

## **RESOLUTION NO. 2011-286**

Adopted by the Sacramento City Council

May 17, 2011

### **RESOLUTION AUTHORIZING THE TEMPORARY STREET CLOSURE TO THROUGH VEHICULAR AND PEDESTRIAN TRAFFIC OF THIRTEEN ALLEYS LOCATED WITHIN THE SOUTH OAK PARK NEIGHBORHOOD PROCEEDING NO. TSC11-03**

#### **BACKGROUND**

- A. The City received a request from the adjacent property owners and members from the Oak Park Redevelopment Advisory Committee to utilize the Problem Alley Abatement Program for the purpose of temporary closure of the subject alleys within the South Oak Park neighborhood identified in Exhibit A and Exhibit B to through vehicular and pedestrian traffic.
- B. The Sacramento Housing and Redevelopment Agency (SHRA) is contributing all funding for this South Oak Park Alley Abatement Project (T15115100). The City's Department of Transportation is processing the alley abatement requests as part of the Problem Alley Abatement Program. No general funds will be used or allocated for this project.
- 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 of the subject alleys identified in Exhibit A and Exhibit B 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 alleys recommended for temporary closure. This finding is based upon a recommendation of the Police Department.
  - b) The subject alleys recommended for closure are under the City's jurisdiction and have not been designated as through highways or arterial streets.
  - c) Vehicle or pedestrian traffic in the subject alleys recommended for closure contributes to the criminal activity that is occurring there.

- d) The alley closures 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 areas of the streets recommended for closure.

Section 2. The temporary closure of the subject alleys identified in Exhibit A and Exhibit B to through vehicular and pedestrian traffic 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 each of the alley closures will substantially alleviate the existing serious and continual criminal activity in the alleys.

Section 4. City Council grants the temporary street closure of the subject alleys identified in Exhibit A and Exhibit B 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 respective facilities within the alley.
- 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 devices require 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.

Section 5. Exhibits A and B are part of this resolution.

**Table of Contents:**

Exhibit A: Location List of Alleys for Temporary Closure

Exhibit B: South Oak Park Alley Assessment Map

Adopted by the City of Sacramento City Council on May 17, 2011 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, McCarty, Schenirer, Sheedy, and Mayor Johnson.

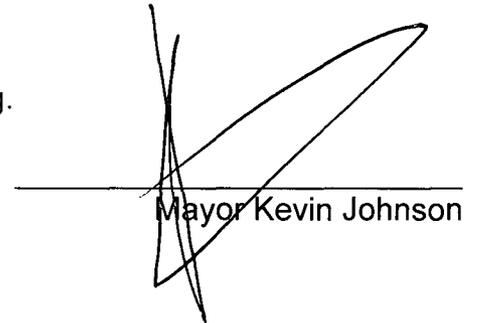
Noes: None.

Abstain: None.

Absent: Councilmembers Pannell and Robert King Fong.

Attest:

  
Shirley Concolino  
Shirley Concolino, City Clerk

  
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Mayor Kevin Johnson

ALLEY LOCATIONS for TEMPORARY CLOSURE

1. 22<sup>nd</sup>/23<sup>rd</sup> Avenues/36<sup>th</sup>/38<sup>th</sup> Streets
2. 22<sup>nd</sup>/23<sup>rd</sup> Avenues/34<sup>th</sup>/36<sup>th</sup> Streets
3. 14<sup>th</sup>/17<sup>th</sup> Avenues--East of 39<sup>th</sup> Street
4. 21<sup>st</sup>/22<sup>nd</sup> Avenues/34<sup>th</sup>/36<sup>th</sup> Streets
5. 20<sup>th</sup>/21<sup>st</sup> Avenues/34<sup>th</sup> Street & Highway 99
6. 19<sup>th</sup>/20<sup>th</sup> Avenues/32<sup>nd</sup>/ 34<sup>th</sup> Streets
7. 21<sup>st</sup>/22<sup>nd</sup> Avenues/36<sup>th</sup>/38<sup>th</sup> Streets
8. 21<sup>st</sup>/22<sup>nd</sup> Avenues/38<sup>th</sup> Street/Martin Luther King Jr. Boulevard
9. 19<sup>th</sup>/20<sup>th</sup> Avenues--West of 38<sup>th</sup> Street
10. 16<sup>th</sup>/19<sup>th</sup> Avenues/38<sup>th</sup> Street/Martin Luther King Jr. Boulevard
11. 15<sup>th</sup>/16<sup>th</sup> Avenues/38<sup>th</sup> Street/Martin Luther King Jr. Boulevard
12. 21<sup>st</sup> /22<sup>nd</sup> Avenues/Highway 99/West of 34<sup>th</sup> Street
13. 14<sup>th</sup>/15<sup>th</sup> Avenues/38<sup>th</sup> Street/Martin Luther King Jr. Boulevard

