

**CITY OF ALBANY  
CITY COUNCIL AGENDA  
STAFF REPORT**

Agenda Date: 06/07/10

Reviewed by: BP

**SUBJECT:** Funding Agreement: City of Berkeley– Owl Habitat Project –  
Mitigation for Sports Fields at Gilman Street

**REPORT BY:** Beth Pollard, City Administrator

---

**STAFF RECOMMENDATION**

Approve Resolution No. 2010-25 – A Resolution of the Albany City Council Approving a Funding Agreement with the City of Berkeley in an amount not to exceed \$86,552 to Construct, Maintain, and Monitor an Owl Habitat at the Albany Plateau, as a Required Mitigation for the Sports Fields Project at Gilman Street.

**BACKGROUND**

To address the shortage of playing fields in the East Bay, five East Bay cities entered into a joint powers agreement (JPA) in November, 2003 to cooperate in the development of a regional sports field complex on the Gilman Street property owned by the East Bay Regional Park District at the intersection of I-80 and Gilman Street in northwest Berkeley (Cities of Albany, Berkeley, El Cerrito, Emeryville and Richmond). Construction of the sports fields project began in June, 2007 and substantial completion of the sports fields occurred on August 15, 2008.

**DISCUSSION**

When the Mitigated Negative Declaration for the Gilman Street Sports Fields (Tom Bates Regional Sports Field Complex) was adopted on October 18, 2005, Mitigation Measure BIO-1A required the construction of an owl habitat at the Albany Plateau area of the Eastshore State Park.

As the project is located in the City of Albany, Albany agreed to serve as project manager and be reimbursed by the City of Berkeley from the Gilman project funds. Albany completed the project August 5, 2008 and began five years of monitoring. In 2008, the City of Albany requested reimbursement for the project.

### **SUSTAINABILITY IMPACT**

None associated with execution of the loan repayment. The intention of the project construction was to sustain viable habitat for burrowing owls in this area.

### **FINANCIAL IMPACT**

The total cost of the owl mitigation project at the Albany Plateau was \$118,552, which includes \$80,661 in construction costs, \$25,000 in maintenance (five years) and \$12,891 in environmental monitoring (five years). The repayment includes interest on the loan. The five JPA cities have already contributed \$32,000 towards the project (\$6,400 each), leaving a project balance of \$86,552.