



City of Sacramento City Council

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

Meeting Date: 3/29/2011

Report Type: Public Hearing

Title: Temporary Street Closure of the Alley and Street Bounded by 12th and 16th Avenues, 36th and 38th Streets (Traffic Proceeding No. TSC11-02) (Noticed on 3-11-11)

Report ID: 2011-00277

Location: District 5

Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution authorizing the temporary closure of the alley and street located between 12th , 16th Avenues and 36th and 38th Streets within the Oak Park neighborhood to through vehicular and pedestrian traffic.

Contact: Thomas Adams, Engineering Technician (916) 808-7929; Nicholas Theocharides, Engineering Division Manager (916) 808-5065, Department of Transportation

Presenter: Thomas Adams, Engineering Technician (916) 808-7929, Department of Transportation

Department: Transportation Department

Division: Development Engineering

Dept ID: 15001181

Attachments:

- 1-Description/Analysis
- 2 - Background Information
- 3 - Location Map
- 4 - Police Department Clearance Letter
- 5 - Fire Department Clearance Letter
- 6 - Department of Transportation Clearance Letter
- 7 - Resolution

City Attorney Review

Approved as to Form
Paul Gale
3/16/2011 3:50:04 PM

City Treasurer Review

Prior Council Financial Policy Approval or
Outside City Treasurer Scope
Russell Fehr
3/10/2011 4:48:14 PM

Approvals/Acknowledgements

Department Director or Designee: Jerry Way - 3/15/2011 1:47:09 PM

Assistant City Manager: John Dangberg - 3/16/2011 12:20:50 PM



Description/Analysis

Issue: The property owners have requested the temporary closure of the subject alley and street (37th Street) to through vehicular and pedestrian traffic to help eliminate or reduce the amount of criminal activity within the area. A summary of the project's history is included in Attachment 1, Background.

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 and streets to through vehicular and pedestrian traffic 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 and street by adding gates to the entrances of the alley and street. 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: This temporary street closure will provide additional security for the property owners by eliminating the opportunity for individuals to commit illegal acts and illegally dump within this subject alley and street.

Financial Considerations: The cost associated with this request is paid by the Sacramento Housing and Redevelopment Agency through its contribution to the Quality of Life Program, Alley Gate Installations Project. There are no General Funds planned or allocated for this project.

As of March 3, 2011 the Quality of Life Alley Gate Installation Project (T15088400), Fund 3701) has a total budget of \$251,144 and an unobligated balance of \$169,159, which is sufficient to cover the total estimated costs of \$6,000 for the alley closure within the Oak Park neighborhood.

Emerging Small Business Development (ESBD): None

BACKGROUND

The proposed temporary closure of the subject alley and street to through vehicular and pedestrian traffic was requested by property owners along the subject alley and street. The City recognizes the alley and street (37th Street) are currently unrestricted to vehicular and pedestrian traffic. This accessibility has allowed these public access areas to be utilized as a conduit for illegal activity such as theft, drug use, prostitution and illegal dumping. The Police Department supports the alley and street temporary closure. Drug sales and the dumping of stolen vehicles are some of the crimes documented within the subject alley and street. (See Attachment 3)

The temporary closure of both subject areas will entail the installation of two wrought iron gates. This will limit vehicular and pedestrian access to property owners, City maintenance personnel and affected utility companies. The temporary closure of the alley and street to through vehicular and pedestrian traffic will assist in deterring criminal activity and reducing the number of vehicles and pedestrians utilizing the alleyway as a means to conduct criminal acts.

The total estimated cost of installing the two (2) wrought iron gates with appropriate signs and locks will be \$6,000. This cost has been taken into consideration by the Sacramento Housing and Redevelopment Agency and will be paid out of the Quality of Life Program budget (T15088400).

