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**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  
24, 2009 prepared by Charles J. Mayer.

1       **WHEREAS**, the City Council, discussed the potential acquisition of the  
2 property at their meeting of March 2, 2009; and  
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5       **WHEREAS**, pursuant to said desires of the City Council, the Albany  
6 Planning and Zoning Commission held a duly noticed public hearing, on March 10,  
7 2009 and the Park and Recreation Commission held a duly noticed public hearing, on  
8 March 12, 2009, to consider to make recommendations to the City Council; and  
9

10       **WHEREAS**, the Planning and Zoning Commission unanimously expressed  
11 support for the expansion of the Senior Center. The Commission noted that the senior  
12 center has historically been a good neighbor and the proposed project is a good way  
13 to address a property in poor condition. The Commission also noted that creation of  
14 usable outdoor space should be considered in the expansion plans, and that in order to  
15 encourage walking and transit, expansion should not be designed around parking  
16 considerations; and  
17

18       **WHEREAS**, pursuant to said desires of the City Council, the Albany Park  
19 and Recreation Commission held a duly noticed public hearing, on March 12, 2009,  
20 to consider to make recommendations to the City Council; and  
21

22       **WHEREAS**, at their March 12, 2009 meeting, the Park & Recreation  
23 Commission on a 3-1 vote, approved a motion supporting the expansion of the Senior  
24 Center, but expressed serious concerns about the financial implications and impacts  
25 on other Park and Recreation Master Plan priorities.  
26

27       **WHEREAS**, the proposed acquisition and future expansion of the Senior  
28 Center is determined to be Categorical Exempt from the requirements of the  
29 California Environmental Act (CEQA) pursuant to CEQA Guidelines Section 15303  
30 "New Construction or Conversion of Small Structures" and CEQA Guidelines  
31 Section 15332 "In-Fill Development Projects"; and  
32

33       **WHEREAS**, on March 20, 2009, the City Administrator entered into a  
34 agreement to purchase the property for \$425,000, contingent on City Council  
35 authorization; and  
36

37       **WHEREAS**, the City Administrator has determined there are sufficient funds  
38 available to purchase the property for \$425,000; and  
39

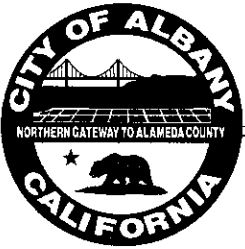
40       **WHEREAS**, on April 6, 2009, The Albany City Council held a duly noticed  
41 public hearing to authorize the acquisition of the property; and  
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44       **NOW, THEREFORE, THE ALBANY CITY COUNCIL DOES HEREBY**  
45 **RESOLVE AS FOLLOWS:**  
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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).

  
MARGE ATKINSON  
MAYOR



# City of Albany

1000 SAN PABLO AVENUE • ALBANY, CALIFORNIA 94706-2295

**CITY ADMINISTRATOR**  
PH. (510) 528-5710  
FAX (510) 528-5797

**CITY ATTORNEY**  
PH. (510) 524-9205  
FAX (510) 526-9190

**CITY CLERK**  
PH. (510) 528-5720  
FAX (510) 528-5797

**CITY COUNCIL**  
PH. (510) 528-5720  
FAX (510) 528-5797

**COMMUNITY DEVELOPMENT & ENVIRONMENTAL RESOURCES**

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- Engineering
- Environmental Resources
- Maintenance
- Planning

PH. (510) 528-5760  
FAX (510) 524-9359

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**CITY TREASURER**  
PH. (510) 528-5730  
FAX (510) 528-2743

**FIRE & EMERGENCY MEDICAL SERVICES**

PH. (510) 528-5771  
FAX (510) 528-5774

**PERSONNEL**

PH. (510) 528-5714  
FAX (510) 528-5797

**POLICE**

PH. (510) 525-7300  
FAX (510) 525-1360

**RECREATION & COMMUNITY SERVICES**

1249 Marin Avenue  
PH. (510) 524-9283  
FAX (510) 528-8914

- Friendship Club/  
Childcare Program  
PH. (510) 524-0135
- Senior Center  
PH. (510) 524-9122  
FAX (510) 524-8940
- Teen Center  
PH. (510) 525-0576

**RESOLUTION NO.** 09-13

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

this 6th day of April, 2009, by the following votes:

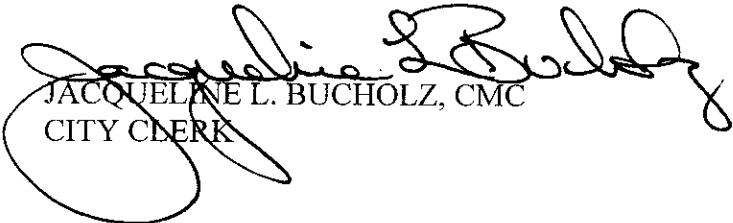
**AYES:** Council Members Javandel, Lieber, Thomsen, Wile & Mayor Atkinson

**NOES:** None

**ABSENT:** None

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 7th

day of April, 2009.

  
JACQUELINE L. BUCHOLZ, CMC  
CITY CLERK

*The City of Albany is dedicated to maintaining its small town ambience, responding to the needs of the community, and providing a safe, healthy environment now and in the future.*



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