



## REPORT TO COUNCIL City of Sacramento

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

PUBLIC HEARING  
January 23, 2007

Honorable Mayor and  
Members of the City Council

**Title: Temporary Street Closure – Alley Bounded by 39<sup>th</sup> Street, 40<sup>th</sup> Street, R Street and Folsom Boulevard; Temporary Closure Proceeding No. TSC06-09**

**Location/Council District:** Alley bounded by 39<sup>th</sup> street, 40<sup>th</sup> street, R Street and Folsom boulevard in Council District 3 (see Attachment 2, Page 5).

**Recommendation:** Conduct a Public Hearing and upon conclusion, adopt a **Resolution** approving the temporary closure of the alley bound by 39<sup>th</sup> Street, 40<sup>th</sup> Street, R Street and Folsom Boulevard.

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

**Presenters:** Thomas Adams, Engineering Technician

**Department:** Development Services

**Division:** Development Engineering

**Organization No:** 4881

### Description/Analysis

**Issue:** The adjacent property owners to the subject alley have requested a temporary closure of the alley to help eliminate or reduce the amount of criminal activity within this alley.

A summary of the project's history is included in Attachment 1, Page 4.

**Policy Considerations:** The temporary closure is in compliance with California State Vehicle Code Section 21101.4 and Sacramento City Code Chapter 12.16 which allows the temporary closures of streets or alleys. This temporary closure is consistent with the City's Strategic Plan 3 Year Goals 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.

**Committee/Commission Action:** None

**Environmental Considerations:** The Environmental Planning Services section of the Development Services 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.

**Rationale for Recommendation:** Adoption of the attached Resolution will provide additional security for the property owners and residents adjacent to the subject alley.

**Financial Considerations:** This request is processed under the Problem Alley Abatement Program of the City. The program, which provides for the construction of gates and necessary signs on alleys with crime-related problems, was approved for FY 2006/2007 by City Council and will be funded by the Problem Alley Abatement Program's Operating Budget. The City will be responsible for the processing costs associated with this temporary closure proceeding. Under the Problem Alley Abatement Program the City will fund the cost of installing and maintaining one wrought iron gate at the south end of the alley and the necessary signage for the temporary closure. The property owner requesting the temporary closure will pay for the installation and maintenance of the electric gate at the north end of the alley near Folsom Boulevard. All other costs, fees and improvements associated with the closure other than mentioned above will be the responsibility of the applicant.

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

Respectfully Submitted by:   
Edward Williams  
Manager, Development Engineering

Respectfully Submitted by:   
William Thomas  
Director of Development Services

Recommendation Approved:

  
RAY KERRIDGE  
City Manager

**Table of Contents:**

	Report	Pg 1
<b>Attachments</b>		
1	Background	Pg 4
2	Location Map of Temporary Closure	Pg 5
3	Police Department Documented Crime Activities	Pg 6
4	Police Department Clearance Letter	Pg 7
5	Fire Department Clearance Letter	Pg 8
6	Department of Transportation Clearance Letter	Pg 9
7	Resolution	Pg 10

## Background

### **The Temporary Street Closure of the Alley Bounded by 39<sup>th</sup> street, 40<sup>th</sup> street, R street and Folsom Boulevard**

This proposed temporary closure of the subject alley was requested by the adjacent property owners. The alley is currently accessible to vehicular and pedestrian traffic. This accessibility has allowed non-residents the ability to travel through the subject alley and commit unwanted criminal acts. Many of these activities have been documented by the Sacramento Police Department (see Attachment 3, Page 6).

The subject alley has some properties with garage accessibility. To gain vehicular access to their garages, some property owners have requested that a more convenient gate be placed at the north end of the alley. In evaluating this situation the property owners have requested accessibility to the alley by electronic access to one of the gates. This request has been initiated by the property owners by submitting a revocable encroachment permit to install one electronic gate at the north end of the alley near Folsom Boulevard. A locked pedestrian access gate will also be installed under the same revocable permit and paid for by the property owners. This pedestrian access will be adjacent to this electronic gate. The cost of this electronic gate and the pedestrian gate will be paid for and maintained by the property owners. The second gate near "R" street will be paid for and maintained by the City under the Problem Alley Abatement Program.

