

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

Agenda date: September 2, 2008

Reviewed by: BP

**SUBJECT:** 1) Update on Codornices Creek Project, Phases 1 through 5; and  
2) Request for Approval of Construction Contract for Phase 3, Step 1 (Relocation of US Postal Service wall and widening of floodplain on south side of creek.)

**FROM:** Judy Lieberman, Assistant City Administrator

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**RECOMMENDATION**

- 1) For information only.
- 2) Authorize the City Administrator to award a contract for “Lower Codornices Creek Restoration – Step 1, Phase III, Site Improvement & CMU Wall at USPS, Lower Codornices Creek.”

**BACKGROUND**

Councilmember Okawachi requested an information item on the Codornices Creek Restoration project, notably with respect to its relationship to the existing Little League ballfields adjacent to the creek.

In addition, the City Council previously authorized advertising for bids for creek restoration and bicycle/pedestrian trail work on the south side of Codornices Creek between 6<sup>th</sup> and 8<sup>th</sup> Streets. Bids are due August 28<sup>th</sup>, allowing for the City Council to award a contract on September 2<sup>nd</sup>.

**DISCUSSION**

The Codornices Creek Restoration Project is a multi-jurisdictional project involving the City of Albany, the City of Berkeley, and the University of California to restore lower Codornices Creek and to improve water conveyance capacity between the Union Pacific Railroad Tracks on the west and San Pablo Avenue on the east. The project also includes a Class 1 bicycle/pedestrian trail and interpretive elements. There are 5 phases of the project, as follows:

Phase 1 (Completed): Between the Union Pacific Railroad and 5<sup>th</sup> street. Funded by the Department of Water Resources Urban Streams Restoration Grant Program, by Measure R and by joint funds held by the City of Berkeley and the University of California. This section widened the floodplain, removed the 4<sup>th</sup> street culvert and replaced it with a pedestrian bridge, restored the creek, and constructed a maintenance trail on the north side of the creek.

Phase 2 (Completed): Between 5<sup>th</sup> street and 6<sup>th</sup> street. Funded by the Coastal Conservancy and by Measure R. This section widened the floodplain, removed the 5<sup>th</sup> street culvert and replaced it with a pedestrian/bicycle/small vehicle bridge (to allow mowers), restored the creek, and constructed an asphalt path (not Class I) on the north side of the creek.

Phase 3 (In process): Between 6<sup>th</sup> and 8<sup>th</sup> street. Funded by the Resources Agency River Parkways Grant. There are two “steps” to Phase 3 of the project. In order to widen the floodplain for hydrology purposes, and to have room for the trail, the project will relocate a portion of the Post Office wall between 7<sup>th</sup> and 8<sup>th</sup> Streets. This “step” is currently being bid, with bids due back August 28, 2008. This first “step” of Phase 3 also includes the “interpretive design” element, including educational and way-finding signage that will accompany the project. A series of 3 workshops has begun, the second of which will be held September 17, 2008. This part of the project is being run cooperatively with the Codornices Creek Watershed Council, which also has a separate grant for education and plant restoration activities.

The second “step” of the project, scheduled for summer of 2009, will involve the creek restoration and construction of the trail. This requires the relocation of the UC Village maintenance shed and laundry building and the redesign of the play-yard portions of the UC Village Child Development Center (run by the Albany Unified School District). The relocation of the maintenance shed/laundry building is currently in process and should be completed by March of 2009. The redesign of the Child Development Center outdoor space is also in process, and additional grant funds will be sought for implementation of this portion of the project. A Class I bicycle/pedestrian trail will be constructed on the south side of the project, between 6<sup>th</sup> and 8<sup>th</sup> streets, connecting to the Berkeley Bicycle Path network, with connections available to potential pathways within the Village that could then link to the Albany bicycle path network.

