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APPROVED
BY THE CITY COUNCIL

SEP 2 1997

CITY OF SACRAMENTO
CALIFORNIA

DEPARTMENT OF
PUBLIC WORKS

TRANSPORTATION AND
DEVELOPMENT DIVISION

OFFICE OF THE
CITY CLERK

ADMINISTRATION &
CIP PLANNING
1023 J STREET, STE 208
SACRAMENTO, CA
95814-2819
PH 916-264-5707
FAX 916-264-8357

TRANSPORTATION
PLANNING AND
ENTITLEMENTS &
SPECIAL PROJECTS
1231 I STREET, STE 300
SACRAMENTO, CA
95814-2904
PH 916-264-7474
FAX 916-264-7185

August 18, 1997

ENGINEERING
SERVICES
1231 I STREET, STE 200
SACRAMENTO, CA
95814-2988
PH 916-264-7995
FAX 916-264-7046

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: TEMPORARY STREET CLOSURE OF A PORTION OF THE ALLEY BOUNDED BY 11TH AVENUE, 42ND STREET, 12TH AVENUE AND 40TH STREET WITHIN COUNCIL DISTRICT 5; ABANDONMENT PROCEEDINGS NO. TSC #97-03

LOCATION AND COUNCIL DISTRICT:

A portion of the alley bounded by 11th Avenue, 42nd Street, 12th Avenue and 40th Street, Council District #5.

RECOMMENDATION:

This report recommends that the City Council open the public hearing to consider the temporary alley closure of the above listed alley (See Exhibit A); take public testimony, if any, and adopt the attached resolution that makes certain findings of fact required for the temporary closure.

CONTACT PERSON: Ronald Perry, Engineering Technician III, 264-8298
Theresa Arnold, Associate Engineer, 264-5514
Max Fernandez, Area 3 Director, 277-6092

FOR COUNCIL MEETING OF: September 2, 1997

City Council
Temporary Alley Closure (TSC97-03)
August 18, 1997

SUMMARY:

- Neighborhood groups in Council District 5 and the Police Department have requested that the above described portion of the alley be temporarily closed.
- Streets can be temporarily closed under Ordinance #92-076 relating to the temporary closure of streets to combat drug, gang, and other criminal activity. The closure will be effective for 18 months and can be extended for additional 18 month periods.

COMMITTEE/COMMISSION ACTION:

None required.

BACKGROUND INFORMATION:

The temporary closure of the above listed alley is proposed to:

- counter serious and continual criminal activity that the community has been subjected to; and
- test the benefits of permanent abandonment as deterrent to criminal activity.

Section 38.15.201 of the City Code regarding the temporary closure of city streets states that the City Council may temporarily close a street to through traffic after a public hearing, when all of the following conditions are found to exist:

1. The City Council finds and determines that there is serious and continual crime activity in the portion of the street recommended for temporary closure. This finding and determination shall be based upon the recommendation of the Police Department. The attached memoranda from the Police Department (Exhibit B) recommends the temporary street closure and provides documentation to support this finding of fact.
2. The street is under the City of Sacramento's jurisdiction and has not been designed as a through highway or arterial street. The alley to be temporarily closed is dedicated to the City of Sacramento.
3. Vehicular or pedestrian traffic on the street contributes to the criminal activity. The attached memoranda from the Police Department, (Exhibit B) provides documentation to support this finding of fact.

City Council
Temporary Alley Closure (TSC97-03)
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4. The closure will not substantially adversely affect 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 proposed to be temporarily closed. The memoranda from the Police Department, (Exhibit B) provide documentation for this finding. A map or plan of the proposed temporary street closure is attached as Exhibit A and is on file with the Department of Public Works, Development Services located at 1231 I Street, Room 300. See Exhibit C for time schedule of temporary street closure.

