

## **RESOLUTION NO. 2013-0104**

Adopted by the Sacramento City Council

April 2, 2013

### **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.

Adopted by the City of Sacramento City Council on April 2, 2013 the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, Hansen, McCarty, Pannell, and Schenirer.

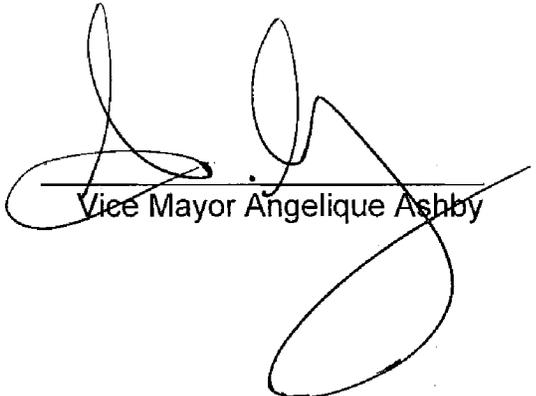
Noes: None.

Abstain: None.

Absent: Mayor Johnson and Member Warren

Attest:

  
Shirley Concolino, City Clerk

  
Vice Mayor Angelique Ashby