

DATE: October 10, 2007
TO: Interested Persons
FROM: Office of the City Clerk
SUBJECT: NOTICE OF EXPIRED FILE STATUS

In 2005, the Council approved a policy wherein all Council files pending before the City Council, which have not been placed on a Council or Committee agenda for consideration for a period of two years or more, are deemed received and filed. The City Clerk is responsible for the administration of this process.

Quarterly, on the last day of March, June, September and December of each year, the City Clerk administratively closes all received and filed Council files. This letter provides notice that this Council file, and its subject matter, is no longer active as of October 1, 2007.

PLACE IN FILES

OCT 15 2007

DEPUTY

EGG

FRANK T. MARTINEZ
City Clerk

KAREN E. KALFAYAN
Executive Officer

When making inquiries
relative to this matter
refer to File No.

CITY OF LOS ANGELES

CALIFORNIA



JAMES K. HAHN
MAYOR

Office of the
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 978-1043
General Information - (213) 978-1133
Fax: (213) 978-1040

HELEN GINSBURG
Chief, Council and Public Services Division

93-1878

February 2, 2005

PUBLIC WORKS COMMITTEE

RE: POLICY FOR MONITORING AND ENFORCING THE TEMPORARY CLOSURES OF
PUBLIC STREETS, ALLEYS, WALKS AND STAIRWAYS DUE TO CRIMINAL
ACTIVITY

At the meeting of the City Council held on February 1, 2005, the
attached Committee report was referred back to the PUBLIC WORKS
COMMITTEE.

City Clerk
jr

steno/931878a

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

Your

PUBLIC WORKS

Committee

reports as follows:

Public Comments: Yes No
XXX

PUBLIC WORKS COMMITTEE REPORT relative to a policy for monitoring and enforcing the temporary closures of public streets, alleys, walks, and stairways due to criminal activity.

Recommendations for Council action:

1. APPROVE and ADOPT the joint Bureau of Engineering (BOE) and Bureau of Street Services (BOSS) report dated July 16, 1997 establishing a policy regarding the monitoring and enforcing of temporary closures of public streets, alleys, walks, and stairways due to criminal activities per Section 21101.4 of the California Vehicle Code.
2. INSTRUCT the BOE to collect a security deposit from the petitioner to pay for the removal of temporary fencing and gates erected by the petitioner. If said petitioner removes the temporary fencing and gates on his/her own accord, the BOE is INSTRUCTED to return the security deposit to the petitioner.

Fiscal Impact Statement: The BOE and the BOSS report that the cost to have the gates and fencing removed by the BOSS will be appropriated from the General Fund.

SUMMARY

On January 4, 1995, the Council established policies for the temporary closure of public streets due to criminal activity pursuant to California Vehicle Code Section 21101.4 (CF 93-1878). The policies provided for temporary closures for a maximum period of 18 months, extendable upon request and with Council approval, for an additional period of 18 months. On January 1, 1997, California Vehicle Code Section 21101.4 was revised to allow temporary closures to be extended for five additional consecutive periods of not more than 18 months each. This action increased the maximum time for temporary closures to nine years. Prior to each time extension, a public hearing must be held before Council where a finding must be made, by ordinance or resolution, that continuation of the temporary closure will assist in preventing the occurrence or recurrence of the criminal activities in said area.

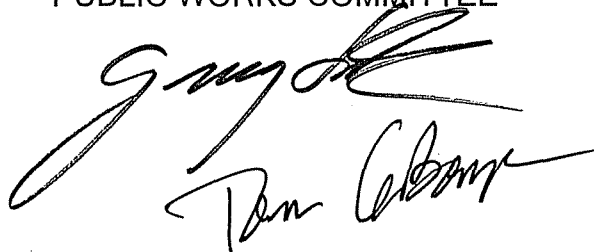
In their joint report, the BOE and the BOSS submitted a proposed procedure that adds to the existing temporary closure procedures and clarifies the process to be followed when

temporary closures are disapproved or when closure extensions are not processed in timely manner.

At a regular meeting held on January 14, 2005, the Public Works Committee considered the joint BOE and BOSS report on temporary closures of public streets, alleys, walks, and stairways. A representative from the BOE answered questions the Committee had regarding payment for removal of temporary fencing and gates at the end of the closure period. The Chair was concerned that the City may have to pay for the removal of temporary fencing erected by the petitioner and asked the BOE about the feasibility of collecting a security deposit from the petitioner. The BOE told the Committee that collecting a security deposit would not adversely effect the current operations. The Committee approved the recommendations contained in the joint report and recommended the adoption of the accompanying procedure with the provision for collecting a security deposit from the petitioner. This matter is now submitted to Council for its consideration.

Respectfully submitted,

PUBLIC WORKS COMMITTEE



FEB 01 2005 - REFERRED TO PUBLIC WORKS COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
SMITH:	YES
LABONGE:	YES
PERRY:	ABSENT

SG
1/26/05
#931878.wpd

PUBLIC WORKS COMMITTEE

Report Communication for Signature

Council File Number

93-1878

Committee Meeting Date

1/14/05

Council Date

2/1/05

COMMITTEE MEMBER	YES	NO	ABSENT
Councilmember Greig Smith, Chair	✓		
Councilmember Tom LaBonge	✓		
Councilmember Jan Perry			✓

Remarks

Approve as amended. Chair feels that citizens, who install temporary fences, should pay for the removal. BOE is instructed to require

Sharon Gin, Legislative Assistant ★★☆☆ Telephone 213-978-1072

a security deposit for those instances.

(4)

93-1878

Board of Public Works report relative to a proposed policy for monitoring and enforcing the temporary closures of public streets, alleys, walks, and stairways due to criminal activities.

Fiscal Impact Statement Submitted: Yes.

