ORDINANCE NO. 08-012

AN ORDINANCE OF THE ALBANY CITY COUNCIL AMENDING SECTION 9-1.48. AND C. OF THE ALBANY MUNICIPAL CODE TO DECREASE THE SPEED LIMIT ON CLEVELAND AVENUE AND EASTSHORE HIGHWAY FROM 35 MILES PER HOUR TO 25 MILE PER HOUR

WHEREAS, the Speed and Volume Survey for Speed Limits required by the California Vehicle Code and the National Uniform Code for all municipalities for the enforcement of speed limits was completed in February, 2008; and

WHEREAS, the existing “prima facie speed limit on Cleveland Avenue from the Contra Costa County limit line southerly to a point nine hundred (900’) feet northerly of the northerly line of Washington Avenue, is thirty-five (35) miles per hour;” and

WHEREAS, the existing “prima facie speed limit on Eastshore Highway from the Berkeley City limits to the end of the Eastshore Highway, is hereby fixed at thirty-five (35) miles per hour;” and

WHEREAS, the results of the Speed and Volume Survey suggest that the 85th percentile speeds on Cleveland Avenue and Eastshore Highway are 31.3 and 30.8 mph respectively; and

WHEREAS, due to a higher than expected collision rate on Cleveland Avenue (24 collisions in the last four years, equating to 5.61 ACC/MVM) the consultant traffic engineer recommended downgrading the speed limit to 25 mph; and

WHEREAS, because the 10 mph pace on Eastshore Highway is between 20 to 29 mph and the suggested speed limit determined by the 85th percentile speed does not fall within this range as it typically should, the consultant traffic engineer recommended downgrading the 85th percentile speed by 5 mph, or to 25 mph; and

WHEREAS, the Albany Police Department supports the recommendation of this Study to reduce the speed limit, and intends to enforce the new limit; and

WHEREAS, the Traffic and Safety Commission has considered this recommendation at its October 23, 2008 meeting.
NOW, THEREFORE, THE ALBANY CITY COUNCIL DOES HEREBY ORDAIN AS FOLLOWS:

Section 9-1.4 Speed Limits on Frontage Roads

a. Pierce Street. The prima facie speed limit on Pierce Street from a point nine hundred (900') feet northerly right of way of Washington Avenue to the Contra Costa County line, is hereby fixed at twenty-five (25) miles per hour.

b. Cleveland Avenue. The prima facie speed limit on Cleveland Avenue from the Contra Costa County line southerly to a point nine hundred (900') feet northerly of the northerly line of Washington Avenue, is hereby fixed at twenty-five (25) miles per hour.

c. Eastshore Frontage Road (aka, Eastshore Highway). The prima facie speed limit on the Eastshore Frontage Road from the Berkeley City limits to the end of the Eastshore Frontage Road is hereby fixed at twenty-five (25) miles per hour.

PASSED AND ADOPTED by the City Council of the City of Albany at its meeting on the 15<sup>th</sup> day of Dec 2008, by the following vote:

AYES: Council Members Javandel, Lieber, Thomsen, Wile & Mayor Atkinson

NOES: None

ABSENT: None

ABSTAIN: None

[Signature]
Mayor Robert S. Lieber
STATE OF CALIFORNIA )
COUNTY OF ALAMEDA ) ss
CITY OF ALBANY )

I, JACQUELINE L. BUCHOLZ, City Clerk of the City of Albany, California,
do hereby certify that the whole number of members of the City Council of said
City of Albany is five and that the foregoing is a true and correct copy of
Ordinance No.08-012 which was passed and adopted by the said City Council,
approved and signed by the Mayor of said City, and attested by the City Clerk of
said City, all at a regular meeting of the said Council on the 15th day of
December 20 08 A.D., and that the same was so passed and adopted by the
following votes and duly published or posted according to State law.

AYES: Council Members Javandel, Lieber, Thomsen, Wile & Mayor Atkinson

NOES: None

ABSENT: None

In witness whereof, I have hereunto set my hand and affixed the official seal of
the City of Albany, this 17th day of December 2008.

JACQUELINE L. BUCHOLZ, CMC
CITY CLERK

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.