

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

Agenda Date: July 19, 2021
Reviewed by: NA

SUBJECT: Encroachment Permit and Fee Waiver for Use of Street Parking Spaces on Solano Avenue and Street Closure on Masonic Avenue for a Modified 2021 Solano Stroll

REPORT BY: Jeff Bond, Community Development Director

SUMMARY

The action before the City Council is to approve an encroachment permit and related fee waiver for the modified 2021 Solano Stroll – called “A Sidewalk A-Faire”.

STAFF RECOMMENDATION

That the City Council:

1. **In-Street Installations.** Authorize staff to issue an Encroachment Permit to the Solano Avenue Association for the management of in-street installations; and
2. **Street Closure.** Authorize staff to issue a street closure permit for Masonic north of Solano Avenue up to 846 Masonic.
3. **Permit Fees.** Waive encroachment permit fees; and
4. **City Fees.** Waive fees for cost of public safety personnel and city maintenance services.

BACKGROUND

For over 30 years, the Solano Avenue Association has hosted a street festival on Solano Avenue through Albany and Berkeley on the second Sunday of September. Due to Covid-19 protocol and public health orders, the Stroll was cancelled in 2020. For 2021, a modified event has been proposed.

DISCUSSION

The Solano Avenue Association is proposing a modified event for 2021 called “A Sidewalk A-Faire.” The event is reduced in scale from the traditional Solano Stroll in several ways.

- **No Closure of Solano Avenue.** The most notable change relevant to the City’s encroachment permit review is that Solano Avenue will remain open to vehicle traffic.

- **Partial Closure of Masonic.** A small segment of Masonic Avenue, north of Solano up to 846 Masonic, is proposed to be closed to provide room for festival rides.
- **No Parade.** Due to logistical complexities related to crowd and vehicle management, the City is unable to allow a parade as part of the event.
- **In-Street Booths.** Although the roadway will remain open, there is discussion of the potential for Albany businesses to set up tables or booths in street parking spaces for the day. Staff recommends that a permit be issued to the Solano Avenue Association if management of the parking spaces is incorporated into their overall management of the event.
- **City of Berkeley Coordination.** Any encroachment permits issued would include appropriate conditions of approval similar to previous events. In addition, close coordination with the City of Berkeley will be required as part of City approval of the event.

ENCROACHMENT PERMITS

Use of the public right-of-way is regulated by Section 14-2 of the Albany Municipal Code. Per the Municipal Code, applications for work or use of the public right-of-way are processed in the form of an encroachment permit, which is subject to the approval of the Community Development Director. 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. Historically the City has approved “Encroachment Permits” for the Solano Stroll as well as waive fees and fund out-of-pocket overtime costs for public safety personnel and city maintenance services out of the City’s operating budget.

SUSTAINABILITY CONSIDERATIONS

Not applicable.

FINANCIAL CONSIDERATIONS

Since the Solano Avenue Association is a non-profit organization and the event is open to the public, it is recommended that the encroachment permit fee that is required for the event be waived. The cost for the encroachment permit is \$30 per parking space/per day.

Following the 2018 Solano Stroll, City staff reviewed staffing levels and overtime costs. Staffing the Stroll is a major project, particularly for the Police Department, Fire Department, and Public Works Department. In summary, a total of 37 staff people were involved with the event planning, setup, operations during the event, and cleanup. Total staff hours are estimated at approximately 500 hours. Out-of-pocket expenses for overtime and materials are estimated at approximately \$21,500. Although a small event will require less staffing, there will be extra public safety and public works staff overtime costs incurred to supplement normal staffing levels.