DISPOSITION cont'd

(5)

04-0881

Continued from meeting of August 13, 2004

Motion (LaBonge - Garcetti - et al) relative to instituting a "Bulky Item Collection and Disposal Program" for multi-family apartment complexes and related matters. (Also referred to the Environmental Quality and Waste Management and Budget and Finance Committees)

DISPOSITION _____

(6)

00-2407
CD 11

Continued from meeting of October 8, 2004

City Engineer report relative to vacation request for alley extending easterly of Chayote Street from Barrington Place to its easterly terminus.

Fiscal Impact Statement Submitted: Yes.

DISPOSITION _____

(7)

03-1972
CD9

Continued from meeting of October 29, 2004

City Engineer report relative to vacation request for Hope Street and 21st Street Vacation District.

Fiscal Impact Statement Submitted: Yes.

DISPOSITION _____

PUBLIC WORKS COMMITTEE

FRIDAY, DECEMBER 10, 2004

ROOM 1060, CITY HALL - 9 AM
200 N. SPRING ST., LOS ANGELES, CA 90012

MEMBERS: COUNCILMEMBER GREIG SMITH, CHAIR
COUNCILMEMBER TOM LABONGE
COUNCILMEMBER JAN PERRY

(Sharon Gin - Legislative Assistant - 213-978-1072 or sgin@clerk.lacity.org)

Note: For information regarding the Committee and its operations, please contact the Committee Legislative Assistant at the phone number and/or email address listed above. The Legislative Assistant may answer questions and provide materials and notice of matters scheduled before the City Council. Assistive listening devices are available at the meeting. Upon 72-hour advance notice, other accommodations, such as sign language interpretation and translation services, will be provided. Contact the Legislative Assistant listed above for the needed services. TDD is available at (213) 978-1055.

FILE NO.

SUBJECT

(1)

04-2421 Communication from the Mayor relative to the appointment of Ms. Yolanda
CD 6 Fuentes to the Board of Public Works for the term ending June 30, 2009.
(TIME LIMIT FILE - 1/3/05; LAST DAY FOR COUNCIL ACTION - 12/17/04)

DISPOSITION _____

(2)

04-1904 Motion (Smith - Zine) relative to establishing a policy for the expenditure of
anticipated savings resulting from the use of new street resurfacing
equipment by the Bureau of Street Services.

DISPOSITION _____

(3)

04-1905 Motion (Smith - Ludlow) relative to an economic analysis / life cycle cost
study to determine the use of concrete vs asphalt for the construction of
infrastructure projects.

DISPOSITION _____

PUBLIC WORKS COMMITTEE
Friday, December 10, 2004

PUBLIC WORKS COMMITTEE

Report/Communication for Signature

Council File Number 93-1878
Committee Meeting Date 12/10/04
Council Date _____

COMMITTEE MEMBER	YES	NO	ABSENT
Councilmember Greig Smith, Chair	✓		
Councilmember Tom LaBonge			✓
Councilmember Jan Perry			✓

Remarks Cont'd 1/14/05

Sharon Gin, Legislative Assistant ★★★ Telephone 213-978-1072

PUBLIC WORKS COMMITTEE

SUGGESTED NOTIFICATION OF COUNCIL ACTION

Council File No. 93-1878

Council Member(s) ALL

Petitioner/Communicant

Board of Public Works (Mail Stop 465)

Bureau of Accounting (Mail Stop 470)

Bureau of Contract Administration (Mail Stop 480)

Bureau of Engineering (Mail Stop 901) ~~Land Development/Real Estate Div~~

Bureau of Street Services (Mail Stop 550)

Bureau of Street Lighting (Mail Stop 545)

Fire Department

Police Department

Controller

Mayor (with without file)

Chief Legislative Analyst

City Administrative Officer

City Attorney (with ~~blue sheet~~)

City Clerk

DOT (Mail Stop 725)

J. MICHAEL CAREY
City Clerk

When making inquiries
relative to this matter
refer to File No.

CITY OF LOS ANGELES
CALIFORNIA



RICHARD J. RIORDAN
MAYOR

Office of
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

Pat Healy
Chief Legislative Assistant

93-1878

All CDs

July 24, 1997

PUBLIC WORKS COMMITTEE

In accordance with Council Rules, communication from the Board of Public Works relative to proposed policy for monitoring and enforcing the temporary closures of public streets, alleys, walks, and stairways due to criminal activities, was referred on July 23, 1997, to the PUBLIC WORKS COMMITTEE.

J. Michael Carey
City Clerk
amm



CITY OF LOS ANGELES

CALIFORNIA



RICHARD J. RIORDAN
MAYOR

OFFICE OF THE
BOARD OF PUBLIC WORKS

ROOM 353, CITY HALL
LOS ANGELES, CA 90012

JAMES A. GIBSON
SECRETARY

GENERAL INFORMATION
485-3381

BOARD OF PUBLIC WORKS
MEMBERS

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PRESIDENT
485-3379

VALERIE LYNNE SHAW
VICE PRESIDENT
485-3376

M.E. "RED" MARTINEZ
PRESIDENT PRO-TEMPORE
485-3375

TOD A. BURNETT
485-3377

ELLEN STEIN
485-3378

July 16, 1997

#1 CE/SM

City Council
Room 395
City Hall

**Subject: PROPOSED POLICY FOR MONITORING AND ENFORCING THE
TEMPORARY CLOSURES OF PUBLIC STREETS, ALLEYS, WALKS,
AND STAIRWAYS DUE TO CRIMINAL ACTIVITIES**

As recommended in the accompanying report of the City Engineer and the Director of the Bureau of Street Maintenance, which this Board has adopted, the Board of Public Works requests approval of the procedures shown on Attachment "A" to the subject report which would establish procedures for monitoring and enforcing existing temporary closures which have been approved by the Council in accordance with the State Vehicle Code Section 21101.4 due to criminal activity in the area.

The proposed procedures add to the existing procedures and clarify the process to be followed where temporary closures are disapproved, or time extensions are not processed timely.

FISCAL IMPACT

The cost to have the gates/fences removed by the Bureau of Street Maintenance will be appropriated from the General Fund.

