

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda date: February 16, 2010
Reviewed by: BP

SUBJECT: Request to Temporarily Close portions of Solano Avenue and Jackson Street on March 27, 2010 for the Albany Little League Parade and to waive fees

FROM: Ann Chaney, Community Development Director

STAFF RECOMMENDATION

Approve an Encroachment Permit and Parade Permit, at no fee and no cost reimbursement, to allow closure of Solano Avenue, between Key Route Boulevard and Jackson Street, and closure of Jackson Street, between Solano Avenue and Buchanan Street, from 9:00 a.m. to approximately 9:45 a.m. on Saturday, March 27, 2010, for the annual Albany Little League Parade.

BACKGROUND

The Little League has submitted an Encroachment Permit and Parade Permit application to close a portion of Solano Avenue and Jackson Street on March 27, between 9:00 a.m. (parade starting time) and 9:45 a.m. (parade end time) for purposes of holding the annual Albany Little League Parade. The parade route and staging area are similar to last year.

According to the City's Master Fee Schedule, City Council approval is required for group permits for special activities occurring in the public right-of-way (e.g., Solano Stroll). Street closure for this event would affect the section of Solano Avenue between Key Route and Jackson, and the section of Jackson Street between Solano and Buchanan.

Jennifer Hansen-Romero, representing the Albany Little League, states that the families would begin gathering at Key Route Boulevard around 8:15 a.m. The parade would begin at 9:00 a.m. at Key Route and Solano Avenue, and end at the Little League fields in University Village around 9:45 a.m.

ANALYSIS

Closure of this section of Solano Avenue, on Saturday, March 27 is not expected to have a major impact on local businesses because most are not open before 10:00 a.m.

Parade proponents have spoken with the Albany Police Department staff to discuss the logistics surrounding the parade, such as traffic control. The Police Department will coordinate with the

Public Works division regarding items such as barricades. Little League volunteers will to be responsible for placing barricades at designated intersections, standing by to ensure that vehicles do not enter the parade route, and removing the barricades at the end of the parade when the final police car passes by. City police will be responsible for traffic control at major intersections.

SUSTAINABILITY IMPACT

The City's fire engine leads the parade, and there are a few other vehicles for parade dignitaries, but all of the Little League players, coaches and parents walk in the parade. The event highlights athletics in the community, which promotes a wellness lifestyle.

FISCAL IMPACT

Because the Little League is a non-profit organization, it is recommended that the \$131.09 fee that is typically charged for this encroachment permit, be waived. The City will incur the costs of City Police Department and Public Works staff to cordon off and secure the area. For Public Works, the costs are estimated to be \$289 for four staff hours. For the Police Department, volunteer Reserve staff will be used if possible for the parade event, plus one paid supervisory person. Thus the costs to PD are about \$254 for two staff hours, for a total City cost of \$543. It should be noted that, the Little League will be required to hold the City harmless should any damage or injuries incurred during the parade event.

Attachment

Encroachment Permit and Parade Permit application



City of Albany



CITY OF ALBAN

FEB 03 2010

COMMUNITY DEVELOPMI
DEPARTMENT

ENCROACHMENT PERMIT PERMANENT OR TEMPORARY CONSTRUCTION WITHIN CITY RIGHT OF WAY

PERMIT NO. _____

LOCATION: Parade Assembly: Key Route + Solano (Down Solano to Jackson to Village)

| NAME | ADDRESS | Phone No. Normal/Emergency | Business Lic. No. Workers Comp. No. |
|--|---|-------------------------------|--|
| Applicant: <u>Jennifer Hansen-Romero</u> | <u>1056 Key Route Blvd. Albany</u> | <u>510-290-8078</u> | |
| Owner: | | | |
| Engineer / Architect: | <u>For Albany Little League Parade March 27, 2010</u> | | |
| Contractor: | | | |

TYPE OF WORK

- Sidewalk Curb & Gutter Sewer Street Tree
 Utility Co. Permanent Structure Other: Albany Little League Parade

DESCRIPTION OF WORK

Albany LL + Softball teams gather on grass at Key Route/Solano. March West on Solano to Jackson, south on Jackson to the UC Village

REQUIRED CONDITIONS

- All work shall be in accordance with the attached standard conditions.
 - No refund after 120 days or work begins; 70% of fee refundable within 120 days provided no work has begun.
 - Permanent structures require City Council approval (City Code 14-2).
 - CALL USA 1-800-227-2600 before excavating.
 - Call for Final Inspection and Sign-Off 48 hr. in advance at (510) 528-5760 (510) 524-9543.
 - Special Conditions may be imposed following City review and prior to issuance of this permit.
- March 27, 2010 around 9:00 Assemble at 8:45 / Begin 8:50 - End 9:45am*