Neighborhood Services propose to have gates constructed in the alley. The gates will be constructed through a Capital Improvement Project (CIP PN:TL67) administered by the Public Works Department. Responsibilities are outlined below:

- Public Works Department (Streets Division) will contract for the construction of the gates and install the closure improvements with City staff.

The City's guidelines for Temporary Street Closure require:

- The majority of the affected property owners support the closure. This has been verified through letters of support on file with the Neighborhood Services Department.
- A public hearing be held. This Council meeting is the public hearing.
- The public hearing be noticed at least once in the newspaper of general circulation and posted not more than 300 feet apart along the streets (and alley) to be temporarily closed. This has occurred.

FINANCIAL CONSIDERATIONS:

The construction of gates, fences and necessary signs for temporary closure of the alley will be financed by SHRA. The SHRA funding (CDBG Funds) was authorized by a Memorandum of Agreement between SHRA and the City, approved on August 16, 1996.

ENVIRONMENTAL CONSIDERATIONS:

The Planning Services Division, Environmental Section, has reviewed this project and has determined that this activity is exempt from provisions of the California Environmental Quality Act (CEQA) under Section 15301 (c) of the CEQA Guidelines. The project involves the alteration of an existing public Right-Of-Way with no expansion of the use presently existing and no substantial change to existing traffic flow or physical features on the City.

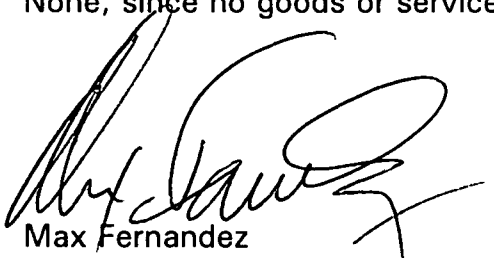
City Council
Temporary Alley Closure (TSC97-03)
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POLICY CONSIDERATION:

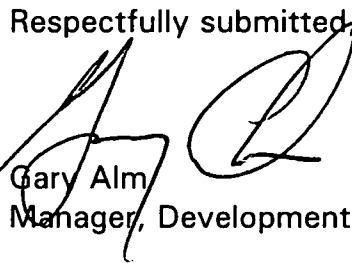
The temporary street closure program is consistent with the City's priorities to provide for neighborhood safety and revitalization.

MBE/WBE:

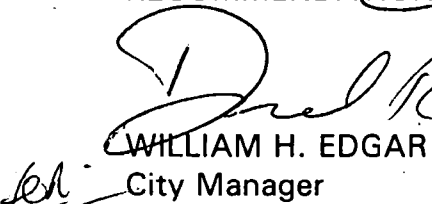
None, since no goods or services are procured with this action.



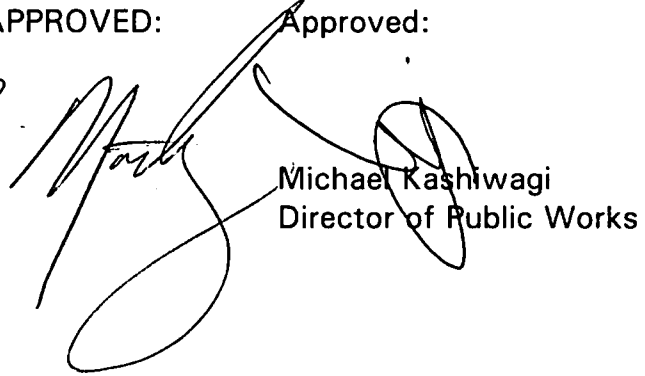
Max Fernandez
Area 3 Director

Respectfully submitted,

Gary Alm
Manager, Development Services

RECOMMENDATION APPROVED:



WILLIAM H. EDGAR
City Manager

Approved:

Michael Kashiwagi
Director of Public Works

GA:RP:dt
TSC97-03.cclt

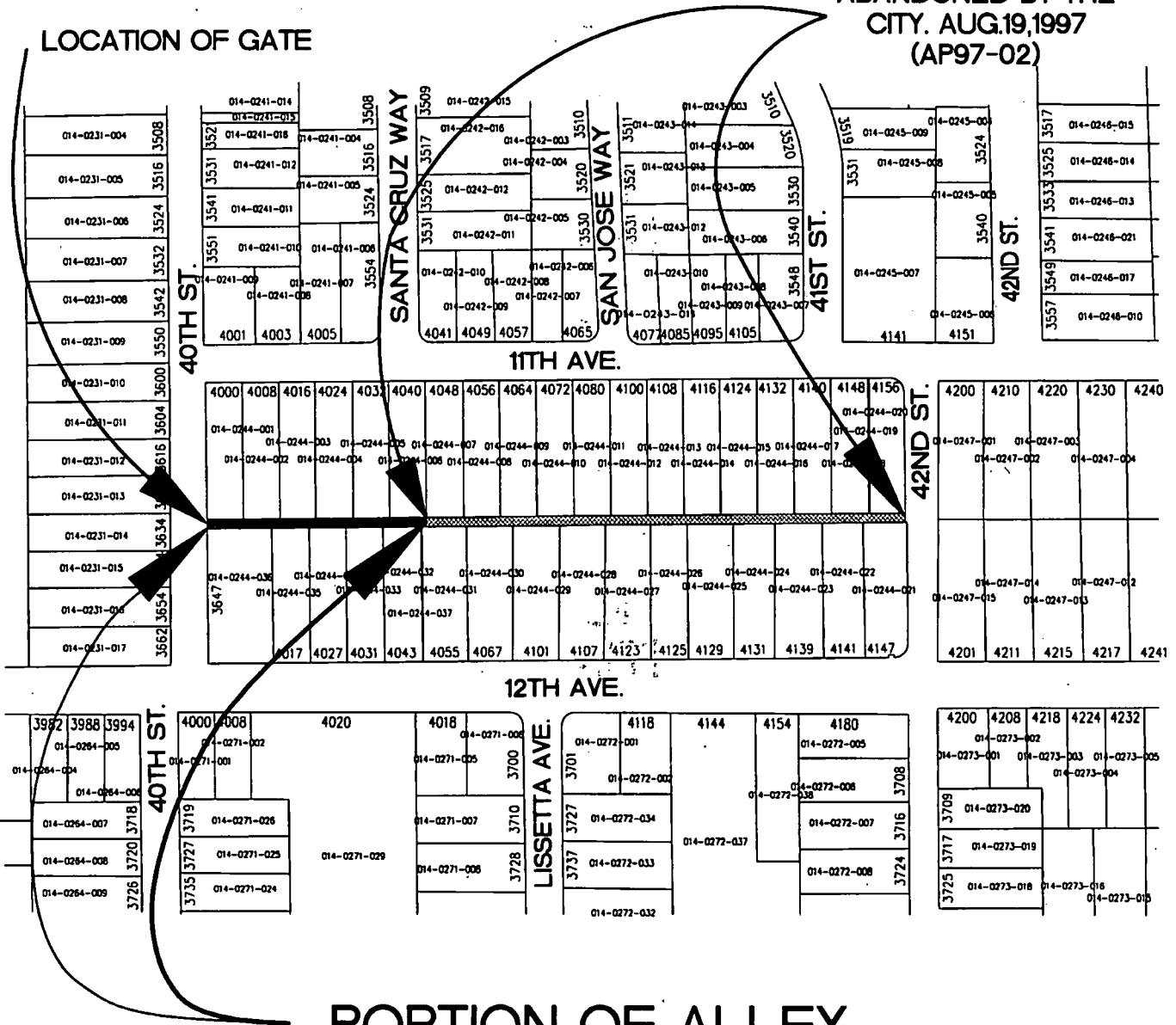
Attachment

EXHIBIT A

SUBJECT PORTION OF ALLEY FOR TEMPORARY CLOSURE (TSC97-03)

