

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

Agenda Date: November 18, 2024  
Reviewed by: NA

**SUBJECT:** Additional Authorization of Funding for the Albany Hill Eucalyptus Project (CIP No. 41015)

**REPORT BY:** Margot Cunningham, Natural Areas Coordinator  
Devora Zauderer, Program Manager  
Mark Hurley, Public Works Director/City Engineer

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**SUMMARY**

The City is currently preparing the Albany Hill Forest Management and Habitat Restoration Plan (Plan) with Restoration Design Group (RDG). This Plan is a key element of the Albany Hill Eucalyptus Project (Project; CIP No. 41015), is funded primarily via a Wildfire Resilience Grant from the State Coastal Conservancy, and will represent the City’s vision and roadmap for Albany Hill in the face of climate change impacts. The action before the Council is the appropriation of additional funds to the Project to support an extension to RDG’s contract and other project activities.

**STAFF RECOMMENDATION**

That the Council adopt Resolution No. 2024-78, authorizing appropriation of \$100,000 from remaining Measure R Open Space capital funds to the Albany Hill Eucalyptus Project (CIP No. 41015), and authorizing the City Manager to sign Change Order #1 to Contract No. C23-40 in the amount of \$46,350.

**BACKGROUND**

In the fall of 2020 staff noticed a sudden decline in the health of many of the Eucalyptus trees on Albany Hill, matching the observations of other professionals in other East Bay communities. A significant amount of work has been underway to address the optimal approach to managing the Albany Hill forest and habitat restoration. Previous reports to the City Council and Parks, Recreation & Open Space Commission about research into the declining eucalyptus; assessments of eucalyptus trees, fire fuel loads, and monarch habitat; establishment of the Albany Hill Eucalyptus Project; grant application to the State Coastal Conservancy; contract for an Albany Hill Forest Management and Habitat Restoration Plan; and community outreach on the Plan can be found at the following links:

1. [May 13, 2021](#): A study sampling declining eucalyptus for pathogens by researchers from UC Berkeley was reported to the Parks Recreation and Open Space Commission. Results of the [pathogen study](#) became available on September 21, 2021.
2. June 7, 2021: City Council received a [report](#) on the status of the condition of Blue Gum Eucalyptus on Albany Hill.
3. July 23, 2021: SBCA Tree Consulting arborists submitted a TRAQ Level 1 [report](#) to staff.
4. October 18, 2021: Staff [updated](#) Council on the findings of the following reports: Albany Hill Eucalyptus Tree Survey from SBCA Tree Consulting, Eucalyptus Dieback Report from UC Berkeley, and Water Stress Readings Report from Cal Fire.
5. October 18, 2021: Council adopted [Resolution No. 2021- 105](#), authorizing establishment of the Albany Hill Eucalyptus Project (CIP No. 41015) and appropriating \$100,000 from remaining Measure R capital funds for the project.
6. May 2, 2022: Council adopted [Resolution No. 2022-41](#), which authorized staff to submit an application to the Coastal Conservancy for a Wildfire Resilience Grant in the amount of \$230,000 for the Albany Hill Eucalyptus Project (CIP No. 41015)
7. [May 12, 2022](#): Staff updated the Parks Recreation and Open Space Commission on the Albany Hill Eucalyptus Project, including the [higher-level tree assessment](#), conducted by McNeil Arboriculture Consultants.
8. [December 8, 2022](#): Staff gave another update to the Parks Recreation and Open Space Commission on the Albany Hill Eucalyptus Project, including sharing findings from the almost-completed fire fuel load and expanded monarch habitat studies.
9. June 20, 2023: [Council awarded](#) contract #C23-40 to Restoration Design Group (RDG)/Nomad Ecology after staff selected their proposal for the Albany Hill Forest Management and Habitat Restoration Plan.
10. At a Study Session on [September 5, 2023](#) City Council received a summary of actions completed on the Project, including the completed studies on [fire fuel load risk](#) and [assessment of monarch habitat](#) on all open spaces of Albany Hill. Staff and consultants outlined intended next steps, and Council provided feedback and guidance on the Plan.
11. To educate the public about the Project and get their feedback consultants and staff conducted community outreach events on [November 8, 2023](#); [December 3, 2023](#); and [March 14, 2024](#).

