



# REPORT TO COUNCIL

## City of Sacramento

915 I Street, Sacramento, CA 95814-2671  
www.CityofSacramento.org

PUBLIC HEARING  
**May 25, 2010**

**Honorable Mayor and  
Members of the City Council**

**Title: Temporary Street Closure of The Alleyway Bounded by Folsom Boulevard,  
36<sup>th</sup>, 37<sup>th</sup> and M Streets; Temporary Closure Proceeding No. TSC10-02**

**Location/Council District:** The alleyway located between Folsom Boulevard, 36<sup>th</sup>, 37<sup>th</sup>  
and M Streets in Council District 3 (see Attachment 2, Page 6).

**Recommendation:** Conduct a public hearing and upon conclusion adopt a **Resolution**  
authorizing the temporary closure of the alleyway located between Folsom Boulevard,  
36<sup>th</sup>, 37<sup>th</sup> and M Streets.

**Contact:** Jerry Lovato, Senior Engineering Technician, (916) 808-7918; Thomas  
Adams, Engineering Technician, (916) 808-7929

**Presenters:** Thomas Adams

**Department:** Transportation

**Division:** Engineering Services

**Organization No:** 15001151

### **Description/Analysis**

**Issue:** The property owners have requested the temporary closure of the subject  
alleyway to help eliminate or reduce the amount of criminal activity by restricting  
vehicular and pedestrian traffic within the alleyway. The placement of three  
gates (north, south and east entrance) within the alley will assist in deterring  
criminal activity within the subject alley.

A summary of the project's history is included in Attachment 1.

**Policy Considerations:** The procedures under which the restriction of traffic is  
being initiated are set forth in the Vehicle Code Section 21101.4 and Sacramento  
City Code Chapter 12.16 allowing the temporary closure of alleys for the  
protection or preservation of the public peace, safety, health or welfare. This  
temporary closure is consistent with the City's Strategic Plan focus area in that it  
will improve and expand public safety, achieve sustainability and enhance  
livability. This is in keeping with the City's vision of being the most livable city in  
America.

**Environmental Considerations:**

**California Environmental Quality Act (CEQA):** The Environmental Planning Services section of the Community Development Department has reviewed the proposed temporary street closure and determined that the activity is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301(f) of the CEQA Guidelines. This project consists of the temporary closure of an existing alley by adding a gate to the entrance of the alley. This project falls under CEQA Guidelines of Categorical Exemptions Section 15301(f) in that this temporary street closure involves no expansion of use beyond what currently exists. Access to the road will be given to appropriate departments and agencies.

**Sustainability Considerations:** None.

**Committee/Commission Action:** None.

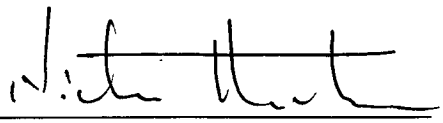
**Rationale for Recommendation:** The closure of the subject alley will provide additional security for the property owners by eliminating the opportunity for individuals to commit illegal acts and illegally dump within this subject alleyway.

**Financial Considerations:** The total estimated cost to process the temporary closure is \$9,043. Fifty percent of the total cost will be paid for by the Alley Abatement Program (T15100900, Fund 2002) and fifty percent of the total cost will be paid for by the adjacent property owners.

There are no general funds planned or allocated for the Folsom Boulevard, 36<sup>th</sup>, 37<sup>th</sup> and M Streets alley closure.

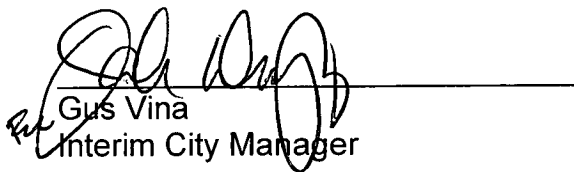
As of April 15, 2010, the Alley Abatement Program (T15100900) has a total budget of \$96,114 and an unobligated balance of \$14,464, which is sufficient to cover the temporary closure.