PORTRION OF ALLEY ABANDONED BY THE CITY. AUG.19,1997 (AP97-02)

LOCATION OF GATE



PORTRION OF ALLEY BEING TEMPORARILY CLOSED



DEPARTMENT OF
POLICE

CITY OF SACRAMENTO
CALIFORNIA

HALL OF JUSTICE
813 SIXTH STREET
SACRAMENTO, CA
95814-2495

ARTURO VENEGAS, JR.
CHIEF OF POLICE

916-264-5121

MEMORANDUM

TO: City of Sacramento
Neighborhood Services Department, Area 3
4623 T Street
Sacramento, CA 95819-4743

SUBJECT: PARTIAL TEMPORARY CLOSURE OF ALLEY bounded by 11th Avenue
and 12th Avenue, 40th Street and 42nd Street (See attached map)

I have reviewed the material on the subject alley proposed for partial temporary closure. On behalf of the Police Department, I find that the 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 partial temporary closure be implemented. Such action would substantially alleviate the serious and continual criminal activity in the area. Additional comments may follow below.

COMMENTS:

THIS ALLEY MEETS THE REQUIREMENT
FOR CLOSURE

SIGNED: VENEGAS #3043 DATE: 8-12-97

SCHEDULE FOR TEMPORARY STREET CLOSURE
TSC97-03

LETTER TO CITY CLERK/GET ON CC AGENDA	AUG 14
DRAFT COPY OF LETTER TO PWA	AUG 19
COPY OF RESO IN DAILY RECORDER	AUG 19
LETTERS SENT TO PROPERTY OWNERS	AUG 19
POSTING ON ALLEYS/STREETS	AUG19
PUBLIC HEARING AT CITY COUNCIL	SEPT 2
GATE INSTALLATION	SEPT 4TH - 12TH

APPROVED
BY THE CITY COUNCIL
SEP 2 1997
OFFICE OF THE
CITY CLERK

RESOLUTION NO. 97-504

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION AND FINDINGS OF FACT REGARDING THE
TEMPORARY CLOSURE OF A PORTION OF THE ALLEY BOUNDED BY
11TH AVENUE, 42ND STREET, 12TH AVENUE AND 40TH STREET
WITHIN COUNCIL DISTRICT #5**

ABANDONMENT PROCEEDING NO. TSC#97-03

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. In accordance with Section 21101.4 of the Vehicle Code of the State of California and with Chapter 38.15 of the Sacramento City Code, the City Council hereby holds a public hearing on September 2, 1997, to consider approval of the temporary closure of the following alley to through traffic, pursuant to conditions of this resolution:
 - a. A portion of the alley bounded by 11th Avenue, 42nd Street, 12th Avenue and 40th Street.
2. That the City Council hereby finds and declare that all the facts, as set forth in this resolution, and as stated in the attached staff report, police memoranda and other accompanying documents, are true and correct; and that by reason of these findings the aforementioned alley shall be temporarily closed for a period not to exceed eighteen (18) months from the date of adoption of this resolution.
3. The City Council finds and determines that there is a history of serious and continual crime activity in the portion of the alley recommended for temporary closure.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

4. The City Council finds and determines that the alley is under the City of Sacramento's jurisdiction and had not been designed as a through highway or arterial street.
5. The City Council finds and determines that vehicular or pedestrian traffic on the alley contributes to the criminal activity.
6. The City Council finds and determines that the closure will not substantially adversely affect the operation of emergency vehicles, the performance of municipal public utility services, or delivery of freight by commercial vehicles in the area of the alley proposed to be temporarily closed. This temporary closure is granted with the following conditions:
 - a. A Fire Department "Knox Box" key operated opening device shall be installed on all gates.
 - b. City departments and utility companies shall have 24 hour access to their facilities.

MAYOR

ATTEST:

CITY CLERK

TSC97-03.cclet
08.1497.1

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____