Respectfully submitted,

James A. Gibson
Secretary
Board of Public Works

JAG:cg

PUBLIC WORKS

JUL 23 1997



Department of Public Works

Bureau of Engineering
Bureau of Street Maintenance
Joint Report No. 1

July 16, 1997
CD Nos. All

ADOPTED BY THE BOARD OF
PUBLIC WORKS OF THE CITY
of Los Angeles, California
AND REFERRED TO THE CITY COUNCIL
JUL 16 1997


Secretary

ADOPTION OF A POLICY FOR MONITORING AND ENFORCING THE TEMPORARY CLOSURES OF PUBLIC STREETS, ALLEYS, WALKS, AND STAIRWAYS DUE TO CRIMINAL ACTIVITIES

RECOMMENDATIONS

1. Approve and forward this report to the City Council establishing a policy regarding the monitoring and enforcing of temporary closures of public streets, alleys, walks, and stairways due to criminal activities per Section 21101.4 of the State Vehicle Code.
2. Adopt the procedure as shown in Attachment "A" for monitoring and enforcing temporary closures due to criminal activities.

FINANCIAL IMPACT STATEMENT

The cost to have the gates/fences removed by the Bureau of Street Maintenance will be appropriated from the General Fund.

TRANSMITTALS

1. Council adopted policy regarding the temporary closure of **public streets** due to criminal activities.
2. Council adopted policy regarding the temporary closure of **public alleys** due to criminal activities.
3. Council adopted policy regarding the temporary closure of **public walks** and **stairways** due to criminal activities.

DISCUSSION

The Bureau of Engineering prepares reports for the temporary closures of public streets, alleys, walks, and stairways due to criminal activities in accordance with State Vehicle Code Section 21101.4 and Council policies adopted on January 4, 1995. See Council File Nos. 93-1878, S1 and S2 (Transmittal Nos. 1, 2, and 3) for references. The adopted Council policies outline the findings that Council must adopt for each case and the procedures to follow to process the approval of these closures.

The Bureau of Engineering processed approximately 30 temporary closure applications in the 1996 calendar year. As stated in the State Vehicle Code and the Council policies adopted in 1995, the temporary closure is for a maximum period of eighteen (18) months, extendable upon request and with Council approval, for an additional period of eighteen (18) months. However, more recently revised state law, effective January 1, 1997, allows the temporary closures under Section 21101.4 to be extended for five additional consecutive periods of not more than eighteen months each. This would allow the temporary closures to have a maximum closure time of nine (9) years (initial eighteen months plus 5 eighteen months time extensions). Prior to each time extension, the Council must hold a public hearing and find, by ordinance or resolution, that continuation of the temporary closure will assist in preventing the occurrence or recurrence of the serious and continual criminal activities found to exist when the immediately preceding temporary closure was authorized.

The adopted Council policies did not include procedures regarding the enforcement of these approvals if time extensions were not granted or were not processed in a timely manner and the eighteen-month period had expired. In these situations the approval for the closures would no longer be valid and the closed area would have to be reopened and the gates/fences removed. This report outlines the procedures (Attachment "A") for monitoring and enforcing the requirements established by state laws and Council policies.

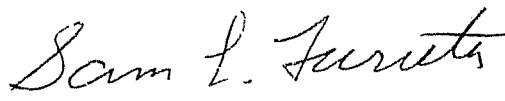
(FVB JMF BMS JEW WEW)

Report prepared by:

Respectfully submitted,

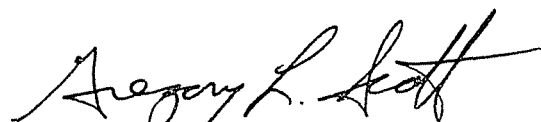
Development Services Division

Frank V. Bonoff
Division Engineer
Phone No. (213) 485-3093


Sam L. Furuta
City Engineer

FVB/GH/0506DSD7.tlw
Attachment

Writer: Glen Hirano
Phone No. (213) 485-5339
Fax No. (213) 237-0663


Gregory L. Scott, Director
Bureau of Street Maintenance

ATTACHMENT "A"

The following procedure is hereby established for monitoring and enforcing existing temporary street/alley/walk /stairway closures which have been approved by Council in accordance with State Vehicle Code Section 21101.4 due to criminal activities in the area:

1. The City Engineer shall transmit a letter to the applicant and/or the affected Council Office approximately 60 days prior to the expiration date inquiring the desire of extending the closure time. Consent forms for the signatures of the adjoining property owners will also be included in the letter.
2. The City Engineer or Council Office shall request the Police Department to provide information and data evaluating the existing closure.
3. Adjoining owners must agree to the continuation of the closure by signing the consent form. The percentage of adjoining property owners agreeing to the continuation by signing the consent form must be satisfactory to the Council Office of the District.
4. The City Engineer shall refer the time extension request of the closure to the appropriate City offices and outside agencies for comments and recommendations as to the feasibility for the continuation of the closure.
5. The City Engineer shall prepare a report making recommendations as to the feasibility for the continuation of the closure. An evaluation will also be made as to the conformance of the applicant to the original conditions, i. e., obtaining the necessary permits, as outlined in the original approval.
6. The City Clerk shall notify the adjacent property owners of the proposed continuation of the closure and date of the public hearing. Additionally, notification will be published in a local newspaper and any affected schools will be notified.
7. The City Council acts on the City Engineer's report on the request for the time extension of the temporary closure. The City Council shall have the discretion of extending the time of those that may have expired if the City Engineer has determined that the requests are in process.
8. If the City Council denies the request for a time extension or the temporary closure is intended to expire without extension as determined by the City Engineer, the City Engineer shall refer the matter to the Bureau of Street Maintenance who will send a letter to the affected property owner(s) ordering the removal of the gates/fences.
9. If the gates/fences are not removed within thirty (30) calendar days, the Bureau of Street Maintenance shall remove the gates/fences.