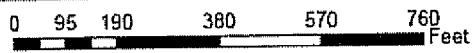
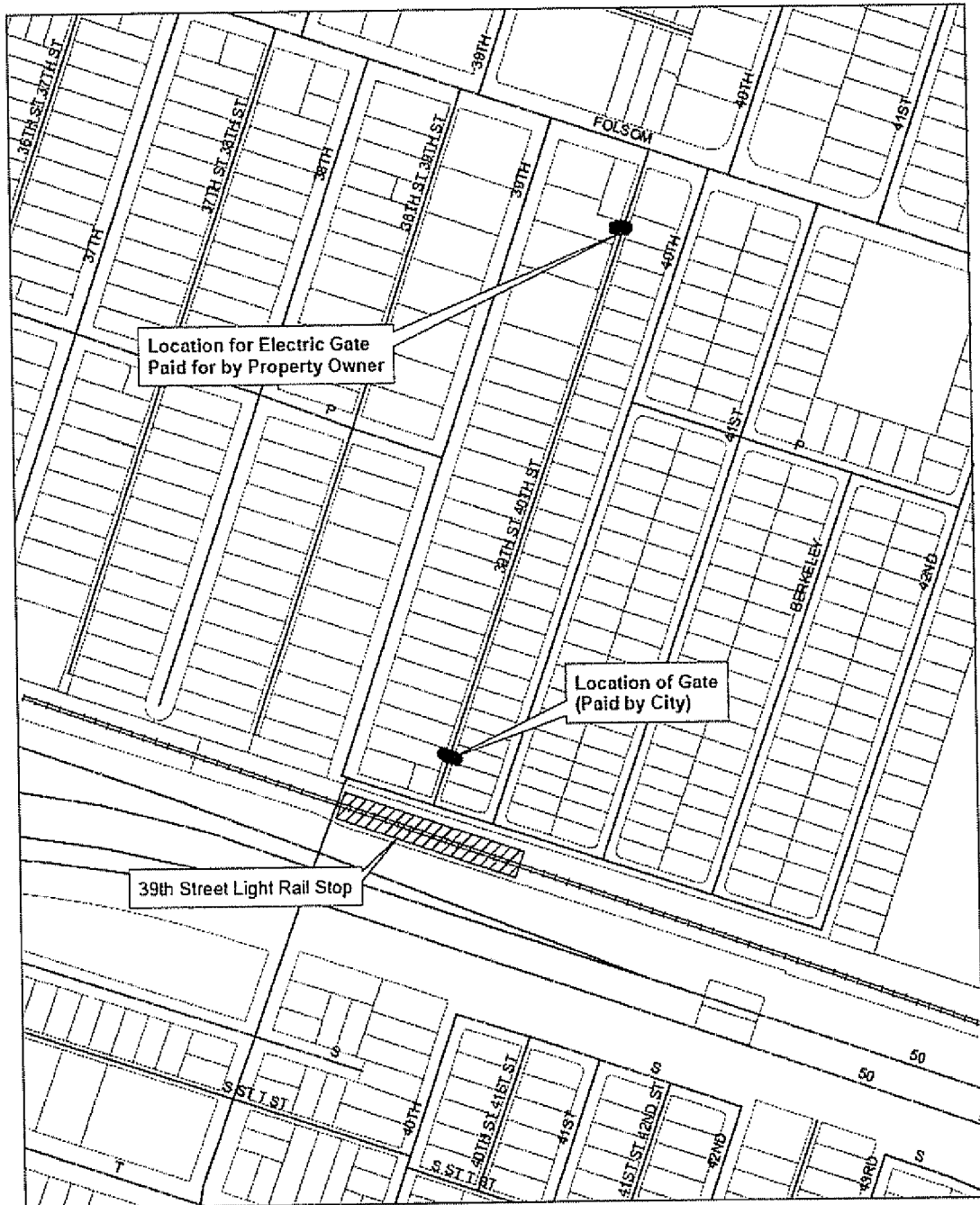
The Police Department recommends the temporary closure of the subject alley. The temporary closure will assist in deterring criminal acts being committed within the subject alley by reducing the number of non-residents frequenting the alley (see Attachment 4, Page 7).

Clearance verification has been obtained from the City of Sacramento Fire Department in which the proposed temporary street closure will not adversely impact their operation or the safety within the surrounding neighborhoods (see Attachment 5, Page 8).

Clearance has also been obtained from the Department of Transportation in which the proposed temporary street closure does not include a through highway or arterial street. The street closure allows adequate and safe traffic circulation on the adjacent streets (see Attachment 6, Page 9).

The temporary street 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.

**Temporary Street Closure**



**Alley Bound by 39th Street, 40th Street,  
R Street and Folsom Boulevard**



**SACRAMENTO POLICE DEPARTMENT**

**CALLS FOR SERVICE (CFS) OF THE ALLEY BOUNDED BY 39<sup>th</sup> STREET,  
40<sup>TH</sup> STREET, "R" STREET AND FOLSOM BOULEVARD:**

**December 5, 2005--JULY 13, 2006**

<b>TYPE OF CALL</b>	<b># OF CFS</b>
<b>RINGING ALARM</b>	<b>13</b>
<b>BURGLARY REPORT</b>	<b>6</b>
<b>ABANDONED 911</b>	<b>4</b>
<b>ALL UNITS BROADCAST</b>	<b>4</b>
<b>NOISE DISTURBANCE</b>	<b>3</b>
<b>TRAFFIC STOPS</b>	<b>2</b>
<b>VANDALISM REPORT</b>	<b>2</b>
<b>PETTY THEFT IN PROGRESS</b>	<b>1</b>
<b>STOLEN VEHICLE</b>	<b>1</b>
<b>HAZARDS</b>	<b>1</b>
<b>SUSPICIOUS PERSON</b>	<b>1</b>
<b>PROWLER</b>	<b>1</b>
<b>ROBBERY</b>	<b>1</b>
<b>LOST PROPERTY</b>	<b>1</b>



