

RESOLUTION NO. 2009-191

Adopted by the Sacramento City Council

March 31, 2009

RESOLUTION AUTHORIZING THE RESTRICTION OF TRAFFIC THROUGH ELBY LANE THE ALLEYWAY BOUNDED BETWEEN BROADWAY, 36TH STREET, 5TH AVENUE AND BRET HARTE COURT PROCEEDING NO. RT09-01

BACKGROUND

- A. The City received a request from the adjacent property owners for the restriction of the subject adjacent alleyway Elby Lane bounded by Broadway, 36th Street, 5th Avenue and Bret Harte Court.
- B. The Sacramento Redevelopment Agency has agreed to pay 50 percent of the total costs to construct the alley bollards and placement of the necessary signage through the Quality of Life Program, Alley Gate Installations Project (T15088405). The other 50 percent of total costs will be paid for by the City's Department of Transportation's Alley Abatement Program (T15090900).
- C. In accordance with Section 21102.1 of the Vehicle Code of the State of California and with Chapter 12.40 of the Sacramento City Code, the City Council hereby considers approval of the restriction of traffic on the following subject alley to help prevent future criminal acts.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. Restriction of vehicular traffic through the subject alleyway named Elby Lane which is bounded by Broadway, 36th Street, 5th Avenue and Bret Harte Court is necessary for the protection or preservation of the public peace, Safety, health or welfare of the neighborhood.
- Section 2. City Council grants the restriction of the subject alley with the following conditions:
 - a) A locking security device approved by the Sacramento Fire Department will be installed on the bollards.
 - b) City departments and utility companies will have twenty-four (24) hour access to their facilities within the alley.
 - c) Signs giving notice of such restrictions shall be installed at the entrances to the subject alley prior to the installation of the gate security device.

- d) The locking security device shall not be operated in a selective manner that restricts the access of some vehicles and/or pedestrians to the subject alley, while permitting other vehicles and pedestrians unrestricted access to the alley.
- e) 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 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. Staff recommends that the City Manager waive the fee for the revocable encroachment permit.

Adopted by the City of Sacramento City Council on March 31, 2009 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters.

Noes: None.

Abstain: None.

Absent: Mayor Johnson.


Vice Mayor Lauren Hammond

Attest:


Shirley Concolino, City Clerk