Applicant's Signature: [Signature] Date: 1/25/10

| STAFF USE ONLY | |
|---|-------------|
| Permit Fee Computation | |
| Total construction cost subject to fee: | |
| New construction at 8% of construction cost | |
| In-Lieu slurry seal fee (when street is out) | |
| Minimum fee per schedule (if greater than % fee) | |
| Total Fee due (transfer to fee schedule from) (Utilities to be billed, copy of permit to Finance) | |
| Special Conditions: _____ | |
| Issued by: _____ | Date: _____ |
| Permit Expiration Date: _____ (not to exceed 180 days from date issued) | |
| Final Sign Off by: _____ | Date: _____ |

City of Albany

ENVIRONMENTAL PROTECTION STATEMENT OF RESPONSIBILITY FOR DISCHARGE & DAMAGE

I. PURPOSE

This statement is to provide notice to property owners, contractors, and others of the responsibility for compliance with Albany Municipal Code (AMC) as it relates to protection of public trees and waterways.

Public Trees: Damage to street trees or other trees locate on public property is considered damage to public property. Damage to trees includes, but is not limited to cutting any amount of trees roots, ripping or tearing of branches, and peeling, tearing, or scarring of tree bark. Damage may cause death and/or a dangerous condition by destabilizing the tree. Restoring a tree is a priority to the City of Albany.

Waterways: The City's storm water runoff system conveys rain water directly to the San Francisco Bay through a network of surface flows, underground pipes, and creek channels. Materials discharged to a sidewalk, street gutter, storm drain or creek can cause creeks and the Bay to become polluted. Any material other than rain water is considered an illicit discharge under the Federal Clean Water Act. Examples of illicit discharge include: concrete wash water, stucco wash water, paint warm water, chemicals, and runoff from stockpiled materials such as dirt aggregate, soil products, and other construction materials.

II. RESPONSIBILITY FOR DAMAGE TO PUBLIC TREES AND/OR ILLICIT DISCHARGE TO WATERWAYS

Public Trees: Pursuant to Albany Municipal Code Section 14-1.2., it is unlawful to cause damage to public property. When a public tree is damaged the cost of the damage and the value of the tree will be calculated by a certified arborist in accordance with International Society of Arboriculture Standards. Because valuable resources such as time, energy and money are invested in trees over many years, the calculated value of a tree can be high. The party damaging the tree is liable for all costs associated with the loss of the tree and the repair or replacement of the tree.

Waterways: Pursuant to Albany Municipal Code Section 15.4, it is unlawful to discharge materials (liquid or solid) to a sidewalk, street, gutter, storm drain or creek. An illicit discharge is defined as "any discharge to the City storm drain system that is not composed entirely of storm water...". The contractor and/or property owner is responsible for all fines and costs associated with the illicit discharge.

III. CERTIFICATION OF COMPLIANCE

I understand that as the applicant I am responsible for any damaged to public trees and/or all illicit discharges resulting from this project and that I am responsible for all fees and fines as a result or non-compliance.

 (for A.L.L. Parade Coordinator) 1/25/10
Property Owner or Permittee Date

Albany Little League
Business Name & Contractor's Authorized Representative Date

Location or Title of Project: A.L.L. Parade Solano - Jackson

City of Albany

SPECIAL PROVISIONS FOR ENCROACHMENT PERMIT FOR PERMANENT IMPROVEMENT IN CITY RIGHT-OF-WAY

Permit # _____

LOCATION: Key Route + Solano (W on Solano → South on Jackson - end at Jackson + Albany Little League Village field)

This APPLICATION MUST BE ACCOMPANIED by the DATA and PLANS indicated below:

- Description of Job
- APPROVED Construction Plans and/or Documents
- An Engineer's Estimate of the value of all public improvements and utility services within the public right-of-way
- A Soils Report prepared by a Registered Civil Engineer
- Others: Specify _____

ALL FEES SHALL BE PAID AND DEPOSITS MADE PRIOR TO THE ISSUANCE OF THIS PERMIT: except Utility Companies. Utility Companies will be invoiced.

Standards/Specification:

The following conditions and provisions of the Albany Municipal Code apply to this permit. All work shall be in accordance with City Standard Specifications and Drawings.

