RCD), the non-profit developer agreed to grant an easement to the City for access and restoration of the adjoining creek between Kains Avenue and San Pablo Avenue. The apartments were occupied in February 2000. RCD offered for dedication, the easement for creek conservation, flood control and public access as required. The offer of dedication has since been recorded. The offer of dedication was obtained at no cost to the City. City staff and the City Engineer prepared the right of way documents for this transaction.

The goal of the creek project is to realign and restore this open concrete channel segment of Codornices Creek to as natural a condition as possible. Features would include: removal of the concrete channel (bottom and sides); meander the stream where possible; plant native vegetation; and provide public access.

A Contract has been entered into with WRI (\$31,000) for survey, landscape plans, structural engineering, geotechnical engineering review, landscape architecture, construction plans, permitting, and project management.

Plans were prepared in the spring of 2002. Construction of the improvements and acceptance of the offer of dedication of the easement is pending verification of full funding for the project and final agreement with the City of Berkeley regarding public access, maintenance, and the maintenance road design.

The City of Berkeley was approached in 2003/04 regarding providing conceptual approval of the creek enhancement plan. *An estimate for design services was obtained in 2007 and funding is being discussed with Berkeley.*

c. Cerrito Creek Pathway and Creek Restoration

The stretch of Cerrito Creek, between San Pablo Avenue and Pierce Street, including the parallel path and portions of Albany Hill, were subject to significant disturbance when the Berkeley sewer replacement project replaced the main sewer line that runs parallel to the creek. The City of Berkeley restoration activities have been initiated on the creek side of the existing pathway, per their original mitigation plans and agreement with the City of Albany.

During this time a Working Group was initiated by the Albany City Administrator to investigate the potential opportunities offered by this work. The Working Group included representatives from the cities of Albany, Berkeley, El Cerrito and Richmond, Friends of Albany Hill, Friends of Five Creeks, Bayside Commons, Orientation Center for the Blind, and the Albany Park and Recreation Commission. The Working Group's goal, as stated in the final report, is to:

Restore Cerrito Creek and design a means of access between Pierce Street and San Pablo Avenue that recognizes the competing needs of natural habitat, both aquatic and terrestrial, pedestrian and bicycle access, and safety considerations.

Preliminary recommendations, a listing of opportunities and constraints, and a map illustrating some alternative pathways are included in the Final Report of the Working Group.

In early 2002, a \$100,000 ABAG Bay Trail grant was received from the California Coastal Conservancy to determine an acceptable bicycle/pedestrian route from El Cerrito Plaza to the Bay Trail. A consultant was hired to prepare a set of alternatives. Three joint community workshops were held by the cities of Albany, El Cerrito and Richmond. In late 2002, the consultant finalized a set of alternative routes which were then presented to various city commissions. In December 2003, the City Council accepted the feasibility study and authorized follow-up studies, including the connection along Pierce Street and adjacent to Bayside Commons. The follow-up studies for Pierce Street was completed and approved in late 2004.

In spring of 2004 a representative of the Bayside Commons Homeowners Association contacted the City staff with regard to the City's acquiring fee title to the creek right of way. The City is considering this option. A survey of the property to be transferred was performed in 2004/05 and legal description was prepared in 2005-06.

Beginning in 2006/07, removal of non-native species by Friends of Five Creeks is being funded by Measure R. *A line item has been included in the budget for 2007-08 and 2008-09.*

d. Codornices Creek and Village Creek – Target Development

In 2003/04 the City conditioned Target, the developer of the former Union Pacific parcel along Eastshore Highway, to dedicate to public use conservation easements over Codornices and Village Creeks between the railroad right of way and Eastshore Hwy. Construction of public access improvements and habitat enhancement is possible for this segment of the creek, pending environmental report, review and availability of funding. Target also was required to fund a creek management plan. The City of Berkeley has been approached about enhancing the Berkeley side of Codornices Creek. The two Cities are working on a long term plan for this segment of the creek. *The City entered into an agreement with Resources Design Group in 2007 and the plans are nearly complete. 100% Draft plans are expected to be completed by August of 2008. Funding for construction is proposed to be accomplished by a grant.*

PLANS AND SPECIFICATIONS

The conceptual plans, and the detailed plans and specifications where they exist, for the projects described in this Part A, are available for review in the office of the Community Development Director and are incorporated into this report by reference.

