

**Meeting Date:** 4/2/2013

**Report Type:** Public Hearing

**Report ID:** 2013-00169

**Title:** Temporary Alley Closure of the Alley Bounded by Y Street, 41st Street, San Jose and Sherman Way [Noticed on 3-18-13]

**Location:** The alley bounded by 41st Street, Y Street, San Jose Way, and Sherman Way located within Council District 5.

**Issue:** Property owners and residents requested this alley closure and hope it will help stop the crime and nuisance activity.

**Recommendation:** Conduct a public hearing and upon conclusion, pass a Resolution authorizing the temporary closure of the alley bounded by 41st Street, Y Street, San Jose and Sherman Way to through vehicular and pedestrian traffic.

**Contact:** Thomas Adams, Engineering Technician, (916) 808-7929; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

**Presenter:** Thomas Adams, Engineering Technician

**Department:** Public Works Department

**Division:** Development Engineering

**Dept ID:** 15001151

**Attachments:**

- 1- Description/Analysis
- 2 - Background Information
- 3 - Area Map
- 4 - Police Clearance Letter
- 5 - Fire Clearance Letter
- 6 - Public Works Clearance Letter
- 7 - Resolution

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**City Attorney Review**

Approved as to Form  
Paul Gale 3/22/2013 3:39:26 PM

**City Treasurer Review**

Reviewed for Impact on Cash and Debt  
Janelle Gray  
3/19/2013 3:14:54 PM

**Approvals/Acknowledgements**

Department Director or Designee: Jerry Way - 3/20/2013 11:42:10 AM



## Description/Analysis

**Issue:** The property owners and residents that live adjacent to the alley have raised concerns about illegal activity and nuisance from transients frequenting the alley. The property owners are requesting that a Temporary Street Closure be put in effect through the City's Alley Abatement Program (T15100900) to help stop the crime and nuisance activity. Public Works staff recommends that the City Council authorize the temporary closure to through vehicular and pedestrian traffic. Both the Police and Fire departments support this recommendation.

**Policy Considerations:** This recommendation is consistent with California Vehicle Code Section 21101.4 and Sacramento City Code Chapter 12.16, which allow the temporary closure of alleys to through vehicular and pedestrian traffic for the protection and preservation of public peace, safety, health and welfare.

**Economic Impacts:** None.

### Environmental Considerations:

**California Environmental Quality Act (CEQA):** The Environmental Planning Services section of the Community Development Department has reviewed the proposed temporary street closure and has determined that the activity is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301(f) of the CEQA Guidelines.

**Sustainability Considerations:** None.

**Committee/Commission Action:** None.

**Rationale for Recommendation:** Approval of the recommendation will improve safety and reduce nuisance caused to property owners adjacent to the alley.

**Financial Considerations:** The construction and installation of the gates will be funded through the Alley Abatement Program (T15100900), City Council District 5 funds, and the adjacent property owners. The total estimated cost for the construction and installation of the gates is \$3,725. The Alley Abatement Program will fund 50 percent of the costs. The remaining 50 percent is being shared between Council District 5 and the adjacent property owners.

Both, the property owners' contributions and the allocation from City Council District 5 have been transferred into the Alley Abatement Program (T15100900).

As of March 12, 2013, the Alley Abatement Program (T15100900) (Funds 2002 and 3702) has a total budget of \$484,526, and an unobligated balance of \$117,953, which is sufficient to cover the cost of the temporary alley closure.

**Emerging Small Business Development (ESBD):** The gate installation for this project will be completed by an ESBD certified contractor.



## **Background**

The proposed temporary closure of the subject alley to through vehicular and pedestrian traffic has been requested by the adjacent property owners. The public access through the alley has allowed it to be used for illegal activities such as theft, suspicious vehicles, and dumping. These activities have been documented by the Sacramento Police Department which supports the temporary closure.

