## **RESOLUTION NO. 2021-20**

## A RESOLUTION OF THE ALBANY CITY COUNCIL AFFIRMING THE STORAGE AND REMOVAL OF OUTDOOR DINING ON SOLANO AVENUE ONLY 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 City Council adopted Resolution No. 2020-73 on July 6, 2020 authorizing a fee waiver for outdoor dining encroachment permits during the Alameda County Public Health COVID-19 Shelter-in-Place Order and allowing staff discretionary authority; and

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

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

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

**NOW THEREFORE, BE IT RESOLVED,** that the Albany City Council hereby affirms one of the following actions by majority vote:

Require consolidated storage, if possible, of unused outdoor dining installation materials if Shelter in Place prohibits outdoor dining. Two (2) weeks after outdoor dining is permitted to resume, outdoor dining installations shall reopen or be removed if unused.

GE'NELL GARY MAYOR



## City of Albany

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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, Nason, Tiedemann and Mayor Gary

NOES: Council Member McQuaid

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