



REPORT TO COUNCIL

City of Sacramento

14

915 I Street, Sacramento, CA 95814-2671
www.CityofSacramento.org

PUBLIC HEARING
April 22, 2010

**Honorable Mayor and
Members of the City Council**

**Title: Temporary Street Closure of The Alleyway Bounded by Folsom Boulevard,
36th, 37th and P Streets; Temporary Closure Proceeding No. TSC10-01**

Location/Council District: The alleyway located between Folsom Boulevard, 36th, 37th
and P Streets in Council District 3 (see Attachment 2, Page 6).

Recommendation: Conduct a public hearing and upon conclusion adopt a **Resolution**
authorizing the temporary closure of the subject alleyway.

Contact: Jerry Lovato, Senior Engineering Technician, (916) 808-7918; Thomas
Adams, Engineering Technician, (916) 808-7929

Presenters: Thomas Adams

Department: Transportation

Division: Engineering Services

Organization No: 15001151

Description/Analysis

Issue: The property owners have requested the temporary closure of the subject
alleyway to help eliminate or reduce the amount of criminal activity by restricting
vehicular and pedestrian traffic within the alleyway. The placement of two gates
within the alleyway will assist in deterring criminal activity within the subject alley.

A summary of the project's history is included in Attachment 1.

Policy Considerations: The procedures under which the restriction of traffic is
being initiated are set forth in the Vehicle Code Section 21101.4 and Sacramento
City Code Chapter 12.16 allowing the temporary closure of alleys for the
protection or preservation of the public peace, safety, health or welfare. This
temporary closure is consistent with the City's Strategic Plan focus area in that it
will improve and expand public safety, achieve sustainability and enhance
livability. This is in keeping with the City's vision of being the most livable city in
America.

Environmental Considerations:

California Environmental Quality Act (CEQA): The Environmental Planning Services section of the Development Services Department has reviewed the proposed temporary street closure and determined that the activity is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301(f) of the CEQA Guidelines. This project consists of the temporary closure of an existing alley by adding a gate to the entrance of the alley. This project falls under CEQA Guidelines of Categorical Exemptions Section 15301(f) in that this temporary street closure involves no expansion of use beyond what currently exists. Access to the road will be given to appropriate departments and agencies.

Sustainability Considerations: None

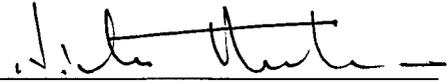
Committee/Commission Action: None

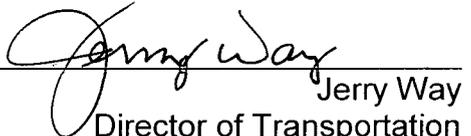
Rationale for Recommendation: Adoption of the attached Resolution will provide additional security for the property owners by eliminating the opportunity for individuals to commit illegal acts and illegally dump within this subject alleyway.

Financial Considerations: The cost associated with this request is paid by the Alley Abatement Program (T15100900) and the adjacent property owners. The total estimated cost to the City of Sacramento to process this alley request is \$3,000. The cost to construct one gate will be paid for by the Alley Abatement Program (T15100900) and the other gate will be paid for and maintained by the adjacent property owners "36th and 37th Street Alley Association". There are no general funds planned or allocated for this project.

As of March 21, 2010 the Alley Abatement Program (T15100900) has a total budget of \$93,000 and an unobligated balance of \$24,000.

Emerging Small Business Development (ESBD): None

Respectfully Submitted by: 
Nicholas Theocharides
Engineering Services Manager

Approved by: 
Jerry Way
Director of Transportation

Recommendation Approved:

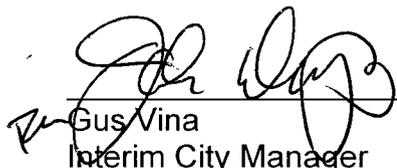

Gus Vina
Interim City Manager

Table of Contents:

Report	Pg 1
Attachments	
1 Background	Pg 4
2 Location Map of Alley Closures	Pg 6
3 Police Department Clearance Letter:	Pg 7
4 Fire Department Clearance Letter:	Pg 8
5 Department of Transportation Clearance Letter:	Pg 9
6 Resolution	Pg 10

Attachment 1

Background

The proposed Temporary Closure of the subject alley was requested by the adjacent property owners. The alleyway is currently unrestricted to vehicular and pedestrian traffic. This accessibility has allowed the alleyway to be utilized as a conduit for illegal activity such as burglary, vandalism and illegal dumping. With these types of calls for service the Police Department supports the Temporary Closure of the subject alley. (see Attachments 3 Pages 7).

The Temporary Closure of the alley will entail the installation of two wrought iron gates within the alley. One gate will be a manual access gate and the other gate will be an electronic access gate. The subject alleyway has some properties with garage accessibility. In evaluating this situation a majority of property owners have requested that a more convenient electric access gate be placed at the north end of the alley near Folsom Boulevard. These gates will limit vehicular and pedestrian access to the alley while still allowing full access for the adjacent property owners, City maintenance personnel and utility companies with services in the alley.