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

The temporary closure of both the subject alley and street are supported by the City of Sacramento's Department of Transportation (DOT). DOT certifies that the proposed temporary closure of the alley and street does not include a through highway or arterial street and that the alley closures allows adequate and safe traffic circulation on the adjacent streets. (See Attachment 5)

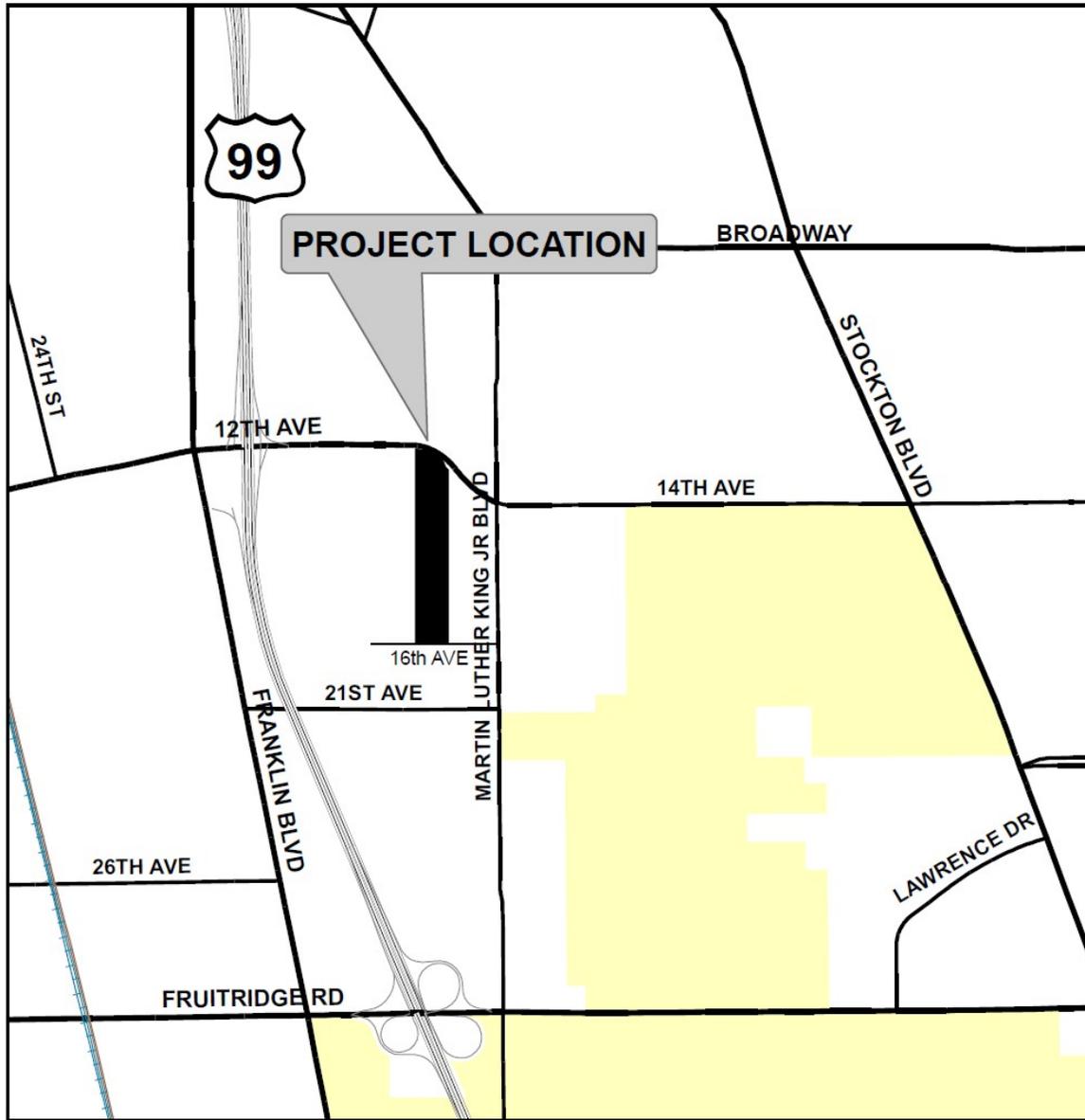
The temporary street closure is not to exceed (18) months unless the closure is properly extended. Once approved, the closure may be extended for an additional eight (8) consecutive periods of not more than eighteen (18) months each. Prior to each extension, City Council must hold a Public Hearing. Noticing 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 property owners that responded to closure request along with City staff support the temporary closure of the alley and street.



