

RESOLUTION NO. 2004-338

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF MAY 0 4 2004

RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF THE ALLEY BOUNDED BY 7TH AVENUE, 9TH AVENUE, 35TH STREET AND 37TH STREET WITHIN COUNCIL DISTRICT 5 (TEMPORARY STREET CLOSURE PROCEEDING NO. TSCO4-02)

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

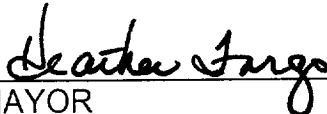
1. In accordance with Section 21101.4 of the Vehicle Code of the State of California and Chapter 12.16 of the Sacramento City Code, on May 4, 2004 the City Council conducted a public hearing to consider approval of the temporary closure of the following alley: The alley bounded by 7th Avenue, 9th Avenue, 35th Street and 39th Street.
2. Based upon substantial evidence present in the record of the proceedings regarding this matter, City Council hereby makes the following findings:
 - There is serious and continual criminal activity in the area of the alley recommended for temporary closure. This finding is based upon a recommendation of the police department.
 - The alley recommended for temporary closure is under the City's jurisdiction and has not been designated as a through highway or arterial street.
 - Vehicular or pedestrian traffic in the alley recommended for temporary closure contributes to the criminal activity that is occurring there.
 - The closure will not substantially adversely affect traffic flow, safety on the adjacent 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 alley proposed to be temporarily closed.
3. City Council finds and determines that the temporary closure of the subject alley will substantially alleviate the existing serious and continual criminal activity in that alley.
4. City Council grants this temporary closure of the alley with the following conditions:
 - a. A gate security device approved by the Sacramento Fire Department will be installed on the gates.

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- b. City departments and utility companies will have twenty-four (24) hour access to their facilities within the alley.
- c. 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 Public Works 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.


MAYOR

ATTEST:


CITY CLERK

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