**Emerging Small Business Development (ESBD):** None.

Respectfully Submitted by:   
Nicholas Theocharides  
Engineering Services Manager

Approved by:   
Jerry Way  
for Director of Transportation

Recommendation Approved:

  
Gus Vina  
Interim City Manager

**Table of Contents:**

Report	Pg 1
<b>Attachments</b>	
1 Background	Pg 4
2 Location Map of Alley Closure	Pg 5
3 Police Department Clearance Letter:	Pg 6
4 Fire Department Clearance Letter:	Pg 7
5 Department of Transportation Clearance Letter:	Pg 8
6 Resolution	Pg 9

## **Background**

The proposed temporary closure of the subject alley was requested by the adjacent property owners. The alleyway is currently unrestricted to vehicular and pedestrian traffic. This accessibility has allowed the alleyway to be utilized as a conduit for illegal activity. With cause for concern the majority of the property owners have consented to the temporary closure of the subject alleyway. This request for closure has support from the Police Department (see Attachments 3, Page 7).

The temporary closure of the alley will entail the installation of three wrought iron gates within the alley. All three gates will be manual access restricting the main alleyway running from Folsom Boulevard to "M" street. Two of the three gates will be placed at the Folsom Boulevard and "M" Street entrances; the third gate will be placed at subject alleys entrance from 37<sup>th</sup> street. These gates will limit vehicular and pedestrian access to the alley while still allowing full access for the adjacent property owners, City maintenance personnel and utility companies with services in the alley.

The total estimated cost associated with the installation of the three gates is \$9,043. One half (\$4,521) of these costs will be paid for by the City of Sacramento's Alley Abatement Program (T15100900); the other one half (\$4,521) will be paid by the adjacent property owners.

In addition to the Police Department's support of the temporary closure of the subject alley, the City of Sacramento Fire Department has also given support to the temporary closure of the alley. The Fire Department certifies that the proposed temporary closure of the alley will not adversely impact their operation or the safety within the surrounding neighborhoods (see Attachment 4).

The temporary closure of the alley is supported by the City of Sacramento's Department of Transportation (DOT). DOT certifies that both of the proposed temporary closures of the alley do not include a through highway or arterial street and that the alley closure allows adequate and safe traffic circulation on the adjacent streets (see Attachment 5).

The temporary closure is not to exceed (18) months unless the closure is properly extended. Once approved, the closure may be extended for an additional five (5) consecutive periods of not more than eighteen (18) months each. Prior to each extension, City Council must hold a Public Hearing. Noticing to the public regarding the temporary street closure has been completed prior to this City Council meeting in accordance with City Code section 12.16.220.

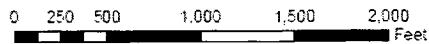
The majority of the adjacent property owners along with City staff support the temporary closure of this alleyway.

LOCATION MAP FOR ALLEY CLOSURE (Folsom/36/37/M Streets)



Department of  
**TRANSPORTATION**  
 City of Sacramento

Map Contact: T. Adams  
 Map Date: Apr/10



**Attachment 3**

**MEMORANDUM**

TO: City of Sacramento  
Department of Transportation  
300 Richards Blvd., Floor 300  
Sacramento, CA 95811

SUBJECT: **CLEARANCE FOR THE CLOSURE OF TRAFFIC THROUGH THE ALLEY BOUNDED BY 36<sup>th</sup> Street, 37<sup>th</sup> Street, Folsom Blvd and M Street.**

I have reviewed the material on the subject alley proposed for restriction of traffic. On behalf of the Police Department, I find that the area of the proposed alley closure of traffic on the subject alley suffers from criminal activity. Vehicular and pedestrian traffic contributes to this activity.

COMMENTS:

Based upon the way the calls for service in this alley have declined since we first started examining it several years ago, I cannot assert that gating this particular alley will make a substantial difference right now like it does with some alleys. However, gating this alley would help ensure that crime in and around it does not flare up again in the future.

  
\_\_\_\_\_  
Police Department Signature

May 10, 2010  
Date

MEMORANDUM

TO: City of Sacramento  
Department of Transportation  
300 Richards Blvd., Floor 300  
Sacramento, CA 95811

SUBJECT: CLEARANCE FOR THE CLOSURE OF TRAFFIC THROUGH THE  
ALLEY BOUNDED BY 36<sup>th</sup> Street, 37<sup>th</sup> Street, Folsom Blvd and M  
Street.

