CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT

Agenda Date: 12/1/2008
Reviewed by: BP

SUBJECT: Approve Resolution #08-74 A Resolution of the Albany City Council Accepting the Offer of Dedication of a Conservation Easement over a portion of Codornices Creek between 5th Street and the Union Pacific Railroad Tracks.

REPORT BY: Judy Lieberman, Assistant City Administrator

STAFF RECOMMENDATION
Approve Resolution #08-74 A Resolution of the Albany City Council Accepting the City of Berkeley's Offer of Dedication of a Conservation Easement over a portion of Codornices Creek between 5th Street and the Union Pacific Railroad Tracks.

BACKGROUND
The Codornices Creek Project is a cooperative project between the cities of Albany and Berkeley and the University of California. As part of the restoration of the creek, a conservation easement is required in order to allow each entity to fulfill their obligations with regard to maintenance and monitoring, and also to ensure that the easement area is retained and managed in perpetuity in a manner that will protect its conservation value. This grant of conservation easement is from the City of Berkeley and is for the area already completed in Phase I and Phase II of the project. The area in question is between 5th street and the Union Pacific Railroad. The easement agreement is also a grant requirement. The grant of easement allows both cities and the University to go onto the property to maintain and monitor the restoration area.

SUSTAINABILITY IMPACT
The Conservation Easement restricts the use of the area to activities involving natural habitat and environmental protection, nature study, enjoyment of views, recreation, open space, flood control, and related uses.

FINANCIAL IMPACT
There is no additional financial cost related to acceptance of the easement. The costs related to maintenance and monitoring are paid out of the "Creek Account" funded by the University and the City of Berkeley.

Attachments:
1. Resolution #08-74
2. Offer of Dedication – Conservation Easement