

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2005 MAY -5 PM 5:20

**CITY OF OAKLAND  
COUNCIL AGENDA REPORT**

TO: Office of the City Administrator  
ATTN: Deborah Edgerly  
FROM: Public Works Agency  
DATE: May 10, 2005

**RE: SUPPLEMENTAL REPORT RESPONDING TO A REQUEST FOR  
ADDITIONAL INFORMATION ON THE PURCHASE OF TWO  
PROPERTIES ON BUTTERS DRIVE**

---

**SUMMARY**

This is a supplemental report responding to a request from the Rules and Legislation Committee for additional information on the Community and Economic Development Agency report authorizing the acquisition of two parcels of land on Butters Drive from the Butters Land Trust. The report will be heard at the Community and Economic Development Committee meeting on May 10, 2005.

At the April 28, 2005 Rules and Legislation Committee, staff was requested to provide a supplemental report with information about prior City Council authorization to purchase the properties in Butters Canyon and an update on the status of the Measure DD Watershed Acquisition Plan.

City Council Resolution No. 78750 C.M.S dated July 20, 2004, approved the implementation plan for the Oakland Trust For Clean Water And Safe Parks (Measure DD) and the expenditure of up to \$350,000 of Measure DD funds for the purchase of properties in Butters Canyon. In this report, staff also proposed to return to Council with a prioritized list for future land acquisitions.

Staff expects to return to Council with an updated Measure DD Watershed Acquisition Plan after the City Council's summer recess. The updated report will include an acquisition list based on the prioritization criteria contained in the adopted Plan.

Item: \_\_\_\_\_

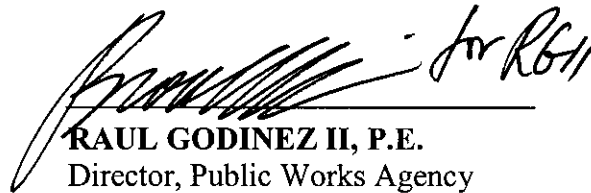
Community and Economic Development Committee

May 10, 2005

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the Committee accept this supplemental report responding to the request from the Rules and Legislation Committee for additional information.

Respectfully submitted,

  
**RAUL GODINEZ II, P.E.**  
Director, Public Works Agency

Reviewed by:  
Brooke A. Levin  
Assistant Director, Public Works Agency  
Department of Facilities and Environment

Prepared by:  
Lesley Estes  
Watershed Program Supervisor  
Environmental Services Division

APPROVED AND FORWARDED TO THE  
COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE:

  
**OFFICE OF THE CITY ADMINISTRATOR**

## **EXHIBIT B**

### **Creeks and Waterways Restoration and Acquisition Programs Oakland's Trust for Clean Water and Safe Parks (Measure DD)**

---

The following are the required project criteria and the prioritization criteria developed at public meetings using a consensus process to assist in the prioritization of creek restoration and watershed acquisition projects that will receive Measure DD funding.

#### **Required Criteria for Creek Restoration and Watershed Acquisition Projects**

- Potential for water quality improvements  
Helps meet State water regulations
- Public accessibility  
Provides access to the public
- Feasibility  
Physical features of the site allow for restoration, cost of project is feasible
- Balance of projects throughout the City  
Projects distributed throughout the City
- Consideration of long-term maintenance  
Project has some type of commitment to long-term maintenance, i.e. community volunteers, existing maintained area or other maintenance resources available

**Exhibit B:**  
**Watershed Acquisition Criteria**

Criteria	Points
<ul style="list-style-type: none"> <li>• <b>Urgency</b> Opportunity will be missed, property will be sold or developed, no alternative to acquisition exists, etc.</li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Properties in headwater areas that provide water quality protection value to downstream areas</b> Properties at the very top of a creek that may not have an obvious creek bed but are the beginning of a creek</li> </ul>	<b>5</b>
<ul style="list-style-type: none"> <li>• <b>Properties that provide critical linkages to other open space and or habitat</b></li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Properties with existing creekside native wildlife and habitat</b> Plants, amphibians, birds, etc. native to creek areas (riparian plant and wildlife) already occurring at site</li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Education/Interpretation</b> Site allows for educational opportunities and/or interpretive signage</li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Properties that provide significant hydrological, flood control, erosion, undermining, or water quality protection value</b></li> </ul>	<b>3</b>
<ul style="list-style-type: none"> <li>• <b>Properties that provide valuable new open space and recreation opportunities</b></li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Properties with native rainbow trout populations</b></li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Community desire/interest/support</b> Local community supports acquisition, has raised matching funds for the project</li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Readiness - ease of purchase or donation</b> Property owner is supportive or interested in selling or donating land</li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Properties that have potential opportunities to leverage funding</b> Project meets criteria of other private and public funding sources</li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Properties with potential for high value creek habitat restoration</b> Area where native plants natural to creek areas could be established</li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Balance among local, citywide and regional projects</b> Project helps to maintain a balance among local, citywide and regional projects</li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Projects with citywide and regional significance</b> Projects that will be used by people from all over the City and region</li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Properties that provide trail connection</b> Provides opportunity for installation of trails that would connect to existing trail network</li> </ul>	<b>1</b>
<ul style="list-style-type: none"> <li>• <b>Bang for Buck</b> Site provides a good value</li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Daylighting</b> Site features would allow for the creek to be removed from a culvert</li> </ul>	

**LIFE ENRICHMENT CMTE.**

*S-31*  
**ORACOUNCIL**  
**JUL 20 2004**

**JUL 13 2004** 6/15/04

## APPENDIX C

- A. Locate available land as specified by City requirements, acceptable to both parties, to accommodate the facilities described in this document.
  
- B. Develop a plan and recommendations for how the land will be acquired, the facility will be built, the project will be financed, etc., all of which will be subject to the approval of the respective governing body of both parties and shall include, but not be limited to:
  1. Space Needs Assessments
  2. Designs, Concept Drawings, Bridge Documents, etc.
  3. Financing Structures - including but not limited to exploration of the feasibility of the following options:
    - a. City owns and finances
    - b. District owns and finances
    - c. Third party investor owns and leases back to City, District, Joint Powers Authority, Limited Liability Corporation, etc. Also to be determined is the respective capital improvement funding and ownership rights upon expiration of leases, agreements, etc.