REPORT TO COUNCIL
City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

CONSENT
May 27, 2008

Honorable Mayor and
Members of the City Council

Title: Ordinance: Relating to the Use of Bicycles on Malls During the Repair of Interstate 5

Location/Council District: Council District 1

Recommendation: 1) Adopt an **emergency Ordinance** during the period from May 30, 2008, through July 15, 2008 allowing bicycle riding to be permitted on "malls" as that term is defined in Chapter 12.44; 2) Direct Staff to monitor the safety conditions resulting from bicyclists using malls.

Contact: Edward Cox, Program Analyst, 808-8434

Presenter: None

Department: Transportation

Division: Engineering Services

Organization No: 3435

Description/Analysis

Issue: During the period from May 30, 2008, through July 15, 2008, the California Department of Transportation will perform repair work on a section of Interstate 5 from Richards Boulevard to R Street. This work will require lane and ramp restrictions in each direction of travel of I-5 and will result in additional use of surface streets by motor vehicles. The additional use of surface streets by motor vehicles will result in greater proximity of motor vehicles to bicycles on surface streets.

The current City Code section 12.44.070 prohibits bicycle riding on pedestrian malls. This ordinance will temporarily remove the restrictions for bicycle riding on malls during the period of construction for the Interstate 5 repair work.

Policy Considerations: The emergency ordinance is consistent with the City of Sacramento Strategic Plan's three year goals of improving and expanding public safety and achieving sustainability and livability.

Committee/ Commission Action: The timing involved for this ordinance would not allow review by the Law and Legislation Committee. Per the City Council Rules of Procedure, items deemed urgent by the Mayor or City Manager are not required to be brought to the Law and Legislation Committee for review (Chapter 13.B.1.b.i). A discussion with the City Manager has determined that this is an urgent matter.

Environmental Considerations: This activity is not subject to the California Environmental Quality Act (CEQA) because it does not constitute a "project" as defined in section 15378 of the CEQA Guidelines.

Rationale for Recommendation: Opening additional routes for bicyclists during the period of the repair of I-5 would ease the increased proximity of bicyclists to motor vehicles during this period and improve safety.

Financial Considerations: There are no financial considerations associated with this action.

Emerging Small Business Development (ESBD): None, since no goods or services are being procured.

Respectfully Submitted by: _____
Nicholas Theocharides
Engineering Services Manager

Approved by: _____
Jerry Way
Director of Transportation

Recommendation Approved:

_____
RAY KERRIDGE
for City Manager

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ATTACHMENT 1

BACKGROUND

During the period from May 30, 2008, through July 15, 2008, the California Department of Transportation will perform repair work on a section of Interstate 5 from Richards Boulevard to R Street. This work will require lane and ramp restrictions in each direction of travel of I-5 and will result in additional use of surface streets by motor vehicles. The additional use of surface streets by motor vehicles will result in greater proximity of motor vehicles to bicycles on surface streets.

As a measure to offer additional travel options for bicyclists in the Downtown, staff is recommending temporarily suspending the ordinance that currently prohibits bicycling on the K Street Mall. Allowing bicycles to use the K Street Mall will enable connectivity between downtown and Old Sacramento as well as the bike trails along the Sacramento River.

The existing city ordinance that prohibits bicycling on the K Street Mall was enacted because the mall was designated primarily for use by pedestrians. While it is understood that there are potential conflicts between bicyclists and pedestrians, staff believes that while the construction of the Interstate 5 project is underway there can be a chance to observe how well bicycle and pedestrians can co-exist.

ATTACHMENT 2

ORDINANCE NO.

Adopted by the Sacramento City Council

AN ORDINANCE RELATING TO THE USE OF BICYCLES ON MALLS DURING THE REPAIR OF INTERSTATE 5 AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY

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

SECTION 1. The City Council of the City of Sacramento finds and declares as follows:

A. Chapter 12.44 of the Sacramento City Code prohibits the riding of bicycles in "malls" as that term is defined in Chapter 12.44

B. During the period from May 30, 2008, through July 15, 2008, the California Department of Transportation will perform repair work on a section of Interstate 5 from Richards Boulevard to R Street. This will require lane and ramp restrictions in each direction of travel of I-5 and will result in additional use of surface streets by motor vehicles. The additional use of surface streets by motor vehicles will result in greater proximity of motor vehicles to bicycles on surface streets. Opening additional routes for bicyclists during the period of the repair of I-5 would ease the increased proximity of bicyclists to motor vehicles during this period and improve safety.

SECTION 2.

Notwithstanding the provisions of Chapter 12.44 of Title 12 of the Sacramento City Code, from the effective date of this ordinance through July 15, 2008, bicycle riding shall be permitted on "malls" as that term is defined in Chapter 12.44.

SECTION 3.

The City Council may extend the term of this ordinance beyond July 15, 2008, by resolution. Any extension shall be for the purpose of addressing any extension or modification of the construction schedule of the California Department of Transportation for repair of I-5 and shall not exceed the completion date set by the California Department of Transportation.

SECTION 4.

This ordinance is declared to be an emergency ordinance, to become effective immediately pursuant to Section 32(g)(2) of the Sacramento City Charter. The facts constituting the emergency are as follows: Repair of and the consequent closure of portions of I-5 will commence on May 30, 2008. This will result in greater use of surface streets by motor vehicles and greater proximity of vehicles and bicyclists on surface streets. In order to provide alternative routes of travel on surface streets for bicyclists to mitigate the proximity of bicyclists and motor vehicles at the time of commencement of the repair and in order to provide bicyclists sufficient time to adjust their routes prior to the commencement of the repair, it is necessary that this ordinance be effective immediately.