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**RESOLUTION #06-46**

**WHEREAS**, Caruso Affiliated has indicated its intention to submit a development application for a mixed-use development at the Golden Gate Fields property.

**WHEREAS**, it is in the best interest of the community to maximize public input into the review of the application that is expected to be submitted by Caruso Affiliated.

**WHEREAS**, there has been much discussion about an appropriate planning process for Golden Gate Fields property.

**WHEREAS**, it is important and valuable for the City, the community, the property owner, and the developer to establish certainty with regard to how the planning process will proceed.

**WHEREAS**, the City has limited financial resources to conduct studies that will provide in-depth environmental review of the Golden Gate Fields property and it is in the best interest of the community to conduct these studies without burdening our city's taxpayers.

**WHEREAS**, the California Environmental Quality Act (CEQA) process for reviewing projects is a well-established and effective way of informing the public and the decision makers of the impacts of a proposed project.

**WHEREAS**, the CEQA process allows for the study of numerous alternatives and provides the opportunity for the City Council to choose from amongst those Alternatives.

**WHEREAS**, the CEQA process will be conducted at the expense of the developer and not the Albany taxpayer, though the study will be conducted under the direction of the City of Albany.

**WHEREAS**, the result of any environmental review of a project at Golden Gate Fields will be subject to review by the public, city commissions, and the City

1 Council, and the project will ultimately be subjected to a vote of the people of  
2 Albany as required by Measure C.

3 **WHEREAS**, Caruso Affiliated has agreed to pay for a city planning  
4 process that will be conducted by the City of Albany to identify two of the  
5 Alternatives to be studied as part of the EIR of the Caruso Affiliated proposal.

6 **NOW THEREFORE, THE ALBANY CITY COUNCIL RESOLVES THAT:**  
7 If, within the next 60 days, Caruso Affiliated submits a development application for the  
8 Golden Gate Fields property, the City Council directs staff to accept and process the  
9 application including completion of any required CEQA review, in compliance with all  
10 applicable state laws and municipal ordinances. At the completion of this process staff is  
11 directed to present to the City Council a completed Final EIR so that the City Council can  
12 consider certification of it in compliance with CEQA and can consider whether to place  
13 the project on the ballot for final consideration by the voters in accordance with Measure  
14 C. Staff is also directed to develop, with Caruso Affiliated, a timeframe and approach for  
15 a city planning process for the development of two project alternatives to be studied as  
16 part of the EIR, as agreed to in the Caruso Affiliated letter dated July 7, 2006.

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20 ALLAN MARIS  
21 MAYOR  
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