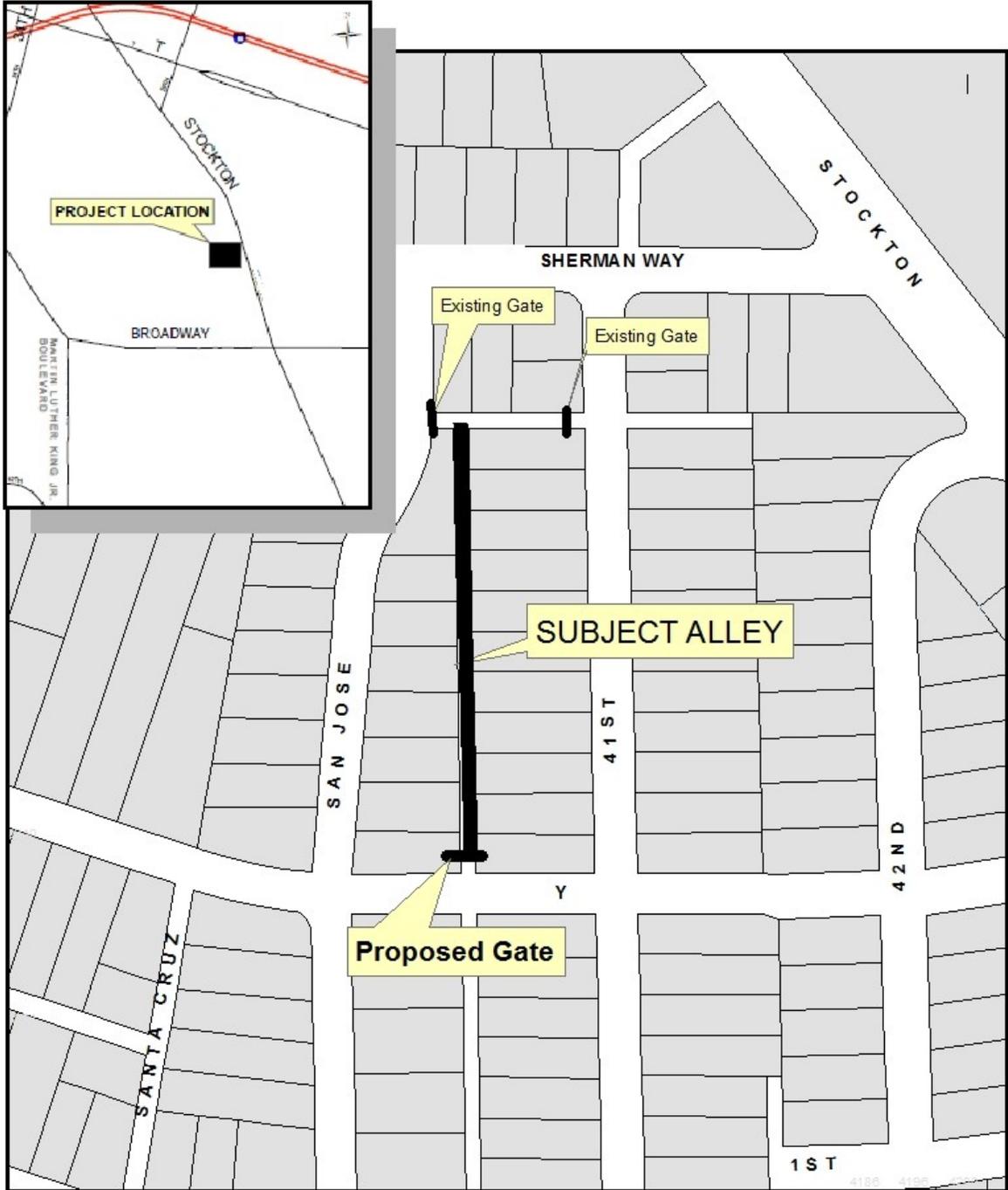
The northern end of the alley connects to an east-west alley which was previously approved for temporary closure under Resolution 2011-462 and subsequently extended for an additional 18 months on February 5, 2013. Therefore, closure of the alley only requires the installation of a wrought iron gate on the south end. The gate will limit vehicular and pedestrian access and allow access only to the adjacent property owners, City maintenance personnel, emergency personnel and utility companies.

The temporary street closure to through vehicular and pedestrian traffic is not to exceed 18 months unless the closure is properly extended. Once approved, the closure may be extended for an additional eight consecutive periods of not more than 18 months each. Prior to each extension, the City Council must hold a public hearing.

Noticing of the public regarding the temporary street closure has been completed for this proceeding 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 the alley.

### Alley Closure



**MEMORANDUM**

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

SUBJECT: **CLEARANCE FOR TEMPORARY CLOSURE OF TRAFFIC  
THROUGH THE ALLEY BOUNDED BY 41<sup>ST</sup> STREET, SAN JOSE  
WAY, SHERMAN WAY AND Y STREET**

I have reviewed the material on the subject alley proposed and Temporary 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 temporary closure of traffic for the alley be implemented. Such action would substantially alleviate the serious and continual criminal activity in the area. Additional comments may follow below.