Commencement of Work

The permittee shall begin the work or use authorized by a permit issued pursuant to this chapter within ninety (90) days from the date of the issuance unless a different period is stated in the permit, or an extension of time is granted by the Director of Community Development * Environmental Resources. If the work or use is not begun accordingly, the permit shall become void.

INSPECTION

In general, inspection producers and requirements shall be as established by the Director of Community Development & Environmental Resources. Unless specifically exempted by the City Code, no encroachment work shall take place without inspection by the Director of Community Development & Environmental Resources or his/her authorized agent. Inspections by the City must be requested at least TWENTY-FOUR (24) HOURS (excluding weekends) IN ADVANCE of the work to be performed. No work shall be performed on weekends without PRIOR AUTHORIZATION of the Director of Community Development & Environmental Resources.

DISPLAY OF PERMIT

The permittee shall keep a copy of this permit at the site of the work, or in the cab of a vehicle when movement on a public street is involved. The permit shall be shown to any authorized representative of the Director of Community Development & Environmental Resources or Law Enforcement Officer on demand.

ACCEPTANCE OF PERMIT BY APPLICANT

Acceptance by the applicant of the permit shall be conclusive evidence of the reasonableness of the terms imposed and shall constitute a waiver of any right to legislative determination thereof.

NON-ASSIGNMENT OF PERMIT

Permits shall only be issued only to the person making application and may not be assigned to another person by the permittee. If any permittee assigns his permit to another, the permit will be revoked.

CHANGES IN PERMIT AND WORK

No work may be made in the location, dimensions, character, or duration of the encroachment or use as granted by the permit except upon written authorization of the Director of Community Development & Environmental Resources.

City of Albany

EXCAVATION OF PAVED STREETS

No excavations shall be permitted within the paved area of the public streets unless the applicant can prove to the satisfaction of the Director of Community Development & Environmental Resources that the following conditions exist:

1. Boring of the utility is not feasible; and
2. No reasonable alternative utility arrangement is available outside the paved street area; and
3. The cut area and an adjacent area shall be resurfaced as approved by the Director of Community Development & Environmental Resources. The limits of resurfacing shall be as determined by the Director of Community Development & Environmental Resources to insure the excavating area blends visually with the surrounding area. The applicant shall be responsible for the replacement of any and all obliterated or removed pavement markers or striping.

REVOCAION OF PERMIT

This encroachment permit may be revoked at any time at the option of the Director of Community Development & Environmental Resources, whenever:

1. It appears that continuing allowance of the permitted work, whether because of changed conditions or otherwise, interferes with full, adequate or safe public use of the right-of-way involved; or
2. The permittee fails to comply with or violates any city ordinance, city standard, safety regulations, or any condition of the issuance of the permit.

Upon revocation of the permit, the permittee shall immediately restore the public right-of-way to a condition as required by the Director of Community Development & Environmental Resources. If the restoration is not completed within the time specified by the Director of Community Development & Environmental Resources, the City may take any and all necessary action so required to restore the right-of-way. Any and all costs incurred by the City will be deducted from any deposits posted by the permittee and if necessary recovered by legal action.

HOURS OF WORK

No work shall commence prior to 8:00AM and no work shall be conducted after 6:00PM Monday through Saturday and before 10:00AM or after 6:00PM on Sundays and Holidays.

COMPLETION OF WORK

The permittee must complete the work or use authorized by a permit issued pursuant to this chapter within the time specified in the permit. If at any time the Director of Community Development & Environmental Resources finds that the delay in the prosecution or completion of the work or use authorized is due to lack of diligence on the part of the permittee, the permit may be revoked.

PERMITTEE LIABILITY

The permittee shall agree to hold the City, its officers, and employees harmless from any and all liability, claims, suits, or actions for any and all damages alleged to have been suffered by any person or property by reason of the permittee's installation, operation, maintenance or removal of the encroachment.

BY MY SIGNATURE HEREUNDER, I state that I have read and understood the above conditions and agree to comply therewith. I hereby attest that I am either the owner of the property or duly authorized agent of the applicant.