CITY OF LOS ANGELES

CALIFORNIA

93-1878

BOARD OF PUBLIC WORKS
MEMBERS

OFFICE OF THE
BOARD OF PUBLIC WORKS

ROOM 353, CITY HALL
LOS ANGELES, CA 90012

JAMES A. GIBSON
SECRETARY

GENERAL INFORMATION
485-3381



RICHARD J. RIORDAN
MAYOR

- J. P. ELLMAN
PRESIDENT
485-3379
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VICE PRESIDENT
485-3376
- M.E. "RED" MARTINEZ
PRESIDENT PRO-TEMPORE
485-3375
- TOD A. BURNETT
485-3377
- ELLEN STEIN
485-3378

July 16, 1997

#1 CE/SM

City Council
Room 395
City Hall

Subject: PROPOSED POLICY FOR MONITORING AND ENFORCING THE
TEMPORARY CLOSURES OF PUBLIC STREETS, ALLEYS, WALKS,
AND STAIRWAYS DUE TO CRIMINAL ACTIVITIES

As recommended in the accompanying report of the City Engineer and the Director of the Bureau of Street Maintenance, which this Board has adopted, the Board of Public Works requests approval of the procedures shown on Attachment "A" to the subject report which would establish procedures for monitoring and enforcing existing temporary closures which have been approved by the Council in accordance with the State Vehicle Code Section 21101.4 due to criminal activity in the area.

The proposed procedures add to the existing procedures and clarify the process to be followed where temporary closures are disapproved, or time extensions are not processed timely.

FISCAL IMPACT

The cost to have the gates/fences removed by the Bureau of Street Maintenance will be appropriated from the General Fund.

Respectfully submitted,

James A. Gibson
Secretary
Board of Public Works

JAG:cg

BOARD OF PUBLIC WORKS
JUL 23 1997

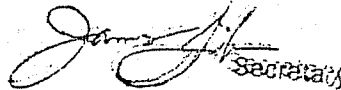


Department of Public Works

Bureau of Engineering
Bureau of Street Maintenance
Joint Report No. 1

July 16, 1997
CD Nos. All

ADOPTED BY THE BOARD OF
PUBLIC WORKS OF THE CITY
of Los Angeles, California
AND REFERRED TO THE CITY COUNCIL
JUL 16 1997


Secretary

ADOPTION OF A POLICY FOR MONITORING AND ENFORCING THE TEMPORARY CLOSURES OF PUBLIC STREETS, ALLEYS, WALKS, AND STAIRWAYS DUE TO CRIMINAL ACTIVITIES

RECOMMENDATIONS

1. Approve and forward this report to the City Council establishing a policy regarding the monitoring and enforcing of temporary closures of public streets, alleys, walks, and stairways due to criminal activities per Section 21101.4 of the State Vehicle Code.
2. Adopt the procedure as shown in Attachment "A" for monitoring and enforcing temporary closures due to criminal activities.

FINANCIAL IMPACT STATEMENT

The cost to have the gates/fences removed by the Bureau of Street Maintenance will be appropriated from the General Fund.

TRANSMITTALS

1. Council adopted policy regarding the temporary closure of **public streets** due to criminal activities.
2. Council adopted policy regarding the temporary closure of **public alleys** due to criminal activities.
3. Council adopted policy regarding the temporary closure of **public walks** and **stairways** due to criminal activities.

DISCUSSION

The Bureau of Engineering prepares reports for the temporary closures of public streets, alleys, walks, and stairways due to criminal activities in accordance with State Vehicle Code Section 21101.4 and Council policies adopted on January 4, 1995. See Council File Nos. 93-1878, S1 and S2 (Transmittal Nos. 1, 2, and 3) for references. The adopted Council policies outline the findings that Council must adopt for each case and the procedures to follow to process the approval of these closures.

Joint Report No. 1

Page 2

The Bureau of Engineering processed approximately 30 temporary closure applications in the 1996 calendar year. As stated in the State Vehicle Code and the Council policies adopted in 1995, the temporary closure is for a maximum period of eighteen (18) months, extendable upon request and with Council approval, for an additional period of eighteen (18) months. However, more recently revised state law, effective January 1, 1997, allows the temporary closures under Section 21101.4 to be extended for five additional consecutive periods of not more than eighteen months each. This would allow the temporary closures to have a maximum closure time of nine (9) years (initial eighteen months plus 5 eighteen months time extensions). Prior to each time extension, the Council must hold a public hearing and find, by ordinance or resolution, that continuation of the temporary closure will assist in preventing the occurrence or recurrence of the serious and continual criminal activities found to exist when the immediately preceding temporary closure was authorized.

The adopted Council policies did not include procedures regarding the enforcement of these approvals if time extensions were not granted or were not processed in a timely manner and the eighteen-month period had expired. In these situations the approval for the closures would no longer be valid and the closed area would have to be reopened and the gates/fences removed. This report outlines the procedures (Attachment "A") for monitoring and enforcing the requirements established by state laws and Council policies.

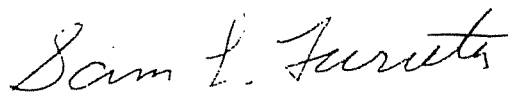
(FVB JMF BMS JEW WEW)

Report prepared by:

Respectfully submitted,

Development Services Division

Frank V. Bonoff
Division Engineer
Phone No. (213) 485-3093


Sam L. Furuta
City Engineer

FVB/GH/0506DSD7.tlw
Attachment

Writer: Glen Hirano
Phone No. (213) 485-5339
Fax No. (213) 237-0663


Gregory L. Scott, Director
Bureau of Street Maintenance

ATTACHMENT "A"

The following procedure is hereby established for monitoring and enforcing existing temporary street/alley/walk /stairway closures which have been approved by Council in accordance with State Vehicle Code Section 21101.4 due to criminal activities in the area:

1. The City Engineer shall transmit a letter to the applicant and/or the affected Council Office approximately 60 days prior to the expiration date inquiring the desire of extending the closure time. Consent forms for the signatures of the adjoining property owners will also be included in the letter.
2. The City Engineer or Council Office shall request the Police Department to provide information and data evaluating the existing closure.
3. Adjoining owners must agree to the continuation of the closure by signing the consent form. The percentage of adjoining property owners agreeing to the continuation by signing the consent form must be satisfactory to the Council Office of the District.
4. The City Engineer shall refer the time extension request of the closure to the appropriate City offices and outside agencies for comments and recommendations as to the feasibility for the continuation of the closure.
5. The City Engineer shall prepare a report making recommendations as to the feasibility for the continuation of the closure. An evaluation will also be made as to the conformance of the applicant to the original conditions, i. e., obtaining the necessary permits, as outlined in the original approval.
6. The City Clerk shall notify the adjacent property owners of the proposed continuation of the closure and date of the public hearing. Additionally, notification will be published in a local newspaper and any affected schools will be notified.
7. The City Council acts on the City Engineer's report on the request for the time extension of the temporary closure. The City Council shall have the discretion of extending the time of those that may have expired if the City Engineer has determined that the requests are in process.
8. If the City Council denies the request for a time extension or the temporary closure is intended to expire without extension as determined by the City Engineer, the City Engineer shall refer the matter to the Bureau of Street Maintenance who will send a letter to the affected property owner(s) ordering the removal of the gates/fences.
9. If the gates/fences are not removed within thirty (30) calendar days, the Bureau of Street Maintenance shall remove the gates/fences.

CITY OF LOS ANGELES
CALIFORNIA

ELIAS MARTINEZ
City Clerk

J. Michael Carey
Executive Officer

When making inquiries
relative to this matter
refer to File No.

93-1878



RICHARD J. RIORDAN
MAYOR

Office of
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

Pat Healy
Chief Legislative Assistant

PLACE IN FILES

JAN 11 1995

DEPUTY

January 6, 1995

Bureau of Engineering,
Land Dev. & Mapping Division
Attn: Louie Yamanishi
All Councilmembers
Bureau of Engineering
Bureau of Street Maintenance
Board of Public Works
Police Department

Bureau of Accounting
City Attorney
Bureau of Sanitation
Fire Department
Office of the Mayor

RE: ESTABLISHING POLICIES FOR THE TEMPORARY CLOSURE OF PUBLIC STREETS
DUE TO CRIMINAL ACTIVITY PURSUANT TO CALIFORNIA VEHICLE CODE
SECTION 21101.4

At the meeting of the Council held January 4, 1995, the following
action was taken:

Attached report adopted.....	_____X_____
Attached motion () adopted.....	_____
Attached resolution adopted.....	_____
Ordinance adopted.....	_____
Motion adopted to approve attached report.....	_____
Motion adopted to approve attached communication.....	_____
To the Mayor for concurrence.....	_____
To the Mayor FORTHWITH.....	_____
Mayor concurred.....	_____
Appointment confirmed.....	_____
Findings adopted.....	_____
Negative Declaration adopted.....	_____
Categorically exempt.....	_____
Generally exempt.....	_____
EIR certified.....	_____
Tract map approved for filing with the County Recorder.....	_____

City Clerk
crm

steno1931878

TRANSMITTAL No. 1

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

Your PUBLIC WORKS COMMITTEE

reports as follows:

	<u>Yes</u>	<u>No</u>
Public Comments	<u>XX</u>	<u>—</u>

PUBLIC WORKS COMMITTEE REPORT relative to establishing policies for the temporary closure of public streets due to criminal activity pursuant to California Vehicle Code Section 21101.4.

Recommendations for Council action, as substantially recommended by the City Engineer:

ADOPT the following policies which establishes the necessary findings, criteria and procedures required for the temporary closure (maximum of two 18 month terms) of public streets due to criminal activity pursuant to California Vehicle Code Section 21101.4:

- A. That the five findings as enumerated in attachment "A" must be adopted for the temporary closure of streets.
- B. That all of the findings for criminal activities be based upon the recommendation of the Police Department.
- C. That all closures be effected by ordinance or resolution after a public hearing.
- D. That the procedures (rules and regulations) as outlined in attachment "B" be utilized for temporary street closures.

SUMMARY

The state has preempted the entire field of traffic control and procedures previously used by the City for either "permanent" or "temporary" type closures are no longer permissible in most cases. Any right of a local authority to interfere with the free flow of traffic, as by closing a street or alley, must be derived from an express delegation of authority from the Legislature of the State of California (see Vehicle Code Section 21). Therefore a procedure must be developed as requested by the motion (Alatorre - Alarcón) so that streets can be temporarily closed under the State Vehicle Code Section 21101.4 to alleviate criminal activity problems.

California Vehicle Code Section 21101.4 provides that a street,

alley or walkway can be temporarily closed for 18 months with one additional extension period of 18 months pursuant to the required findings as enumerated in attachment "A" that must be primarily based on substantial evidence presented by the Police Department as to serious and continual criminal activities in the subject area recommended for closure. The Police Department submitted a report outlining their procedure for reporting on each request for closure.

In addition to the required findings of fact, the City must establish procedures (rules & regulations) for such closures which are enumerated in Exhibit "B". It provides introduction of a motion or a request to the City Engineer written by the Councilmember of the District for closure; the required report by the Police Department; necessary reports by other Departments or agencies to be incorporated into the City Engineers recommendations & report; public hearing & notices, adoption of a resolution or ordinance by Council and installation of closure devices normally at no City Expense.

It is noted that there will be six month evaluation periods within the 18 month time frame for closure to determine the effectiveness of the closure on reducing criminal activities and whether the area may be reopened prior to the 18 month period.