The City of Sacramento is responsible for the installation cost and maintenance of the one manual gate. The property owners will pay for cost and maintenance of the electric gate to be placed near the Folsom Boulevard entrance to the alleyway. The total estimated cost of installing the one manual wrought iron gate with appropriate signs and locks will be \$3,000.00. This cost will be paid for by the City of Sacramento's Problem Alley Abatement Program's (T15100900) operating budget. The electric gate will be paid for and maintained by the adjacent property owner's "36th and 37th Street Alley Association". The adjacent property owners along with the alley association are requesting a revocable permit from the City of Sacramento's Department of Transportation and approval of the electric gate.

In addition to the Police Department's support of the Temporary Closure of the subject alley, the City of Sacramento Fire Department has also given support to the Temporary Closure of the alley. The Fire Department certifies that the proposed Temporary Closure of the alley will not adversely impact their operation or the safety within the surrounding neighborhoods (see Attachment 4).

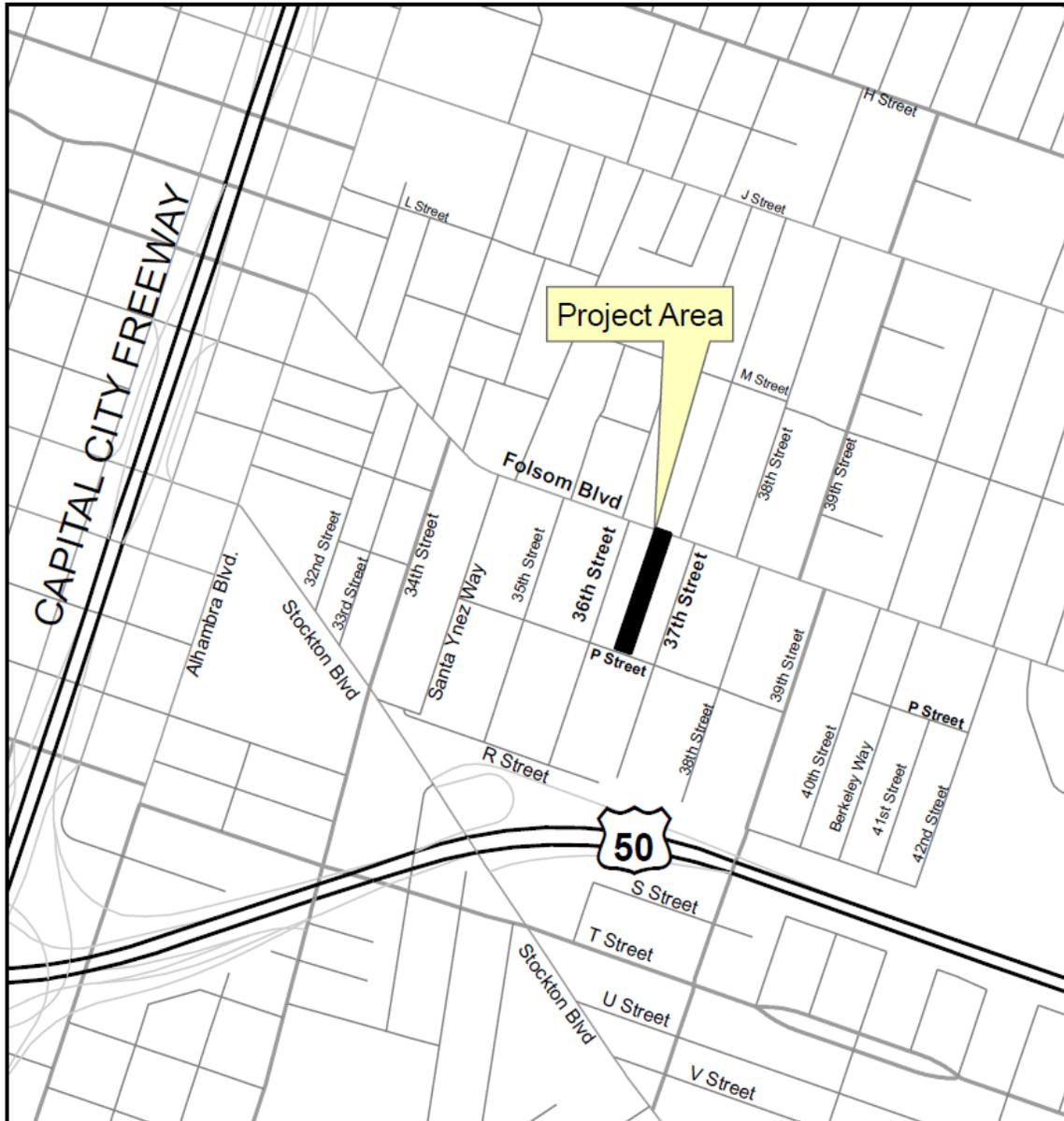
The Temporary Closure of the alley is supported by the City of Sacramento's Department of Transportation (DOT). DOT certifies that both of the proposed Temporary Closures of the alley do not include a through highway or arterial street and that the alley closure allows adequate and safe traffic circulation on the adjacent streets (see Attachment 5).

