

Date Approved: February 6, 2012

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

**MINUTES OF THE ALBANY CITY COUNCIL
IN SPECIAL MEETING,
CITY COUNCIL CHAMBER, 1000 SAN PABLO AVENUE
MONDAY, JANUARY 9, 2012**

7:00 p.m.

CALL TO ORDER

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

ROLL CALL

Present: Council Members Atkinson, Lieber, Thomsen, Wile & Mayor Javandel
Absent: None

STAFF PRESENT

Beth Pollard, City Manager; Craig Labadie, City Attorney; Anne Hsu, Minutes Clerk;
Charles Adams, Finance & Administrative Services Director.

3. CONSENT CALENDAR

(Consent Calendar items are considered to be routine by the City Council and will be enacted by one motion. By approval of the Consent Calendar, the staff recommendations will be adopted unless otherwise modified by the City Council. There will be no separate discussion on these items unless a Council Member or a member of the audience requests removal of the items from the Consent Calendar.)

3.1 Governmental Accounting Standards Board Statement No. 54 Fund Balance Classifications.

Staff recommendation: Adopt Resolution No. 2012-02, classifying the various components of fund balance as defined in Governmental Accounting Standards Board Statement No. 54.

MOTION:

Moved by Council Member Lieber, seconded by Council Member Atkinson to approve the Consent Calendar as submitted.

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

NOES: None ABSENT: None

Motion carried and so ordered.

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 Good of the City/Public Forum/Announcements.

Jack Kenny, Albany Community Media Access Committee spoke to remind about the 2nd Albany Film Festival held on March 3, 2012 at the Community Center. The theme this year is "Your Own Private Albany".

Council Member Atkinson announced that there are mini groups working to have demonstrations on January 20 and 21 marking the calendar as Citizens United Decision. More information on MoveToAmend.org.

Mayor Javandel recused himself from the next agenda items and asked Vice Mayor Atkinson to chair the rest of the meeting.

Council Member Lieber asked City Attorney Labadie if there's a need for the Mayor to recuse himself since the next item is discussing the Agency as a whole and not on a specific project. City Attorney Labadie responded that it would be an appropriate precaution to recuse for this initial action. As the Council moves into other items pertaining to implementation or Dissolution Act, it may be not necessary to recuse.

Council Member Thomsen recused herself.

Due to possibly other residents unable to arrive to meeting on time, Vice Mayor Atkinson opened Good of the City/Public Forum/Announcements again and no others spoke.

5. NEW BUSINESS

5.1 Election Regarding Successor Agency and Successor Housing Agency to the Dissolving the Albany Community Reinvestment Agency

Staff recommendation: 1) Adopt Resolution No. 2012-01, electing to serve as both the Successor Agency and Successor Housing Agency to the Albany Community Reinvestment Agency, and directing staff to file the appropriate notification of these elections in accordance with the Dissolution Act; 2) Support

urgency efforts for legislation to postpone the effective date of dissolution of redevelopment agencies, currently scheduled for February 1, 2012

City Manager Pollard delivered the staff report. The California Supreme Court has ruled that the State has the power to create the redevelopment agency and also has the power to eliminate the agency. It would not be in violation of Prop 22. However the opt-in program asking the redevelopment agencies to pay money to help balance the State's budget if agencies choose to continue operating would be in violation of Prop 22. The Redevelopment Agency will have to be dissolved on February 1, 2012. Staff is recommending City Council to affirm the City as the successor agency to dispose of the assets of the Redevelopment Agency, be involved on an oversight board, and see the gradual dissolution of the Agency. This will put the City in the best position to potentially capture any future revenues, protect any possible redevelopment reformation that may occur, and have a seat at the table when it happens. The staff also recommends the Council to designate the City as the Successor Housing Agency to capture any future grant or local government funding.

Council Member Lieber asked if there is a down side to get the Agency dissolved when it isn't scheduled till February 1, 2012. City Attorney Labadie responded that this resolution is by virtue of the statute. The Successor Agency will only go into effect if the Redevelopment Agency is dissolved on February 1, 2012. Council Member Atkinson asked if the dissolution affect any current projects. City Manager Pollard responded that the fund for the future Maintenance Center may be compromised.

Ed Field, Albany resident, asked how the dissolution of the Redevelopment Agency would affect the City's general fund and if there are City expenses that are currently paid for by the redevelopment/housing fund. City Manager Pollard and Finance & Administrative Services Director Adams responded that the City appears to be losing the housing fund balance and any future tax increments. The State will continue to pay the Successor Agency administrative fees to allow the overseeing of the dissolution of Redevelopment Agency. Loan and repayment schedule is to continue. The City would lose the "pass-through" funds for the tax increment revenue. However the City will also be receiving additional tax increment revenue money that may or may not cover the lost of the "pass-through" funds.

Council Member Lieber clarified that the State's intention with the dissolution of the agency, is wanting the money to flow back to the communities to support schools and other City funds.

MOTION:

Moved by Council Member Wile, seconded by Council Member Lieber to 1) Adopt Resolution No. 2012-01, electing to serve as both the Successor Agency and Successor Housing Agency to the Albany Community Reinvestment Agency, and directing staff to file the appropriate notification of these elections in accordance with the Dissolution Act; 2) Support urgency efforts for legislation to postpone the effective date of dissolution of redevelopment agencies, currently scheduled for February 1, 2012

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

NOES: None ABSENT: None

RECUSED: Council Member Thomsen & Mayor Javandel

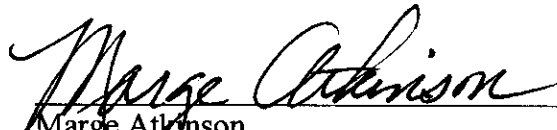
Motion carried and so ordered.

6. ADJOURNMENT

- 6.1** A special meeting of the Board of Directors of the Albany Community Reinvestment Agency will commence immediately upon adjournment of the City Council meeting.

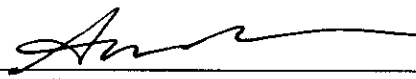
7:29 p.m. – There being no further business before the City Council it was moved and seconded to adjourn the meeting and reconvene to the Albany Community Reinvestment Agency Special Meeting.

Minutes submitted by Anne Hsu, Minutes Clerk.



Marge Atkinson
Vice Mayor

Attest:



Anne Hsu
Minutes Clerk