## **DISCUSSION AND ANALYSIS**

The original contract with Restoration Design Group called for one set of plans for managing eucalyptus and restoring native plant habitat. Staff and consultants determined the preferred course of action would be to have two separate plan sets, one for tree removals and another for habitat restoration. This strategy allows for bid packages to be tailored to contractors that specialize in either tree removals or habitat restoration. An additional set of plans is included in Change Order #1.

As approvals of a 90% draft plan and the final plan are needed, four additional review and discussion meetings with the consultants were added into Change Order #1. In addition, the Change Order allows for a more thorough report and maintenance plan that will include a

detailed project background, the design process used, public outreach efforts and results, and the guiding success criteria for long term monitoring and future restoration efforts.

### **Project Plan and Timeline**

Consultants and staff presented a [65% draft Plan](#) at the [September 12, 2024](#) Parks, Recreation & Open Space Commission meeting.

The draft contains text and diagrams of tree removals, habitat restoration, monarch area management, best management practices and protective measures, and long-term maintenance. It also has a plan set for habitat restoration. The draft divides City property containing eucalyptus trees into areas based on fire hazard, presence of monarch habitat, areas of native plant populations, and ease of access. These areas would receive different treatments at different times. The draft outlines seven phases of tree removals and habitat restoration in these treatment areas, which would occur over several years.

This Change Order allows for a second meeting with the Parks, Recreation & Open Space Commission regarding the 90% draft plan and a presentation to the City Council to approve the final plan.

Staff are currently researching grants to fund implementation of the final Plan on this large-scale project.

### **Short-term Mitigation**

Staff from both the City's Fire Department and Public Works inspect the hill daily. If certain trees look like they may pose an immediate hazard, steps will be taken to trim or remove them. The vegetation maintenance contractor, Urban Tilth, will continue fire-reduction work on the hill, including pruning limbs away from fire roads, removing downed bark and branches, and mowing grasses.

Since the inception of the Project, the City has targeted removals of trees that are dead, dying, or leaning along roads and trails. In September 2021 staff worked with a tree company to prune a large limb of one tree and cut down 13 trees deemed as high priority removals.

In September 2022 staff worked with Cal Fire National Guard Hand Crews to fell 13 more trees considered high priority removals, and logs from select trees were milled onsite by Bay Area Redwood into lumber for retaining walls and railings on the hill. This pilot project highlighted ways that material from future felled trees can be kept onsite and reused.

In September 2024 the City contracted with a tree company to conduct high priority tree removals on Albany Hill. Twenty-five trees growing on the ledge or slope above the ledge on the west side of Jackson Street were removed. Thirteen logs from the trees were milled into lumber for retaining walls on Albany Hill and steps for City parks.

## **SUSTAINABILITY CONSIDERATIONS**

The project on Albany Hill will benefit the environment by restoring native ecosystems and maintaining vegetation for fire safety.

The project is consistent with the goals, policies, and actions of the following plans:

*City of Albany Climate Action and Adaptation Plan 2019*, Goal 3: Increase resilience of natural lands and systems. Approach: Manage, restore, and partner to foster resilient natural landscapes. events Action 4.3.2 Continue to manage wildfire risk by implementing vegetation management and fuel reduction programs.

*Albany 2035 General Plan, Parks, Recreation, and Open Space Element:*

Action PROS-1.B: Creekside Master Plan Implementation

Implement the open space management recommendations of the 2012 Creekside Master Plan, including vegetation management, trail improvements, signage and other park improvements

Policy PROS-3.7: Vegetation Management Ensure that park landscaping and maintenance practices are consistent with City policies to reduce wildfire hazards and manage vegetation. These practices should also reinforce City programs to conserve water, promote Bay-friendly landscaping such as native, non-invasive, drought- tolerant plants, and use reclaimed water for irrigation

*Albany 2035 General Plan, Conservation and Sustainability Element:*

Policy CON-1.3: Conservation of Albany Hill: Protect and restore natural features, native vegetation, and wildlife on Albany Hill.

