

1 **RESOLUTION NO. 2021-22**

2 **A RESOLUTION OF THE ALBANY CITY COUNCIL AFFIRMING**
3 **INSURANCE REQUIREMENTS FOR OUTDOOR DINING**
4 **DURING THE ALAMEDA COUNTY PUBLIC HEALTH**
5 **COVID-19 EMERGENCY**

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

8
9 **WHEREAS**, the City Council adopted Resolution No. 2020-73 on July 6, 2020 authorizing
10 a fee waiver for outdoor dining encroachment permits during the Alameda County Public Health
11 COVID-19 Shelter-in-Place Order and allowing staff discretionary authority; and

12
13 **WHEREAS**, City Council adopted Resolution No. 2020-129 on December 21, 2020,
14 authorizing staff review of encroachment permits for semi-permanent outdoor dining structures on
15 Solano Avenue during the Alameda County Public Health COVID-19 Shelter in Place Order; and

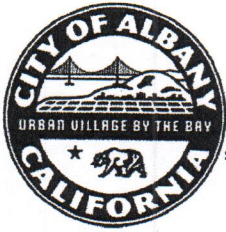
16 **WHEREAS**, outdoor dining was permitted to resume effective January 26, 2021; and

17
18 **WHEREAS**, the City Council considered all public comments received, the presentation by
19 City staff, the staff report, and all other pertinent information.

20
21 **NOW THEREFORE, BE IT RESOLVED**, that the Albany City Council hereby affirms
22 permit holders shall maintain commercial general liability insurance with coverage of at least as
23 broad as Insurance Services Office form CG 00 01, in an amount not less than one million dollars
24 (\$1,000,000) per occurrence for bodily injury, personal injury, and property damage, including
25 without limitation, blanket contractual liability. Permit holder's general liability policies shall be
26 primary and shall not seek contribution from the City's coverage, and be endorsed using Insurance
27 Services Office form CG 20 10 (or equivalent) to provide that City and its officers, officials,
28 employees, and agents shall be additional insureds under such policies. Coverage shall also contain
29 a waiver of subrogation in favor of the City."



GE'NELL GARY, MAYOR



City of Albany

1000 San Pablo Avenue • Albany, California 94706
(510) 528-5710 • www.albanyca.org

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PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF
ALBANY, The 1st day of March, 2021, 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 2nd
day of March, 2021.

Anne Hsu
CITY CLERK

The City of Albany is dedicated to maintaining its small town ambiance, responding to the needs of a diverse community, and providing a safe, healthy and sustainable community.