COMMENTS:

OVER THE PAST 12 MONTHS THERE HAVE BEEN OVER  
10 CALLS FOR POLICE SERVICES IN THIS IMMEDIATE AREA.  
CALLS HAVE INCLUDED: SUSPICIOUS VEHICLES/PERSONS,  
DISURBANCES AND AUTO BURGLARIES.

SGT. PAT KELLER  
Police Department Signature

2/11/2013  
Date

**MEMORANDUM**

**TO:** City of Sacramento  
Department of Public Works  
300 Richards Blvd., 3<sup>rd</sup> Floor  
Sacramento, CA 95811

**SUBJECT: PROPOSED TEMPORARY CLOSURE OF TRAFFIC THROUGH  
THE ALLEY BOUNDED BY 41<sup>ST</sup> STREET, SAN JOSE WAY,  
SHERMAN WAY AND Y STREET LOCATED IN COUNCIL  
DISTRICT 5**

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

**COMMENTS:**

\_\_\_ Please ensure there is a Knox lock in order for access in case a response is necessary.

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Fire Department Signature

2-12-13  
Date



**MEMORANDUM**

TO: City of Sacramento  
Department of Public Works  
300 Richards Blvd, 3<sup>rd</sup> Floor  
Sacramento, CA 95811

SUBJECT: **PROPOSED TEMPORARY CLOSURE OF TRAFFIC THROUGH THE ALLEY BOUNDED BY 41<sup>ST</sup> STREET, SAN JOSE WAY, SHERMAN WAY AND Y STREET LOCATED IN COUNCIL DISTRICT 5.**

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

COMMENTS:

TRAFFIC ENGINEERING IS NOT OPPOSED  
TO THIS ALLEY CLOSURE.

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\_\_\_\_\_  
Transportation Engineer Signature

2-12-13  
\_\_\_\_\_  
Date



## **RESOLUTION NO.**

Adopted by the Sacramento City Council

### **RESOLUTION AUTHORIZING THE TEMPORARY STREET CLOSURE TO THROUGH VEHICULAR AND PEDESTRIAN TRAFFIC OF THE ALLEY BOUNDED BY 41<sup>ST</sup> STREET, Y STREET, SAN JOSE WAY AND SHERMAN WAY WITHIN COUNCIL DISTRICT 5 PROCEEDING NO. TSC13-02**

#### **BACKGROUND**

- A. The City received a request from the adjacent property owners to use the Problem Alley Abatement Program for the temporary closure of the alley bounded 41<sup>st</sup> Street, Y Street, San Jose Way and Sherman Way to through vehicular and pedestrian traffic, to help prevent documented criminal activity within the alley.
- B. Over the past 12 months, the City's Police Department has received more than 10 calls for Police services in this immediate area, including calls regarding suspicious vehicles/persons, disturbances and auto burglaries.
- C. Council District 5 and a majority of adjacent property owners have agreed to contribute funding for the proposed temporary closure. The City's Department of Public Works is processing the temporary alley request through the City's Problem Alley Abatement Program.
- D. In accordance with Section 21101.4 of the Vehicle Code of the State of California and 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 within the 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. 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 alley recommended for temporary closure. This finding is based upon a recommendation of the Police Department.
  - b) The alley recommended for closure is under the City's jurisdiction and has not been designated as a through highway or arterial street.

- c) Vehicle and pedestrian traffic in the alley recommended for closure contributes to the criminal activity that is occurring there.
- d) The alley 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 closure of the alley to through vehicular and pedestrian traffic is necessary for the protection and preservation of the public peace, safety, health and welfare of the neighborhood.

Section 3. The City Council finds and determines that the alley closure will substantially alleviate the existing serious and continual criminal activity in the alley.

Section 4. Under California Vehicle Code Section 21101.4, all temporary closures are valid for 18 months except for when this period has been extended for an additional 18 months for not more than eight additional consecutive periods by resolution.

Section 5. The City Council grants the temporary street closure of the alley bounded 41<sup>st</sup> Street, Y Street, San Jose Way and Sherman Way 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 each gate.
- b) City departments and utility companies will have 24-hour access to their facilities within the alley.
- c) Signs giving advance notice of temporary closure shall be installed at the entrances to the alley prior to the installation of the gate locking device.