Policy CON-2.5: Albany Hill Vegetation Management: Protect the remaining native plant communities on Albany Hill. Vegetation on the Hill should be managed in a way that gradually reduces the extent of the eucalyptus forest and encourages native plants to return.

Action CON-2.D: Creekside Master Plan Implementation: Implement the vegetation management prescriptions of the Albany Hill Creekside Master Plan, and periodically update the Plan as conditions change.

Action CON-2.G: Native Plant Restoration: Preserve and enhance native plant communities in the city while encouraging the control or removal of invasive and non-native species.

Policy CON-5.3: Monarch Butterfly Roosting: Consider potential impacts to Monarch butterfly roosting sites on Albany Hill in any future applications for development, park expansion, trail construction, and fuel reduction on the Hill.

Action CON-5.D: Monarch Butterfly Surveys: For construction projects that would affect eucalyptus, pine, and cypress groves during the period between September and March, require

pre-construction surveys by a qualified biologist to determine if roosting Monarch butterflies are present. In the event winter colonies are identified, require appropriate measures to avoid impacts, such as postponing tree removal until butterflies have left or by designating buffer areas around the affected trees.

## **SOCIAL EQUITY AND INCLUSIVITY CONSIDERATIONS**

Development of the Albany Hill Forest Management and Habitat Restoration Plan involved soliciting feedback from community members and organizations through multiple avenues of community outreach. The City and consultants also engaged with Indigenous partners from the Confederated Villages of Lisjan and Sogorea Te in Plan development.

The scope of the City's Wildfire Resilience Grant from the State Coastal Conservancy includes engagement with tribal partners. Staff and consultants had conversations and site visits with Deja Gould of the Confederated Villages of Lisjan/Sogorea Te throughout the plan process to affirm the importance of certain native plants and habitat types as well as culturally important sites which will be incorporated into the Plan.

Ongoing vegetation management work by the Watershed Stewardship Restoration Field Crew of Urban Tilth is critical to keeping Albany Hill safe from fire hazards as well as helping to restore ecosystems on the hill. Their Watershed Stewardship Program employs and empowers young adults who live in Richmond and surrounding communities. Development of the Plan will create future work for the Urban Tilth crew in planting and maintenance of vegetation communities on the hill.

## **CITY COUNCIL STRATEGIC PLAN INITIATIVES**

### *Goal 6: Increase Public Health, Safety, and Resiliency*

California has seen an increased rate of forest deterioration and wildfire activity in recent years due to climate change. Among other impacts, drought-stricken trees are more susceptible to pathogen-related decay and decline. Addressing the overall health and resiliency of the Albany Hill forest, managing the declining eucalyptus, and designing a thoughtful and holistic plan for long-term habitat restoration is essential to ensuring the longevity of this natural resource.

## **FINANCIAL SUMMARY**

As noted previously, in October 2021, the Council adopted [Resolution No. 2021-105](#), authorizing establishment of the Albany Hill Eucalyptus Project (CIP No. 41015) and appropriating \$100,000 from remaining Measure R capital funds for the project.

The City also received a Wildfire Resilience Grant award from the State Coastal Conservancy. This grant allocated \$140,000 for Plan development, \$60,000 to extend Urban Tilth's contract for a fourth year, and \$30,000 to seed fund the City's Habitat Restoration Internship Program. The latter two elements are administered through Public Works and augment the department's

operating budget for the Creeks & Open Space Maintenance Program. The third element also includes funds for investing in Indigenous partnership and education related to the Project.

The following table details the appropriated budget:

<b>Funding Source</b>	<b>Budget</b>
Coastal Conservancy Wildfire Resilience Grant (Task 2: Plan Development)	\$140,000
Coastal Conservancy Wildfire Resilience Grant (Task 3: Research & Education)	\$1,500
Measure R Open Space Capital Fund (2302)	\$100,000
<b>Total Project Budget:</b>	<b>\$241,500</b>

The City has currently expended or encumbered the full Project budget to date. At this time, staff recommend a new appropriation of funds to the Project (CIP No. 41015) for the following expenditures:

<b>Project Element</b>	<b>Estimated Cost</b>
Change Order #1 to Contract # C23-40 for RDG	\$46,350
Additional Project Funds (includes emergency forest management activities)	\$53,650
<b>Total Additional Budget:</b>	<b>\$100,000</b>

Funds are recommended to come from remaining Measure R Open Space Capital Funds (2302). Staff are currently sourcing grant funding options for construction of the project.

