1 2 3	RESOLUTION #09-13
	A RESOLUTION OF THE ALBANY CITY COUNCIL AUTHORIZING THE ACQUISITION OF PROPERTY AT 842 MASONIC AVENUE (Assessors Parcel Number 066-2804-015)
	WHEREAS, the City of Albany owns property at 846-850 Masonic Avenue and
	WHEREAS , the Albany Senior Center and the Albany Pre-School operates at 846-850 Masonic Avenue; and
	WHEREAS , the Albany General Plan calls for the enhancement of the city's programs for senior citizens; and
	WHEREAS , the property at 842 Masonic Avenue (Assessors Parcel Number 066-2804-015) is immediately adjacent to the Albany Senior Center; and
	WHEREAS, the vacant residence at 842 Masonic Avenue was listed for sale in January 2009 by Rita Smith Realtor at an asking price of \$500,000; and
	WHEREAS , the City contacted the broker representing the seller of the property after the property was listed for sale; and
	WHEREAS , the intended use of the property is for public use, specifically the expansion of the Albany Senior Center; and
	WHEREAS, because the property is vacant and offered for sale to the public, relocation assistance and other assistance required by Government Code is not applicable; and
	WHEREAS , the City of Albany has received the following disclosure and inspection reports:
	 Wood Destroying Pests and Organisms Inspection Report dated September 25, 2008 prepared by Mitts Termite Control Inc. Residential Property Disclosure Report prepared by JCP-LGS Property
	 Disclosures dated February 10, 2009 Structural Inspection prepared by Earthquake and Structures Inc., dated February 20, 2009
	 Building Inspection Report prepared by Jay Marlette Inspection Service, dated February 23, 2009 Wood Destroying Pests and Organisms Inspection Report dated February
3 4 5	24, 2009 prepared by Charles J. Mayer.
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WHEREAS, the City Council, discussed the potential acquisition of the property at their meeting of March 2, 2009; and

WHEREAS, pursuant to said desires of the City Council, the Albany Planning and Zoning Commission held a duly noticed public hearing, on March 10, 2009 and the Park and Recreation Commission held a duly noticed public hearing, on March 12, 2009, to consider to make recommendations to the City Council; and

WHEREAS, the Planning and Zoning Commission unanimously expressed support for the expansion of the Senior Center. The Commission noted that the senior center has historically been a good neighbor and the proposed project is a good way to address a property in poor condition. The Commission also noted that creation of usable outdoor space should be considered in the expansion plans, and that in order to encourage walking and transit, expansion should not be designed around parking considerations; and

WHEREAS, pursuant to said desires of the City Council, the Albany Park and Recreation Commission held a duly noticed public hearing, on March 12, 2009, to consider to make recommendations to the City Council; and

WHEREAS, at their March 12, 2009 meeting, the Park & Recreation Commission on a 3-1 vote, approved a motion supporting the expansion of the Senior Center, but expressed serious concerns about the financial implications and impacts on other Park and Recreation Master Plan priorities.

WHEREAS, the proposed acquisition and future expansion of the Senior Center is determined to be Categorically Exempt from the requirements of the California Environmental Act (CEQA) pursuant to CEQA Guidelines Section 15303 "New Construction or Conversion of Small Structures" and CEQA Guidelines Section 15332 "In-Fill Development Projects"; and

WHEREAS, on March 20, 2009, the City Administrator entered into a agreement to purchase the property for \$425,000, contingent on City Council authorization; and

WHEREAS, the City Administrator has determined there are sufficient funds available to purchase the property for \$425,000; and

WHEREAS, on April 6, 2009, The Albany City Council held a duly noticed public hearing to authorize the acquisition of the property; and

NOW, THEREFORE, THE ALBANY CITY COUNCIL DOES HEREBY RESOLVE AS FOLLOWS:

1 2 3 4 5	The City Administrator is authorized to execute agreements, documents, and incur expenses associated with purchase and acceptance of fee simple title to real property at 842 Masonic Avenue (Assessors Parcel Number 066-2804-015).
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7	MARGE ATKINSON
8	MAYOR
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