Phase 4: This segment, between 8<sup>th</sup> and 10<sup>th</sup> is currently unfunded and would need to await the relocation of the Albany Little League fields. This section was originally restored by volunteers in 1997, and there is only minimal additional creek restoration involved. However, the widening of the floodplain for improved water conveyance, and the construction of a Class I bicycle path between 8<sup>th</sup> and 10<sup>th</sup> would require right-of-way that impinges on the existing Little League Fields, requiring some type of relocation or realignment. The relocation of the fields was originally part of the University’s Step 3 Master Plan. This is currently considered the last segment in terms of implementation.

Phase 5: This segment, between 10<sup>th</sup> and San Pablo Avenue, is also currently unfunded. However, the proposed University “Whole Foods” project provides right-of-way for the widening of the floodplain, creek restoration and a Class I trail, which ends at San Pablo Avenue. It is hoped that funding may be found for this segment within the next several years, to coincide with any upcoming construction in the area.

Governance: The Codornices Creek Project is governed by an inter-jurisdictional agreement between the City of Albany, the City of Berkeley and the University. The joint Memorandum of Understanding was entered into in August of 2004. The agreement itemizes the maintenance and monitoring responsibilities of each jurisdiction. The costs of maintenance and monitoring are funded via a joint “escrow” account held by the City of Berkeley and the University. The City of Albany administers the account, and receives an administrative fee from the other jurisdictions for this task.

**AUTHORIZATION TO ENTER INTO CONTRACT FOR PHASE 3, STEP 1: South side of Codornices Creek between 6<sup>th</sup> and 8<sup>th</sup> streets.**

Council originally authorized going out to bid for this section on April 7, 2008, and authorized the award of bids not to exceed \$750,000. Bids are to be received on August 28, 2008. The bid results and staff recommendation will be provided at the Council meeting. The contract will be totally funded by the California River Parkways Grant. A bid alternate was added to the proposal to construct an accessible sidewalk at the 5<sup>th</sup> street crossing, at the request of the City of Berkeley. If the bids are favorable the City of Berkeley has indicated that they would pay for this work.

This parcel is entirely owned by the U.S. Postal Service. After several years of negotiations, the U.S. Post Office entered into an agreement in April of 2006 with the cities of Albany and Berkeley. This agreement, entitled “License and Easement Agreement for Modification To Parking Lot Facilities” agrees to the project once funding is obtained, and ensures a Maintenance and Conservation Easement and a Public Access Easement upon completion of the project.

Half of the USPS property is vacant land and the other half contains a walled parking lot adjacent to the USPS sorting facility. The proposed project entails relocation of 220 feet of fencing (vacant lot area) and the removal and relocation of a 370 linear foot concrete block wall. A 4,000 square foot portion of the USPS parking lot will be impacted and must be reconfigured. The project includes re-stripping of parking spaces, necessary drainage modifications and pavement repairs.

The project will add approximately 7,000 square feet to the creek right-of-way, allowing for the development of the 80-foot wide floodplain restoration and the construction of a Class 1 bicycle/pedestrian trail connecting to the regional Bicycle trail at 8<sup>th</sup> street. The parking lot conversion has no impact on the Post Office or the surrounding community. The post office will recover all the parking spaces by redesign and re-stripping of the lot. This will enable the project to restore the channel meander and a pool riffle stream type, along with fish passage to the existing 8<sup>th</sup> street culvert and riparian habitat restoration. The Class 1 trail construction will also be on the USPS side of the creek.

**FINANCIAL IMPACT**

The project has multiple funding sources, and is largely grant funded. Grants include the California Coastal Conservancy (\$100,000 planning and \$815,000 construction); the California Department of Water Resources Urban Streams Restoration Program (\$985,123); the California Resources Agency River Parkways Grant (\$2.1 million); and CalTrans (\$97,000 for trail planning PS&E). Albany Measure R creek restoration funds have been used, along with the

Berkeley/University Codornices Creek “Escrow” funds.

Attachments

1. Site Location Map
2. Photographs of Phase 1 and Phase 2 during construction