I have reviewed the material on the subject alley proposed for restriction of traffic. On behalf of the Department, I find that the proposed restriction will not adversely impact the operations of the Sacramento Fire Department. The Fire Department supports this restriction of traffic. Additional comments may follow below.

COMMENTS:

*OK. they just need  
Knox Locks on the gates!*

  
Fire Department Signature

*5/13/09*  
Date

MEMORANDUM

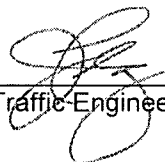
TO: City of Sacramento  
Department of Transportation  
300 Richards Blvd., Floor 300  
Sacramento, CA 95811

SUBJECT: **CLEARANCE FOR THE CLOSURE OF TRAFFIC THROUGH THE ALLEY BOUNDED BY 36<sup>th</sup> Street, 37<sup>th</sup> Street, Folsom Blvd and P Street.**

In reference to the requested restriction of traffic, I have reviewed the material on the above subject alley. I find the alley is under the City of Sacramento's jurisdiction and the proposed restriction of traffic does not include an arterial or a through street. It also appears that the restriction will allow adequate traffic circulation on the area. The Department of public works supports this restriction of traffic on the subject alley. Additional comments may follow below.

COMMENTS:

TRAFFIC ENGINEERING IS NOT OPPOSED  
TO THIS CLOSURE

  
\_\_\_\_\_  
Traffic Engineering Signature

9/30/09  
\_\_\_\_\_  
Date



**RESOLUTION NO.**

Adopted by the Sacramento City Council

**RESOLUTION AUTHORIZING THE TEMPORARY STREET CLOSURE OF THE ALLEYWAY BOUNDED BY FOLSOM BOULEVARD, 36<sup>TH</sup>, 37<sup>TH</sup> AND M STREETS PROCEEDING NO. TSC10-02**

**BACKGROUND**

- A. The City received a request from the adjacent property owners for a temporary closure of the subject alleyway bounded by Folsom Boulevard, 36<sup>th</sup> Street, 37<sup>th</sup> Street and "M" Street.
- B. In accordance with Section 21101.4 of the Vehicle Code of the State of California and with Chapter 12.16 of the Sacramento City Code, the City Council hereby considers approval of the temporary street closure of traffic on the following subject alley to help prevent occurrences of crime related activities.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- Section 1. Based upon substantial evidence present in the record of the proceedings regarding this matter, City Council hereby makes the following findings:
  - a) There is criminal activity in the area of the subject alleyway recommended for closure. This finding is based upon a recommendation of the Police Department.
  - b) The alleyways recommended for closure is under the City's jurisdiction and has not been designated as a through highway or arterial street.
  - c) Vehicle or pedestrian traffic in the alleyways recommended for closure contributes to the criminal activity that is occurring there.
  - d) The alleyway closure will not substantially adversely affect traffic flow, safety on the streets or in the surrounding neighborhoods, the operation of emergency vehicles, the performance of municipal or public utility services, or the delivery of freight by commercial vehicles in the area of the street recommended for closure.

- Section 2. The temporary closure of vehicular traffic through the subject alleyway listed is necessary for the protection or preservation of the public peace, Safety, health or welfare of the neighborhood.
- Section 3. The Council finds and determines that the subject alley closure will substantially alleviate the existing criminal activity in that alley.
- Section 4. City Council grants the temporary closure of the alleyway located between Folsom Boulevard, 36<sup>th</sup>, 37<sup>th</sup> and M Streets with the following conditions:
- a) A locking security device approved by the Sacramento Fire Department will be installed on each gate.
  - b) City departments and utility companies will have twenty-four (24) hour access to their facilities within the alley.
  - c) The locking security device shall not be operated in a selective manner that restricts the access of some vehicles and/or pedestrians to the subject alley, while permitting other vehicles and pedestrians unrestricted access to the alley.
  - d) In the event that the security device requires construction by a private entity for improvements in the public right-of-way, a revocable encroachment permit and an excavation permit must be obtained from the Department of Transportation. The revocable encroachment permit is to be issued simultaneously with this Resolution. The excavation permit, if required, may be issued subsequent to this Resolution, but must be obtained prior to the construction of improvements in the public right-of-way. Staff recommends that the City Manager waive the fee for the revocable encroachment permit.