

RESOLUTION NO. 2011-187

Adopted by the Sacramento City Council

March 29, 2011

RESOLUTION AUTHORIZING THE TEMPORARY STREET CLOSURE TO THROUGH VEHICULAR AND PEDESTRIAN TRAFFIC OF THE ALLEY AND STREET BOUNDED BETWEEN 12TH AVENUE AND 16TH AVENUE, 36TH STREET AND 38TH STREET WITHIN THE OAK PARK NEIGHBORHOOD; PROCEEDING NO. TSC11-02

BACKGROUND

- A. The City received a request from the adjacent property owners for a temporary closure to through vehicular and pedestrian traffic of both of the subject alley and street within the Oak Park neighborhood.
- B. The Sacramento Housing and Redevelopment Agency has agreed to pay the total cost to construct the alley gates and placement of the necessary signage.
- C. 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 to through vehicular and pedestrian traffic on the following subject alley and street to help prevent future criminal acts.

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 and street recommended for closure. This finding is based upon a recommendation of the Police Department.
 - b) The alley and 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 alley and street recommended for closure contributes to the criminal activity that is occurring there.
 - d) The alley and street 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 and street closure will substantially alleviate the existing serious and continual criminal activity in that alley.

Section 3. City Council grants the temporary street closure of the subject alley and street to through vehicular and pedestrian traffic with the following conditions:

- a) A locking security device approved by the Sacramento Fire Department will be installed on the on each gate.
- b) City departments and utility companies will have twenty-four (24) hour access to their facilities within the alley and street.
- c) Adjacent owners may be granted access to the alley and street through the security device that has been approved by the Department of Transportation.
- 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 may be issued subsequent to 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.

Adopted by the City of Sacramento City Council on March 29, 2011 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, Schenirer, Sheedy, and Mayor Johnson.

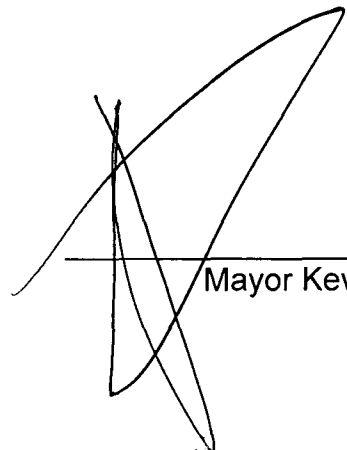
Noes: None.

Abstain: None.

Absent: None.

Attest:


Shirley Concolino, City Clerk



Mayor Kevin Johnson