



# City of

1000 San Pablo Avenue • Albany, California 94706  
(510) 528-5710 • www.albanyca.org

DATE: November 9, 2010

TO: CITY OF BERKELEY  
Deborah Chernin, Principal Planner  
Parks, Recreation and Waterfront  
2180 Milvia Street, 3<sup>rd</sup> floor  
Berkeley, CA 94704

UNIVERSITY OF CALIFORNIA  
Beth Piatniza, Associate Director  
Capital Projects  
300 A&E Building  
Berkeley, CA 94720

This letter is to clarify that the improvements at 6<sup>th</sup> street and Codornices Creek, composed of the installation of rain gardens at the creek inlets are part of the Codornices creek Restoration and Trail project per the "Memorandum of Understanding between the cities of Berkeley and Albany and the University of California for the lower Codornices creek restoration and trail project located between the union pacific railroad and San Pablo Avenue," dated August 5, 2004. These improvements are hereby covered by the provisions of the MOU, including but not limited to, Section 4 Monitoring and Maintenance, and Section 5 Agency Cost Allocations and Reimbursement Procedures. As it is outside the definition of maintenance, cost concerns related to potential drought conditions will be reviewed in the annual meeting outlined in Section 5, paragraph f) with the intention of protecting any individually impacted agency.

Judith Lieberman  
Assistant City Manager  
City of Albany

11/3/11

  
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William Rogers, Director

City of Berkeley

Date: 12/2/10