CITY OF ALBANY OPEN SPACE, RECREATIONAL PLAYFIELD AND CREEK
RESTORATION ASSESSMENT DISTRICT NO. 1996-1

PART B
COST ESTIMATE
SUMMARY

	2006/07 Actual	2007/08 Budget	2007/08 Projected	2008/09 Estimate	2009/10 Estimate
Bond Fund Balance (780,781,782 - July 1)	5,455,755	5,413,604	4,767,394	4,240,890	4,233,700
Less Reserve Fund Requirement	(861,769)	(863,745)	(861,769)	(861,769)	(861,769)
INCOME:					
Assessments	492,912	481,000	481,000	481,000	481,000
Bond Fund Interest	213,578	244,768	151,737	113,803	113,803
Revenue Fund Interest	51,012	45,541	42,143	31,607	31,607
Miscellaneous Revenue	6,400				
Total Income	763,902	771,309	674,880	626,410	626,410
FUND USES:					
Bond Payments	470,600	475,400	475,400	479,600	478,200
PROJECTS					
Planning and Design		105,000		105,000	
Construction	968,908		712,173	30,000	
Total Projects	968,908	105,000	712,173	135,000	
MAINTENANCE:					
Maintenance	8,258	15,000	9,811	15,000	15,000
Administration	4,497	4,000	4,000	4,000	4,000
Engineering, legal & notice					
Total Maintenance	12,755	19,000	13,811	19,000	19,000
Total Expenses	1,452,263	599,400	1,201,384	633,600	497,200
Ending Balance Available	3,905,625	4,721,768	3,379,121	3,371,931	3,501,141
Bond Fund Reserve	861,769	863,745	861,769	861,769	861,769
Bond Fund Balance (780,781,782 - June 30)	4,767,394	5,585,513	4,240,890	4,233,700	4,362,910

CITY OF ALBANY OPEN SPACE, RECREATIONAL PLAYFIELD AND CREEK
RESTORATION ASSESSMENT DISTRICT NO. 1996-1

PART B
COST ESTIMATE
OPEN SPACE FUND 780

	2006/07 Actual	2007/08 Budget	2007/08 Projected	2008/09 Estimate	2009/10 Estimate
Bond Fund Balance	\$ 2,178,855	2,284,933	\$ 2,287,999	\$ 2,371,843	2,430,184
Less Reserve Fund Requirement	(430,885)	(431,873)	(430,885)	(430,885)	(430,885)
INCOME:					
Assessments	246,456	240,500	240,500	240,500	240,500
Bond Fund Interest	80,092	87,012	72,531	54,398	54,398
Revenue Fund Interest	24,702	21,947	20,324	15,243	15,243
Miscellaneous Revenue					
Total Income	351,250	349,459	333,355	310,141	310,141
FUND USES:					
Bond Payments	235,300	237,700	237,700	239,800	239,100
PROJECTS:					
Planning and Design					
Construction					
Total Projects					
MAINTENANCE:					
Maintenance	4,557	10,000	9,811	10,000	10,000
Administration	2,249	2,000	2,000	2,000	2,000
Engineering, legal & notice					
Total Maintenance	6,806	12,000	11,811	12,000	12,000
Total Expenses	242,106	249,700	249,511	251,800	251,100
Ending Balance Available	\$ 1,857,114	\$ 1,952,819	\$ 1,940,958	\$ 1,999,299	\$ 2,058,340
Bond Fund Reserve	\$ 430,885	\$ 431,873	\$ 430,885	\$ 430,885	\$ 430,885
Ending Bond Fund Balance	\$ 2,287,999	\$ 2,384,692	\$ 2,371,843	\$ 2,430,184	\$ 2,489,225

CITY OF ALBANY OPEN SPACE, RECREATIONAL PLAYFIELD AND CREEK
RESTORATION ASSESSMENT DISTRICT NO. 1996-1

PART B
COST ESTIMATE
RECREATIONAL PLAYFIELD FUND 781

	2006/07 Actual	2007/08 Budget	2007/08 Projected	2008/09 Estimate	2009/10 Estimate
Bond Fund Balance	\$ 1,858,771	\$ 1,890,965	\$ 1,538,131	\$ 901,836	948,665
Less Reserve Fund Requirement	(215,442)	(215,936)	(215,442)	(215,442)	(215,442)
INCOME:					
Assessments	123,228	120,250	120,250	120,250	120,250
Bond Fund Interest	80,305	86,149	54,625	40,969	40,969
Revenue Fund Interest	10,633	9,091	8,680	6,510	6,510
Miscellaneous Revenue	6,400				
Total Income	220,566	215,490	183,555	167,729	167,729
FUND USES:					
Bond Payments	117,650	118,850	118,850	119,900	119,550
PROJECTS:					
Planning and Design					
Construction Memorial II & Ocean View Park	422,432		700,000		
Total Projects	422,432		700,000		
MAINTENANCE:					
Maintenance					
Administration	1,124	1,000	1,000	1,000	1,000
Engineering, legal & notice					
Total Maintenance	1,124	1,000	1,000	1,000	1,000
Total Expenses	541,206	119,850	819,850	120,900	120,550
Ending Balance Available	\$ 1,322,689	\$ 1,770,669	\$ 686,394	\$ 733,223	\$ 780,402
Bond Fund Reserve	\$ 215,442	\$ 215,936	\$ 215,442	\$ 215,442	\$ 215,442
Ending Bond Fund Balance	\$ 1,538,131	\$ 1,986,605	\$ 901,836	\$ 948,665	\$ 995,844