

NOTE: These minutes are subject to Council approval and are not verbatim; however, tapes are available for public review.

**MINUTES OF THE ALBANY CITY COUNCIL
IN SPECIAL SESSION,
CITY COUNCIL CHAMBER, 1000 SAN PABLO AVENUE
Monday, January 17, 2011**

7:30 p.m.

CITY COUNCIL CLOSED SESSION

Call to order

OPPORTUNITY FOR THE PUBLIC TO SPEAK ON CLOSED SESSION ITEMS

The following people spoke: Robert Urhammer, Albany resident; Gary Class, Chair, Park & Recreation Commission; Joan Larson, Albany resident; Jacqueline Armstrong, Albany resident; Jewel Okawachi, Albany resident; Susan Reeves, Albany resident.

A summary of the comments is as follows: Very glad to see the proposed action tonight and urged the Council to approve purchase and sale agreement with CalTrans for the acquisition of a 4.5 acre vacant land adjacent to Cleveland Avenue & Pierce Street. Thanked the Council, staff and the neighbors for working on this acquisition noting that it has been over 20 years since the idea of a park at Pierce Street was first discussed.

The City Attorney introduced Karen Tiedemann, special counsel, who is working with the City on the redevelopment items.

Mayor Javandel and Council Member Thomsen stated that they would both be recused from the Closed Session due to a conflict.

City Council convenes in the Council Chamber in joint session and then adjourns to Closed Session to discuss the following:

1. Real property pursuant to Government Code Section 54956.8

Property:	4.5 acre vacant land adjacent to Cleveland Avenue & Pierce Street.
Negotiating Parties:	City Attorney, City Manager and Assistant City Manager on behalf of the City; Caltrans on behalf of owner
Under Negotiations:	Terms and conditions of acquisition of property

JOINT SESSION OF THE ALBANY COMMUNITY REINVESTMENT AGENCY AND CITY COUNCIL

Mayor Javandel called the regular meeting of the Albany City Council to order on the above date and led the Pledge of Allegiance to the Flag,

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

Present: Council Members Atkinson, Lieber, Thomsen, Wile & Mayor Javandel

Absent: None

STAFF PRESENT

Beth Pollard, City Manager; Robert Zweben, City Attorney; Jacqueline Bucholz, City Clerk; Judy Lieberman, Assistant City Manager; Charles Adams, Finance Director; Karen Tiedemann, special counsel.

3. REPORT ON ACTION TAKEN IN CLOSED SESSION, IF ANY

The City Attorney reported that Council discussed the items before them; however, no specific action was taken.

4. GOOD OF THE CITY/PUBLIC FORUM/ANNOUNCEMENTS

For persons desiring to address the City Council on an item that is not on the agenda please note that City policy limits each speaker to three (3) minutes. The Brown Act limits the Council's ability to take and/or discuss items that are not on the agenda; therefore, such items are normally referred to staff for comment or to a future agenda.

Please go to our website at www.albanyca.org to view all future Commission and Committee meetings.

Mayor Javandel opened the Good of the City/Public Forum/Announcements and asked if anyone would like to speak.

The following spoke: Joan Larson, Albany resident and a summary of the comments is as follows: Commended the City for taking action regarding Pierce Street Park and announced that the Historical Society and Transitional Albany would be sponsoring a video of the Story Tellers on Saturday, January 22, 2011, 9:30 in the Edith Stone Room.

5. PRESENTATION/PUBLIC HEARING

6. UNFINISHED BUSINESS

8. NEW BUSINESS

8-2. Public Improvement Grant and Cooperation Agreement

(File #670-20)

Mayor Javandel and Council Member Thomsen recused themselves due to a conflict and left the podium. Vice-Mayor Atkinson took over chairing the meeting.

The City Manager reported that the City adopted the Cleveland Avenue/Eastshore Highway Redevelopment Plan in 1998. The principal goals of the implementation plan are the elimination of blighted conditions and the promotion of development and improvements to strengthen the economic base of the community.

The purpose of the agenda item before Council is to enter into a Public Improvements Grant and Cooperation Agreement with the Albany Community Reinvestment Agency (ACRA). Through this agreement, the ACRA shall pay for designated portions of, and the City shall conduct public improvement projects, to alleviate blighting conditions in the Project Area.

This includes improvements to Cleveland Avenue and the acquisition of a 4.5 acre property on Pierce Street from the California Department of Transportation (Caltrans), development of the property and associated improvements.

A summary of the Council comments is as follows: This proposal has been in the planning stages for over 20 years and due to proposed State action the City decided to go ahead with the action as soon as possible.

Council Member Lieber presented Resolution No. 2011-6 – A Resolution of the Albany City Council Approving a Public Improvement Grant and Cooperation Agreement and Making Certain Findings Related Thereto.

