RESOLUTION NO. 2020-129

A RESOLUTION OF THE ALBANY CITY COUNCIL AUTHORIZING STAFF REVIEW OF ENCROACHMENT PERMITS FOR SEMI-PERMANENT OUTDOOR DINING STRUCTURES ON SOLANO AVENUE DURING THE ALAMEDA COUNTY PUBLIC HEALTH COVID-19 EMERGENCY

WHEREAS, the City of Albany has an encroachment permit process to allow for outdoor dining on public right of way; and

WHEREAS, the Economic Development Committee discussed the issue of outdoor dining on June 4, 2020 and forwarded a recommendation to the City Council to implement fee waivers during the restricted operating period; and

WHEREAS, the Transportation Commission discussed the issue of outdoor dining on June 25, 2020 and approved a motion recommending the following to the City Council:

- 1. Authorize encroachment permit fees be waived
- 2. Authorize staff to approve permits for the duration of the County health restriction
- 3. Give staff flexibility on the number of spaces per parklet
- 4. Give staff flexibility on requirement to move equipment when not in use
- 5. Post reduced speed advisory signs
- 6. Monitor 85% speeds for possible regulatory speed signs when parklets are in place; and

WHEREAS, the City Council took actions on July 6, 2020: adopting Resolution No. 2020-73, authorizing a fee waiver for outdoor dining encroachment permits during the Alameda County Public Health COVID-19 Shelter-in-Place Order; allowing staff flexibility regarding the number of parking spaces per business and removal of equipment when not in use; and direct staff to attempt to reduce vehicle speeds on Solano Avenue without reducing the speed limit.

WHEREAS, On December 9, 2020, the State of California issued an order restricting restaurants to providing take-out and delivery service only.

NOW, THEREFORE, BE IT RESOLVED, that the Albany City Council hereby waives encroachment permit application fees during the restricted operating period and authorizes staff review of applications for new encroachment permits and to modify existing permits to provide outdoor dining structures on Solano Avenue during the Alameda County public health Covid-19 emergency and will approve such permits and permit modifications if the proposed structure meets the requirements of the Alameda County Department of Health Outdoor Restaurant Operating Procedures effective 18 November 2020.

GE'NELL GARY, MAYOR



City of Albany

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

The 21st day of December, 2020, by the following votes:

AYES: Council Members Jordan, McQuaid, Nason, Tiedemann and Mayor Gary

NOES: none

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 23rd

day of December, 2020.

Anne Hsu

CITY CLERK

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