The Temporary Street Closure is not to exceed (18) months unless the closure is properly extended. Once approved, the closure may be extended for an additional five (5) consecutive periods of not more than eighteen (18) months each. Prior to each extension, City Council must hold a Public Hearing. Noticing to the public regarding the

temporary street closure has been completed prior to this City Council meeting in accordance with City Code section 12.16.220.

The majority of the adjacent property owners along with City staff support the Temporary Closure of this alleyway.

LOCATION MAP FOR
ALLEY CLOSURE
(Folsom/36/37/P Streets)



MEMORANDUM

TO: City of Sacramento
Department of Transportation
300 Richards Blvd., Floor 300
Sacramento, CA 95811

SUBJECT: CLEARANCE FOR THE CLOSURE OF TRAFFIC THROUGH THE
ALLEY BOUNDED BY 36th Street, 37th Street, Folsom Blvd and P
Street.

I have reviewed the material on the subject alley proposed for restriction of traffic. On behalf of the Police Department, I find that the area of the proposed alley closure of traffic on the subject alley suffers from criminal activity. Vehicular and pedestrian traffic contributes to this activity. Given the ongoing criminal activity in the area of this alley, I recommend that the proposed restriction of traffic on the alley be implemented. Such action would substantially alleviate the criminal activity in the area. Additional comments may follow below.

COMMENTS:



Police Department Signature

4/8/2010

Date



MEMORANDUM

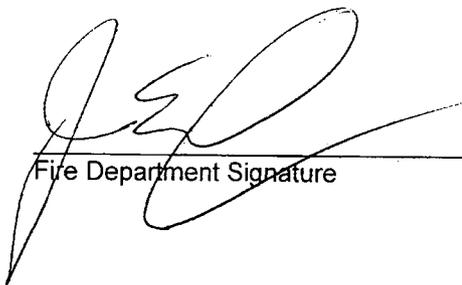
TO: City of Sacramento
Department of Transportation
300 Richards Blvd., Floor 300
Sacramento, CA 95811

SUBJECT: **CLEARANCE FOR THE CLOSURE OF TRAFFIC THROUGH THE ALLEY BOUNDED BY 36th Street, 37th Street, Folsom Blvd and P Street.**

I have reviewed the material on the subject alley proposed for restriction of traffic. On behalf of the Department, I find that the proposed restriction will not adversely impact the operations of the Sacramento Fire Department. The Fire Department supports this restriction of traffic. Additional comments may follow below.

COMMENTS:

OK



Fire Department Signature

8/3/09

Date

MEMORANDUM

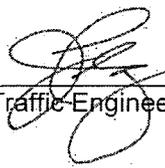
TO: City of Sacramento
Department of Transportation
300 Richards Blvd., Floor 300
Sacramento, CA 95811

SUBJECT: CLEARANCE FOR THE CLOSURE OF TRAFFIC THROUGH THE
ALLEY BOUNDED BY 36th Street, 37th Street, Folsom Blvd and P
Street.

In reference to the requested restriction of traffic, I have reviewed the material on the above subject alley. I find the alley is under the City of Sacramento's jurisdiction and the proposed restriction of traffic does not include an arterial or a through street. It also appears that the restriction will allow adequate traffic circulation on the area. The Department of public works supports this restriction of traffic on the subject alley. Additional comments may follow below.

COMMENTS:

TRAFFIC ENGINEERING IS NOT OPPOSED
TO THIS CLOSURE



Traffic Engineering Signature

4/30/09

Date

RESOLUTION NO.

Adopted by the Sacramento City Council

Resolution Authorizing the Temporary Street Closure of the Alleyway Bounded by Folsom Boulevard, 36th, 37th and P Streets Proceeding No. TSC10-01

BACKGROUND

- A. The City received a request from the adjacent property owners for a Temporary Closure of the subject alleyway bounded by Folsom Boulevard, 36th Street, 37th Street and "P" Street.
- B. 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 of traffic on the following subject alley to help prevent occurrences of crime related activities.

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 continual criminal activity in the area of the subject alleyway recommended for closure. This finding is based upon a recommendation of the Police Department.
 - b) The alleyways 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 alleyways recommended for closure contributes to the criminal activity that is occurring there.
 - d) The alleyway 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 Temporary Street Closure of vehicular traffic through the subject alleyway listed is necessary for the protection or preservation of the public peace, Safety, health or welfare of the neighborhood.
- Section 3. The Council finds and determines that the subject alley closure will substantially alleviate the existing serious and continual criminal activity in that alley.
- Section 4. City Council grants the Temporary Street Closure of the subject alley with the following conditions:
- a) A locking security device approved by the Sacramento Fire Department will be installed on each gate.
 - b) City departments and utility companies will have twenty-four (24) hour access to their facilities within the alley.
 - c) The adjacent property owners and the "36th and 37th Street Alley Association" will be responsible for the construction, maintenance and repair costs of the electric gate placed at the north end of the alley near Folsom Boulevard.
 - 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 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.