Respectfully submitted,

PUBLIC WORKS COMMITTEE

Richard Alarcon
Jacqui Goldberg

CBP:bs
12/16/94

reports\#931878

Rept.
ADOPTED

JAN 04 1995

LOS ANGELES CITY COUNCIL

ATTACHMENT "A"

That the following five findings must be adopted for the temporary street closures:

1. There is substantial evidence of serious and continual criminal activities in the street recommended for temporary closure.
2. The temporary closure of the street will reduce the criminal activities in the street.
3. The street does not provide necessary vehicular or pedestrian access to adjacent properties or the affected property owners have agreed to the temporary closure.
4. The closure will not adversely affect the operation of emergency vehicles, the performance of municipal or public utility services, or the delivery of freight by commercial vehicles in the street proposed to be temporarily closed.
5. Vehicular or pedestrian traffic on the street contributes to the criminal activity.

ATTACHMENT "B"

The following procedure should be established for temporary street closures on a "block by block" basis:

1. The Councilmember of the District shall introduce a motion directing the City Engineer to investigate the feasibility of a temporary street closure, or forward a written request to the City Engineer requesting this investigation.
2. The City Engineer or Council Office shall request the Police Department to provide information and data that verifies substantial criminal activities within the street being temporarily closed.
3. Adjoining property owners must agree to the closure by signing the consent form. The percentage of adjoining property owners agreeing to the closure by signing the consent form must be satisfactory to the Council office of the District.
4. The City Engineer shall refer the closure request to the appropriate City offices and outside agencies for comments and recommendations.
5. The City Engineer shall prepare a report making appropriate recommendations as to the feasibility of the closure.
6. The City Clerk shall notify the adjacent property owners of the proposed closure and date of the public hearing. Additionally, notification will be published in a local newspaper and any affected schools will be notified.
7. If a temporary closure by Ordinance or Resolution is approved by the City Council, the adjoining property owners shall effect the closure within 6 months at no cost to the City or the City Engineer may recommended the approval be rescinded. Or if the Council determines the closure shall be effected at no cost to the property owners, an appropriation be made to the respective Departments to close the street and install warning signs. Appropriate closure devices acceptable to the City Engineer with concurrent approval of the Fire Department shall be used.
8. The period of the closure shall be for eighteen months, extendable upon request and with necessary Council approval, for one additional period of not more than eighteen months. A review of the closure area will be conducted every six (6) months to evaluate the effectiveness of the closure. The evaluation will be based on the criteria established at the time of closure. The street may be reopened prior to the expiration of the eighteen months period if the evaluation indicates it is safe to do so.

9. When the closure devices are installed by the adjoining property owners, they shall also be responsible for the removal of the devices at the end of the allowed closure period at no cost to the City.

CITY OF LOS ANGELES
CALIFORNIA

ELIAS MARTINEZ
City Clerk

J. Michael Carey
Executive Officer

When making inquiries
relative to this matter
refer to File No.



RICHARD J. RIORDAN
MAYOR

Office of
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

Pat Healy
Chief Legislative Assistant

93-1878-S1

PLACE IN FILES

JAN 11 1995

DEPUTY

January 6, 1995

All Councilmembers
Bureau of Engineering,
Land Dev. & Mapping Division
Attn: Louie Yamanishi
Bureau of Sanitation
Bureau of Street Maintenance
Office of the Mayor

City Attorney
Board of Public Works
Bureau of Accounting
Bureau of Engineering
Fire Department
Police Department

RE: ESTABLISHING POLICIES FOR THE TEMPORARY CLOSURE OF PUBLIC ALLEYS
DUE TO CRIMINAL ACTIVITY PURSUANT TO CALIFORNIA VEHICLE CODE
SECTION 21101.4

At the meeting of the Council held January 4, 1995, the following
action was taken:

Attached report adopted.....	_____ X _____
Attached motion () adopted.....	_____
Attached resolution adopted.....	_____
Ordinance adopted.....	_____
Motion adopted to approve attached report.....	_____
Motion adopted to approve attached communication.....	_____
To the Mayor for concurrence.....	_____
To the Mayor FORTHWITH.....	_____
Mayor concurred.....	_____
Appointment confirmed.....	_____
Findings adopted.....	_____
Negative Declaration adopted.....	_____
Categorically exempt.....	_____
Generally exempt.....	_____
EIR certified.....	_____
Tract map approved for filing with the County Recorder.....	_____
Parcel map approved for filing with the County Recorder.....	_____
Bond approved is No. _____ of Contract.....	_____

City Clerk
crm

93-1878-S1

TRANSMITTAL No. 2

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

Your PUBLIC WORKS COMMITTEE

reports as follows:

	<u>Yes</u>	<u>No</u>
Public Comments	<u>XX</u>	<u> </u>

PUBLIC WORKS COMMITTEE REPORT relative to establishing policies for the temporary closure of public alleys due to criminal activity pursuant to California Vehicle Code Section 21101.4.

Recommendations for Council action, as substantially recommended by the City Engineer:

ADOPT the following policies which establishes the necessary findings, criteria and procedures required for the temporary closure (maximum of two 18 month terms) of public alleys due to criminal activity pursuant to California Vehicle Code Section 21101.4:

- A. That the five findings as enumerated in attachment "A" must be adopted for the temporary closure of alleys.
- B. That all of the findings for criminal activities be based upon the recommendation of the Police Department.
- C. That all closures be effected by ordinance or resolution after a public hearing.
- D. That the procedures (rules and regulations) as outlined in attachment "B" be utilized for temporary alley closures.

SUMMARY

The guidelines of Council File No. 71-2971 were adopted by the City Council on January 19, 1972 so that nuisance alleys (littered with weeds debris and trash) could be vacated if they meet all five Criteria (area did not abut a secondary or major highway; not dedicated more than 12 feet wide; does not provide vehicular access; not improved; and adjoining properties are zoned R2 or more restrictive). On July 12, 1983, the City Council adopted the Public Works Committee Report, under Council File No. 82-0110 which established a procedure for allowing public alleys to be withdrawn from public use and closed by the adjacent property owners, and subsequently to be followed by "Nuisance Alley Vacation" proceedings and possibly establishment of a "private alley" and reserving a "future alley".

