

## **RESOLUTION NO. 2006-494**

Adopted by the Sacramento City Council

June 27, 2006

### **APPROVING THE TEMPORARY STREET CLOSURE - SHINING STAR DRIVE AT MORRISON CREEK LOCATED IN COUNCIL DISTRICT 8 TEMPORARY CLOSURE PROCEEDING NO. TSC06-06**

#### **BACKGROUND**

- A. The City received a request from the property owners and residents of Phoenix Park Subdivision and Franklin Villa Estate Unit No.1 Subdivision to temporarily close Shining Star Drive at Morrison Creek to stop the occurrences of crime related activities.
- 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.
- C. The City received a request from the property owners and residents to implement No Parking Zones along Shining Star Drive and Creeks Edge Way between Franklin Boulevard and Morrison Creek to address safety and security along these streets.

#### **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 street recommended for closure. This finding is based upon a recommendation of the Police Department
  - b) The street 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 street recommended for closure contributes to the criminal activity that is occurring there.
  - d) The street closure will not substantially adversely affect traffic flow, safety on the street 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 closure.

Section 2 The Council finds and determines that the subject street closure will substantially alleviate the existing serious and continual criminal activity in that street.

Section 3. City Council grants this street closure with the following conditions:

- a) The City will maintain the gates with this closure for an initial one time period of eighteen (18) months only.
- b) A gate security device approved by the Sacramento Fire Department will be installed on the gates
- c) City departments and utility companies will have twenty-four (24) hour access to their facilities within the road
- 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.

Section 4. The Council approves the No Parking Zones along Shining Star Drive and Creeks Edge Way between Franklin Boulevard and Morrison Creek.

Adopted by the City of Sacramento City Council on June 27, 2006 by the following vote:

Ayes: Councilmembers Cohn, Hammond, McCarty, Pannell, Sheedy, Waters, and Mayor Fargo.

Noes: None.

Abstain: None.

Absent: Fong, Tretheway.

  
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Mayor, Heather Fargo

Attest.

  
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Shirley Concolino, City Clerk