RESOLUTION NO. 2005-672

Adopted by the Sacramento City Council

September 13, 2005

APPROVING THE TEMPORARY CLOSURE OF PORTION OF LA ROSA ROAD BOUNDED BY DEL PASO BOULEVARD, JULIESSE AVENUE, ACADEMY WAY AND LAND AVENUE WITHI COUNCIL DISTRICT 3

TEMPORARY CLOSURE PROCEEDING NO. TSC05-03

BACKGROUND

A. The City received a request from the abutting property owners and residents to the subject road to temporary close the subject road to stop the occurrences of crime related activities.

B. The Vehicle Code of the State of California Section 21101.4 and the Sacramento City Code Chapter 12.16 authorizes the City Council to temporarily close streets and alleys to 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 are serious and continual criminal activity in the area of the road recommended for temporary closure. This finding is based upon a recommendation of the police department.

b. The road recommended for temporary 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 road recommended for temporary closure contributes to the criminal activity that is occurring there.

d. The 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 road proposed to be temporarily closed.

Section 2. The Council finds and determines that the temporary closure of the subject road will substantially alleviate the existing serious and continual criminal activity in that road.

Section 3. City Council grants this temporary closure of the road with the following conditions:

a. A gate security device approved by the Sacramento Fire Department will be installed on the gates.

b. City departments and utility companies will have twenty-four (24) hour access to their facilities within the road.

c. In the event that the gate 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 Development Services Department. 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.

Adopted by the City of Sacramento City Council on September 13, 2005 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters and Mayor Fargo.

Noes: None

Abstain: None

Absent: None

Heather Fargo

Mayor Heather Fargo

Attest:

Shirley Concolino

Shirley Concolino, City Clerk