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LOCATION MAP FOR Alley Closure Between 12th/16th Avenues/36th/38th Streets





MEMORANDUM

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

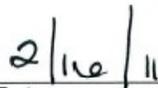
SUBJECT: CLEARANCE FOR THE TEMPORARY CLOSURE OF THE ALLEY/STREET
BOUNDED BY 36TH, 38TH STREETS AND 12TH, 16TH AVENUES

I have reviewed the material on the subject alley proposed Restriction and Closure. On behalf of the Police Department, I find that the area of the proposed restriction and temporary closure of the subject alley/street 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 and temporary closure of traffic on the alley/street be implemented. Such action would substantially alleviate the serious and continual criminal activity in the area. Additional comments may follow below.

COMMENTS:

The alley and area surrounding it is prolific for drug sales and as a place for users to Congregate. The stats show many calls for suspicious activity, people and vehicles in and around the alley . Stolen vehicles are often dumped in the alley, homeless subjects are seen squatting in alley and nearby abandoned homes and burglary suspects are seen accessing yards from the alley. It is my opinion that closing this alley will help reduce crime and calls for service.


Police Department Signature
ALANA HENLEY-CORVILLE #8120


Date





MEMORANDUM

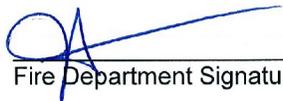
TO: City of Sacramento
Department of Transportation
300 Richards Blvd., Floor 300
Sacramento, CA 95811

SUBJECT: **CLEARANCE FOR TEMPORARY CLOSURE
OF ALLEY/STREET BOUNDED BETWEEN 12TH AND 16TH
AVENUES, 36TH AND 38TH STREETS LOCATED IN COUNCIL
DISTRICT 5**

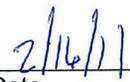
I have reviewed the material on the subject alleys proposed for temporary closure. On behalf of the Fire Department, I find that the proposed restriction and temporary closure will not adversely impact the operations of the Sacramento Fire Department. The Fire Department supports the restriction and temporary closure of the subject alley/street in Council District 5. Additional comments may follow below.

COMMENTS:

Four horizontal lines for writing comments.



Fire Department Signature



Date





MEMORANDUM

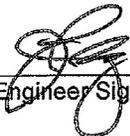
TO: City of Sacramento
Department of Transportation
300 Richards Blvd., Floor 300
Sacramento, CA 95811

SUBJECT: CLEARANCE FOR THE TEMPORARY CLOSURE OF THE ALLEY/STREET
BOUNDED BY 36TH, 38TH STREETS AND 12TH, 16TH AVENUES

In reference to the material on the above subject right of way. I find the alley/street is under the City of Sacramento's jurisdiction and the proposed restriction and closure of traffic does not include an arterial or a through street. It also appears that the temporary closure will allow adequate traffic circulation within the area. The Department of Transportation supports this and temporary closure request of the subject alley/street. Additional comments may follow below.

COMMENTS:

TRAFFIC ENGINEERING IS NOT OPPOSED TO THIS TEMPORARY
CLOSURE FOR THIS ALLEY/STREET BOUNDED BY
12TH, 16TH AVE. & 36TH, 38TH ST.


Traffic Engineer Signature

2-22-11
Date





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RESOLUTION NO.
Adopted by the Sacramento City Council

**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.