APPLICANT'S SIGNATURE:



Date:

1/25/10

NAME (print):

Jennifer Hansen-Romero

Company:

Albany Little League



Albany Police Department

1000 SAN PABLO AVE. • ALBANY, CALIFORNIA 94706-2295

MICHAEL MCQUISTON
Chief of Police

Parade Permit Application

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

Date: _____ ~~2020~~ Parade Coordinator

Name of Applicant: Albany Little League - Jennifer Hansen

Address: 1056 Key Route Blvd City: Albany State: CA

Telephone #1: 510-290-8078 Telephone #2 _____

Name of Organization or Group: Albany Little League

Address: PO Box 6003 City: Albany State: CA

Telephone #1: 510-526-1404 Telephone #2 _____

Purpose of Parade: Opening Day of A.L.L + Albany/Berk.
Girls softball

Number of Units or Participants; Number and Kind of Vehicles and Animals:

400 + Kids + 100 + Adults

Assembly Starting Time: ~~7:45~~ 8:15 Parade Starting Time: ~~8:30~~ 9:00

Parade Termination Time: 9:45

Proposed Assembly Area: (Number of Street, Names and Blocks Numbers):

800 Block of Solano @ Key Route

Parade Route: West on Solano (at Key Route) South on
Jackson st → University Village Fields

Location Parade Route will Disband: University Village Fields

Parade Permit Applicant must be filed with the Chief of Police 45 days in advance of the proposed parade.

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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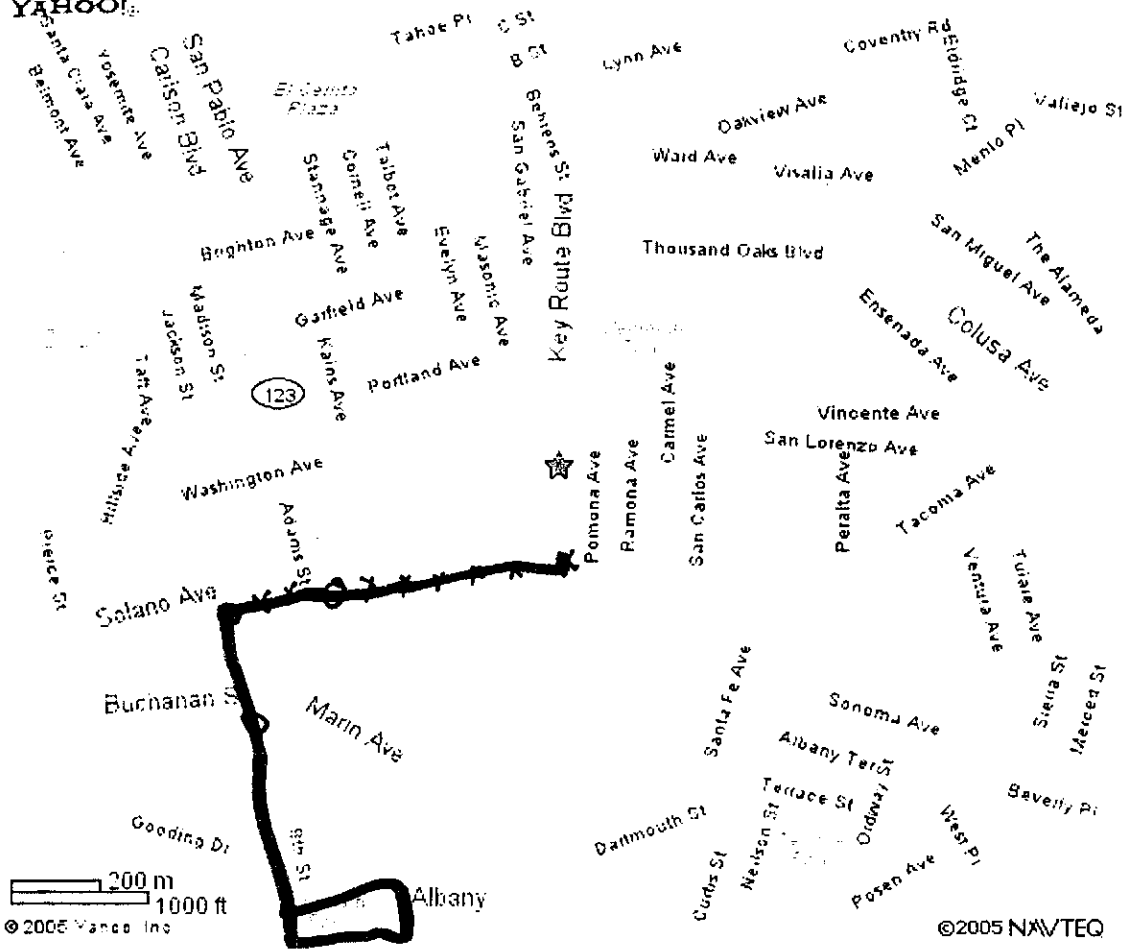
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