POLICE DEPARTMENT

CITY OF SACRAMENTO  
CALIFORNIA

5770 FREEPORT BLVD. #100  
SACRAMENTO, CA 95822

Phone (916) 264-5471

MEMORANDUM

TO: City of Sacramento  
Development Services  
915 I Street, Room 300  
Sacramento, CA 95814

SUBJECT: **TEMPORARY CLOSURE OF TRAFFIC THROUGH THE ALLEY  
BOUNDED BY FOLSOM BLVD., R St., 39<sup>TH</sup> St AND 40<sup>TH</sup> St. (See  
Attached map)**

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 temporary closure of traffic on the subject alley suffers from serious and continual criminal activity. Vehicular and pedestrian traffic contributes to this activity. Given the ongoing criminal activity in the area of this alley, I recommend that the proposed temporary closure of traffic on the alley be implemented. Such action would substantially alleviate the serious and continual criminal activity in the area. Additional comments may follow below

COMMENTS:

*No objections*

*[Signature]*  
Police Department Signature  
*Tawnya [Signature]*  
#8118

*8-10-06*  
Date



**Attachment 5**



**FIRE DEPARTMENT**

**CITY OF SACRAMENTO  
CALIFORNIA**

5770 Freeport Blvd. Room 200  
Sacramento CA 95822

Phone (916) 433-1300

**MEMORANDUM**

**TO:** City of Sacramento  
Development Services  
915 I Street, Room 300  
Sacramento, CA 95814

**SUBJECT: TEMPORARY CLOSURE THROUGH THE ALLEY BOUNDED BY  
FOLSOM BLVD., R St., 39<sup>TH</sup> St AND 40<sup>TH</sup> St. (See Attached map)**

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

**COMMENTS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
Fire Department Signature

8/9/04  
\_\_\_\_\_  
Date

**Attachment 6**



TRANSPORTATION DEPARTMENT  
TRAFFIC ENGINEERING

CITY OF SACRAMENTO  
CALIFORNIA

1000 I STREET, SUITE 170  
SACRAMENTO, CA 95814  
PHONE (916) 264-8300

**MEMORANDUM**

TO: City of Sacramento  
Development Services  
915 I Street, Room 300  
Sacramento, CA 95814

SUBJECT: **CLEARANCE FOR TEMPORARY CLOSURE OF TRAFFIC  
THROUGH THE ALLEY BOUNDED BY FOLSOM BLVD., R St., 39<sup>TH</sup>  
St AND 40<sup>TH</sup> St. (See Attached map)**

In reference to the requested temporary closure, 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 temporary closure does not include an arterial or a through street. It also appears that the closure will allow adequate traffic circulation on the area. Traffic Engineering Services supports this temporary closure on the subject alley. Additional comments may follow below.

COMMENTS:

No objections  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Deed Beard  
Traffic Engineering Signature

3-29-06  
Date

**RESOLUTION NO.**

Adopted by the Sacramento City Council

**APPROVING THE TEMPORARY STREET CLOSURE – THE ALLEY BOUNDED BY 39<sup>TH</sup> STREET, 40<sup>TH</sup> STREET, R STREET AND FOLSOM BOULEVARD IN COUNCIL DISTRICT 3**

**TEMPORARY CLOSURE PROCEEDING NO. TSC06-09**

**BACKGROUND**

- A. The City received a request from the property owners and residents of the alley bounded by 39<sup>th</sup> Street, 40<sup>th</sup> Street, "R" Street and Folsom Boulevard.
- B. The Vehicle Code of the State of California Section 21101.4 and the Sacramento City Code Chapter 12.16 authorize the City Council to temporarily close streets and alleys to 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 serious and continual criminal activity in the area of the subject alley recommended for closure. This finding is based upon a recommendation of the Police Department.
  - b) The alley 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 alley recommended for closure contributes to the criminal activity that is occurring there.
  - d) The alley 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 Council finds and determines that the subject alley closure will substantially alleviate the existing serious and continual criminal activity in that alley.

Section 3. City Council grants the temporary closure of the subject alley with the following conditions:

- a) A gate security device approved by the Sacramento Fire Department will be installed on the gates.
- b) City departments and utility companies will have twenty-four (24) hour access to their facilities within the alley.
- c) The property owners will be responsible for the construction, maintenance and repair costs of the gate placed at the north end of the alley near Folsom Boulevard.
- d) In the event that the gate 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 Development Services Department. 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.