

RESOLUTION NO. 2009-565

Adopted by the Sacramento City Council

September 1, 2009

RESOLUTION AUTHORIZING THE RESTRICTION OF THROUGH TRAFFIC OF THE ALLEYWAY BOUNDED BETWEEN ROANOKE AND SOUTH AVENUES, BELDEN AND CLAY STREETS AT MAMA MARKS PARK PROCEEDING NO. RT09-04

BACKGROUND

- A. The City received a request from the City of Sacramento's Parks and Recreation Department for the restriction of the subject adjacent alleyway bounded by Roanoke and South Avenues, Belden and Clay Streets adjacent to Mama Marks Park.
- B. The City of Sacramento's Parks and Recreation Department (L19196000 – Mama Marks Park) has agreed to pay fifty (50) percent of the total costs to construct the alley gate and placement of the necessary signage. The other fifty (50) percent of total costs will be paid for by the Alley Abatement Program (T15100900).
- 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 bounded by Roanoke and South Avenues, Belden and Clay Streets adjacent to Mama Marks Park is necessary for the protection or preservation of the public peace, safety, health or welfare of the neighborhood.
- Section 2. Vehicular and pedestrian traffic through the subject alleyway bounded by Roanoke and South Avenues, Belden and Clay Streets adjacent to Mama Marks Park is restricted under the following conditions:
 - a) A locking security device approved by the City of Sacramento Fire Department will be installed on the gate.
 - 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 City of Sacramento 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. The City Manager is authorized to waive the fee for the revocable encroachment permit.

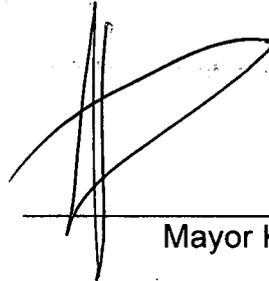
Adopted by the City of Sacramento City Council on September 1, 2009 by the following vote:

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

Noes: None.

Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:



Shirley Concolino, City Clerk