MOTION:

After reading the title, and waiving reading of entire Resolution, it was moved by Council Member Lieber and seconded by Council Member Wile to approve Resolution No. 2011-6.

AYES: Council Members Lieber, Wile & Vice-Mayor Atkinson

NOES: None ABSENT: None

RECUSED: Council Member Thomsen & Mayor Javandel.

Motion carried and so ordered.

8-2. Reinvestment Agency approving Public Improvements Grant and Cooperation Agreement

(File #460-30)

The City Manager noted that this is a similar action to the previous item but done through the Albany Community Reinvestment Agency.

Board Member Lieber presented Resolution No. ACRA2011-1 – A Resolution of the Albany Community Reinvestment Agency Approving a Public Improvements Grant and Cooperation Agreement and Making Certain Findings Related Thereto; and

Resolution No. ACRA2011-2 – A Resolution of the Albany Community Reinvestment Agency Adopting its 2010-11 and 2011-12 Operating Budgets and Confirming its Indebtedness to the City of Albany.

8-2. Reinvestment Agency approving Public Improvements Grant and Cooperation Agreement

MOTION:

After reading the title of Resolution Nos. ACRA 2011-1 & 2011-2, and waiving reading of entire Resolutions, it was moved by Board Member Lieber and seconded by Board Member Wile to approve Resolution No. ACRA 2011-1 and ACRA 2011-2.

AYES: Board Members Lieber, Wile & Chair Atkinson

NOES: None

ABSENT: None

RECUSED: Board Member Thomsen & Chair Javandel.

Motion carried and so ordered.

8-3. Purchase and Sale Agreement – Acquisition of 4.5 acre adjacent to Cleveland Avenue and Pierce Street

(File #600-30)

The negotiations between the City and CalTrans regarding the acquisition of the Pierce Street parcel have resulted in a proposed Purchase Agreement at a cost of \$1,950,000. The City is also currently negotiating an airspace lease for contiguous parcel beneath the freeway on Cleveland Avenue, to be used for storage and parking of reserve vehicles.

The acquisition of the Pierce Street parcel as a location for the City’s Maintenance Center, an adjoining neighborhood park, a bicycle trail connection between the Bay Trail and the Ohlone Greenway and other potential uses, has been identified in the Five-Year Implementation Plan for the City of Albany Reinvestment Agency and is crucial to economic development in the City.

The following people spoke: Allan Maris, Albany resident; Joan Larson, Albany resident; Jacqueline Armstrong, Albany resident.

A summary of comments is as follows: Questions were asked about the cost and concern expressed about the lack of signage. It was stated that the new maintenance building should be environmentally friendly, efficient and that it fit into the Spanish stucco design to enhance that part of the Cit. It was asked whether signage could be placed at this area regarding the historical relevance.

Council Member Lieber presented Resolution No. 2011-7 – A Resolution of the Albany City Council Authorizing Execution of a Purchase and Sale Agreement with the California Department of Transportation, for City Acquisition of a 4.5 acre vacant land adjacent to Cleveland Avenue and Pierce Street.

MOTION:

After reading the title, and waiving reading of the entire Resolution, it was moved by Council Member Lieber and seconded by Council Member Wile to approve Resolution No. 2011-7.

AYES: Council Members Lieber, Wile & Vice-Mayor Atkinson

NOES: None

ABSENT: None

RECUSED: Council Member Thomsen & Mayor Javandel
Motion carried and so ordered.

Council Member Thomsen returned to the podium.

9. OTHER BUSINESS, REPORTS ON MEETINGS ATTENDED, ANNOUNCEMENT OF EVENTS/FUTURE AGENDA ITEMS

The following announcements were made by Council: 1) A training to be held at the Berkeley Nature Center regarding wildlife rescue, February 5, 2011 2) Congratulated the City Manager for her appointment as Chair of the Alameda County City Manager’s Association. 3) Waste Management has grants available for businesses that convert to reusable transport packaging. 4) A meeting has been scheduled for January 19, 2011 to meet with the people living at the Bulb regarding available social services and was noted that Safeway and Beverages & More are providing sandwiches and non-alcoholic drinks. 5) Spoke about attendance at the ACAP meeting. 6) Spoke about a meeting with the west Albany neighbors regarding concerns with streetscape. 7) Thanked Council, staff and the neighbors for the action taken tonight.

10. ADJOURNMENT

8:15 p.m. – There being no further business before the City Council it was moved and seconded to adjourn the meeting.

Minutes submitted by Jacqueline L. Bucholz, CMC, City Clerk.

Farid Javandel
Mayor

Attest:

Jacqueline L. Bucholz, CMC
City Clerk