**Attachments**

1. Resolution No. 2024-78
2. Change Order #1 to Contract No. C23-40

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**RESOLUTION NO. 2024-78**

**A RESOLUTION OF THE ALBANY CITY COUNCIL AUTHORIZING  
AN ADDITIONAL APPROPRIATION TO THE ALBANY HILL EUCALYPTUS  
PROJECT (CIP NO. 41015) IN THE AMOUNT OF \$100,000  
AND AUTHORIZING THE CITY MANAGER TO SIGN CHANGE ORDER #1  
IN A NOT-TO-EXCEED AMOUNT OF \$46,350 FOR CONTRACT NO. C23-40**

**WHEREAS**, the City of Albany strives to maintain vegetation on Albany Hill for fire safety and ecosystem health, preserve and enhance native plant communities on the Hill, and consider potential impacts to Monarch Butterflies; and

**WHEREAS**, the City has been working with consultants and other agencies to study Monarch Butterfly habitat, fire fuel loads, and the decline of Blue Gum Eucalyptus on the Hill; and

**WHEREAS**, on October 18, 2021 City Council approved Resolution No. 2021-105, authorizing the appropriation of funds to The Albany Hill Eucalyptus Project (CIP No. 41015) in the amount of \$100,000 for a higher level tree assessment and initial funding for plan development and CEQA (California Environmental Quality Act); and

**WHEREAS**, the City Council approved Resolution No. 2022-41, authorizing staff to submit an application to the Coastal Conservancy for a Wildfire Resilience Grant in the amount of \$230,000 for The Albany Hill Eucalyptus Project (CIP No. 41015) and associated activities; and

**WHEREAS**, on September 22, 2022 the Coastal Conservancy awarded the City the grant in full; and





CITY OF ALBANY  
PUBLIC WORKS DEPARTMENT  
1000 SAN PABLO AVENUE  
ALBANY, CA 94706

**CONTRACT CHANGE ORDER No. 1**

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**CONTRACT:** Albany Hill Forest Management and Habitat Restoration Plan  
**Contract No. C23-40**

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DATE: Oct. 28, 2024

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**CONTRACTOR:** Restoration Design Group (RDG)

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*You are hereby directed to make the herein described changes from the plans and specifications or do the following described work not included in the plans and specifications on your contract.*

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***DESCRIPTION OF WORK***

4 additional review meetings with City staff and consultants.  
Second set of 90% and final construction documents.  
Higher-level project report.

Scope of additional services and costs shown on pages 3-5 of this change order, prepared October 16, 2024.

Contractor will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified.

Contractor accepts the terms and conditions stated above as full and final settlement of any and all claims arising out of or related to the subject of this Change Order and acknowledges that the compensation (time and cost) set forth herein comprises the total compensation due for the work or change defined in the Change Order, including all impact on any unchanged work. By signing this Change Order, the Contractor acknowledges and agrees that the stipulated compensation includes payment for all Work contained in the Change Order, plus all payment for any acceleration or interruption of schedules, extended overhead costs, delay, and all impact or cumulative impact on all Work under this Contract. The Contractor hereby releases and agrees to waive all rights, without exception or reservation of any kind whatsoever, to file any further claim or request for equitable adjustment of any type, for any reasonably foreseeable cause that shall arise out of, or as a result of, this Change Order and/or its impact on the remainder of the Work under the Contract.

In consideration of the change(s) described above, the Contract Time is adjusted as follows:

The Contract Time will be increased by ( 0 ) Days

The date of completion as of the date of this Change Order is 06/21/2025

Except as amended by this Change Order, all other provisions of the Contract remain in full force and effect and shall govern the actions of the parties under this Change Order. From and after the date of this Change Order, whenever the term "Contract" appears in the Contract, it shall mean the Contract as amended by this Change Order.

**STATEMENT OF ACCOUNT**

Original Contract Price:	\$158,848.00
Previous Change Orders	\$0.00
Total to date	\$158,848.00
<b>This Change Order</b>	<b>\$46,350.00</b>
Revised Contract Price	\$205,198.00
Contract Price Change	+23%

Contractor:  (C23-40 CCO1)  
Date Accepted: 10/20/24

By: RICH WALKLING, CFO  
CONTRACT REP, Title

City of Albany:  
Date Approved: \_\_\_\_\_

By: \_\_\_\_\_  
Nicole Almaguer, City Manager

NOTE: This change order is not effective until approved by the City Manager



# ALBANY HILL FOREST MANAGEMENT AND HABITAT RESTORATION PLAN – AMENDMENT #1

## A. SCOPE OF SERVICES

### Project Understanding

In 2023, the City of Albany hired Restoration Design Group to produce one set of construction documents and a maintenance plan (among other deliverables) to support the City’s efforts to address dying eucalyptus and fire risk on the City’s property on Albany Hill. In the year since the project began, the best path forward for the City was determined to be two separate bid packages to allow for a removals contractor and a restoration contract to implement the project. By the same token, the maintenance plan has evolved through discussions with the City from a more straight forward O+M manual into a more detailed product which will serve the City as a record of the project background, design process, public outreach efforts and results, as well as establishing the guiding success criteria for long term monitoring and future restoration efforts. This amendment describes those changes and proposes the additional cost necessary to complete the newly defined deliverables. All changes fall within Task 4. Plan Development or Task 5. Implementation Documents.

This amendment does not include fee for items that may occur but at this date are still to be determined including:

- Additional reviews and revisions based on USFWS comments or other permit reviews. These can be included as T&M or contracted later, if necessary.

### Task 4 - Plan Development

The original scope included a single review meeting during the plan development phase. To date, RDG and the City have conducted 12 review meetings not included in previous tasks and it is likely that some additional meetings will need to occur. We are including fee for an estimated 4 additional team meetings or reviews/discussion with the City and City consultants.

### Additional Deliverables:

- 4 additional review meetings with City and City Consultants

**RESTORATION  
DESIGN  
GROUP, INC**

BERKELEY  
2332 5th Street, Suite C  
Berkeley  
California 94710  
510.644.2798

MEDFORD  
1495 S Oakdale Avenue  
Medford  
Oregon 97501  
541.238.2812

## **Task 5 - Implementation Documents**

The City and RDG have agreed to prepare two separate construction document packages (plans, specifications, and estimates) rather than one as described in the original contract. While necessary and ultimately more cost-effective to have two separate sets of construction documents and two separate contractors conducting the work on Albany Hill, the preparation of two packages increases the production time necessary to complete them.

Originally, the maintenance plan was conceived as a post-project action manual for City maintenance staff. Through discussion with the City, the report has evolved to serve more as documentation of the complete planning process, a design basis memo, and a Project Report for Albany Hill Forest Management and Restoration.

The level of effort necessary to elevate the maintenance plan to serve as a Project Report with process and design decision documentation will require additional work than what is provided for in RDG's original scope.

### **Additional Deliverables:**

- Second set of 90% construction plans, specifications, and estimates (PDF)
- Second set of final construction plans, specifications, and estimates (PDF)
- Draft Project Report (in lieu of maintenance plan)
- Final Project Report (in lieu of maintenance plan)

# B. FEE PROPOSAL

	Restoration Design Group			
	E. Stromberg	A. Swinehart	Various	
	Principal Landscape Architect	Landscape Architect	Landscape Designer	
	\$ 175	\$ 150	\$ 125	Subtotal
<b>Task 4. Plan Development</b>				
4 additional review meetings	8	8	12	
Subtotal hours	8	8	12	
Subtotal fee	\$ 1,400	\$ 1,200	\$ 1,500	<b>\$ 4,100</b>
<b>Task 5. Implementation Documents</b>				
Second set of draft implementation plans, specifications, and estimate	10	30	40	
Draft Project Report	10	20	40	
Second set of final implementation plans, specifications, and estimate	20	20	40	
Final Project Report	10	20	40	
Subtotal hours	50	90	160	
Subtotal fee	\$ 8,750	\$ 13,500	\$ 20,000	<b>\$ 42,250</b>
<b>TOTAL</b>				<b>\$ 46,350</b>