In keeping with the Council Policy, the Bureau of Engineering has been processing the alley closure requests that meet the Criteria of Council File No. 71-2971 so that they may be vacated later. However, the majority of the alleys that are investigated by the Bureau do not meet all of the criteria, and at the request of the Council offices, part or all of the criteria are frequently waived. It has become evident that the existing guidelines do not reflect the problems involving public alleys today.

Furthermore, the state has preempted the entire field of traffic control and procedures previously used by the City for either "permanent" or "temporary" type closures are no longer permissible in most cases. Any right of a local authority to interfere with the free flow of traffic, as by closing a street or alley, must be derived from an express delegation of authority from the Legislature of the State of California (see Vehicle Code 21). Therefore a procedure must be developed as requested by the motion (Alatorre - Alarcón) so that alleys can be temporarily closed under the State Vehicle Code Section 21101.4 to alleviate criminal activity problems.

California Vehicle Code Section 21101.4 provides that a street, alley or walkway can be temporarily closed for 18 months with one additional extension period of 18 months pursuant to the required findings as enumerated in attachment "A" that must be primarily based on substantial evidence presented by the Police Department as to serious and continual criminal activities in the subject area recommended for closure. The Police Department submitted a report outlining their procedure for reporting on each request for closure.

In addition to the required findings of fact, the City must establish procedures (rules & regulations) for such closures which are enumerated in Exhibit "B". It provides introduction of a motion or a request to the City Engineer written by the Councilmember of the District for closure; the required report by the Police Department; necessary reports by other Departments or agencies to be incorporated into the City Engineers recommendations & report; public hearing & notices, adoption of a resolution or ordinance by Council and installation of closure devices normally at no City Expense.

It is noted that there will be six month evaluation periods within the 18 month time frame for closure to determine the effectiveness of the closure on reducing criminal activities and whether the area may be reopened prior to the 18 month period.

Respectfully submitted,

PUBLIC WORKS COMMITTEE

Richard Alarcón
Arthur Goldberg

CBP:bs
12/16/94

reports\#931878.1

Rept.
ADOPTED

JAN 04 1995

LOS ANGELES CITY COUNCIL

ATTACHMENT "A"

That the following five findings must be adopted for the temporary alley closures:

1. There is substantial evidence of serious and continual criminal activities in the alley recommended for temporary closure.
2. The temporary closure of the street will reduce the criminal activities in the alley.
3. The alley does not provide necessary vehicular or pedestrian access to adjacent properties or the affected property owners have agreed to the temporary closure.
4. The closure will not adversely affect the operation of emergency vehicles, the performance of municipal or public utility services, or the delivery of freight by commercial vehicles in the alley proposed to be temporarily closed.
5. Vehicular or pedestrian traffic on the alley contributes to the criminal activity.

ATTACHMENT "B"

The following procedure should be established for temporary alley closures on a "block by block" basis:

1. The Councilmember of the District shall introduce a motion directing the City Engineer to investigate the feasibility of a temporary street closure, or forward a written request to the City Engineer requesting this investigation.
2. The City Engineer or Council Office shall request the Police Department to provide information and data that verifies substantial criminal activities within the alley being temporarily closed.
3. Adjoining property owners must agree to the closure by signing the consent form. The percentage of adjoining property owners agreeing to the closure by signing the consent form must be satisfactory to the Council office of the District.
4. The City Engineer shall refer the closure request to the appropriate City offices and outside agencies for comments and recommendations.
5. The City Engineer shall prepare a report making appropriate recommendations as to the feasibility of the closure.
6. The City Clerk shall notify the adjacent property owners of the proposed closure and date of the public hearing. Additionally, notification will be published in a local newspaper and any affected schools will be notified.
7. If a temporary closure by Ordinance or Resolution is approved by the City Council, the adjoining property owners shall effect the closure within 6 months at no cost to the City or the City Engineer may recommend the approval be rescinded. Or if the Council determines the closure shall be effected at no cost to the property owners, an appropriation be made to the respective Departments to close the alley and install warning signs. Appropriate closure devices acceptable to the City Engineer with concurrent approval of the Fire Department shall be used.
8. The period of the closure shall be for eighteen months, extendable upon request and with necessary Council approval, for one additional period of not more than eighteen months. A review of the closure area will be conducted every six (6) months to evaluate the effectiveness of the closure. The evaluation will be based on the criteria established at the time of closure. The street may be reopened prior to the expiration of the eighteen months period if the evaluation indicates it is safe to do so.

9. When the closure devices are installed by the adjoining property owners, they shall also be responsible for the removal of the devices at the end of the allowed closure period at no cost to the City.

CITY OF LOS ANGELES
CALIFORNIA

ELIAS MARTINEZ
City Clerk

J. Michael Carey
Executive Officer

When making inquiries
relative to this matter
refer to File No.

93-1878-S2



RICHARD J. RIORDAN
MAYOR

Office of
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

Pat Healy
Chief Legislative Assistant

PLACE IN Files
JAN 11 1995
DEPUTY
GA

January 6, 1995

Bur. of Engineering,
Land Dev. & Mapping Division
Attn: Louie Yamanishi
Bureau of Street Maintenance
Bureau of Engineering
All Councilmembers
Office of the Mayor

City Attorney
Fire Department
Bureau of Sanitation
Bureau of Accounting
Board of Public Works
Police Department

RE: ESTABLISHING POLICIES FOR THE TEMPORARY CLOSURE OF PUBLIC WALKS
AND STAIRWAYS DUE TO CRIMINAL ACTIVITY PURSUANT TO CALIFORNIA
VEHICLE CODE SECTION 21101.4

At the meeting of the Council held January 4, 1995, the following
action was taken:

Attached report adopted.....	_____X_____
Attached motion () adopted.....	_____
Attached resolution adopted.....	_____
Ordinance adopted.....	_____
Motion adopted to approve attached report.....	_____
Motion adopted to approve attached communication.....	_____
To the Mayor for concurrence.....	_____
To the Mayor FORTHWITH.....	_____
Mayor concurred.....	_____
Appointment confirmed.....	_____
Findings adopted.....	_____
Negative Declaration adopted.....	_____
Categorically exempt.....	_____
Generally exempt.....	_____
EIR certified.....	_____
Tract map approved for filing with the County Recorder.....	_____
Parcel map approved for filing with the County Recorder.....	_____
Bond approved is No. _____ of Contract.....	_____

City Clerk
crm

steno1931878.2

TRANSMITTAL No. 3

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

Your PUBLIC WORKS COMMITTEE

reports as follows:

	<u>Yes</u>	<u>No</u>
Public Comments	<u>XX</u>	<u>—</u>

PUBLIC WORKS COMMITTEE REPORT relative to establishing policies for the temporary closure of public walks and stairways due to criminal activity pursuant to California Vehicle Code Section 21101.4.

Recommendations for Council action, as substantially recommended by the City Engineer:

ADOPT the following policies which establishes the necessary findings, criteria and procedures required for the temporary closure (maximum of two 18 month terms) of public walks and stairways due to criminal activity pursuant to California Vehicle Code Section 21101.4:

- A. That the four findings as enumerated in attachment "A" must be adopted for the temporary closure of walks and stairways.
- B. That all of the findings for criminal activities be based upon the recommendation of the Police Department.
- C. That all closures be effected by ordinance or resolution after a public hearing.
- D. That the procedures (rules and regulations) as outlined in attachment "B" be utilized for temporary walk and stairway closures.

SUMMARY

The Bureau of Engineering has been processing the requests for closure of nuisance public walks and stairways under the same guidelines that were established for nuisance alley closures in accordance with Council File Nos. 71-2971 and 82-0110.

The Bureau of Engineering, however, was requested by Council District No. 3 on April 4, 1994 to develop a policy to address the process and financial responsibility of the City for the closure and gating of walkways. The gates, however, should be installed at the expense of the benefiting property owners. The City Council, on August 16, 1988, under Council File No. 88-0600-S4, established criteria for City financing of gate installations under a City-wide

pilot program. In keeping with the intent of this policy and also due to the availability of limited funds under this program, only the public rights-of-way that are determined to be plagued with excessive and continuous criminal activities and trash dumpings should be included in the pilot program.

The state has preempted the entire field of traffic control and procedures previously used by the City for either "permanent" or "temporary" type closures are no longer permissible in most cases. Any right of a local authority to interfere with the free flow of traffic, as by closing a street, alley, walk or stairway must be derived from an express delegation of authority from the Legislature of the State of California (see Vehicle Code Section 21).

California Vehicle Code Section 21101.4 provides that a street, alley, walkway or stairway can be temporarily closed for 18 months with one additional extension period of 18 months pursuant to the required findings as enumerated in attachment "A" that must be primarily based on substantial evidence presented by the Police Department as to serious and continual criminal activities in the subject area recommended for closure. The Police Department submitted a report outlining their procedure for reporting on each request for closure.

In addition to the required findings of fact, the City must establish procedures (rules & regulations) for such closures which are enumerated in Exhibit "B". It provides introduction of a motion or a request to the City Engineer written by the Councilmember of the District for closure; the required report by the Police Department; necessary reports by other Departments or agencies to be incorporated into the City Engineers recommendations & report; public hearing & notices, adoption of a resolution or ordinance by Council and installation of closure devices normally at no City Expense.

It is noted that there will be six month evaluation periods within the 18 month time frame for closure to determine the effectiveness of the closure on reducing criminal activities and whether the area may be reopened prior to the 18 month period.

Respectfully submitted,

PUBLIC WORKS COMMITTEE

Richard Alarcon
Jackie Goldberg

Rept.
ADOPTED

JAN 04 1995

CBP:bs
12/16/94

reports/931878.2

LOS ANGELES CITY COUNCIL

four
ATTACHMENT "A"

That the following *four* findings must be adopted for the temporary street closures:

1. There is substantial evidence of serious and continual criminal activities in the walk or stairway recommended for temporary closure.
2. The temporary closure of the walk or stairway will reduce the criminal activities in the street.
3. The walk or stairway does not provide necessary pedestrian access to adjacent properties or the affected property owners have agreed to the temporary closure.
4. Pedestrian traffic on the walk or stairway contributes to the criminal activity.

ATTACHMENT "B"

The following procedure should be established for temporary walk or stairway closures on a "block by block" basis:

1. The Councilmember of the District shall introduce a motion directing the City Engineer to investigate the feasibility of a temporary street closure, or forward a written request to the City Engineer requesting this investigation.
2. The City Engineer or Council Office shall request the Police Department to provide information and data that verifies substantial criminal activities within the street being temporarily closed.
3. Adjoining property owners must agree to the closure by signing the consent form. The percentage of adjoining property owners agreeing to the closure by signing the consent form must be satisfactory to the Council office of the District.
4. The City Engineer shall refer the closure request to the appropriate City offices and outside agencies for comments and recommendations.
5. The City Engineer shall prepare a report making appropriate recommendations as to the feasibility of the closure.
6. The City Clerk shall notify the adjacent property owners of the proposed closure and date of the public hearing. Additionally, notification will be published in a local newspaper and any affected schools will be notified.
7. If a temporary closure by Ordinance or Resolution is approved by the City Council, the adjoining property owners shall effect the closure within 6 months at no cost to the City or the City Engineer may recommend the approval be rescinded. Or if the Council determines the closure shall be effected at no cost to the property owners, an appropriation be made to the respective Departments to close the walk or stairway and install warning signs. Appropriate closure devices acceptable to the City Engineer with concurrent approval of the Fire Department shall be used.
8. The period of the closure shall be for eighteen months, extendable upon request and with necessary Council approval, for one additional period of not more than eighteen months. A review of the closure area will be conducted every six (6) months to evaluate the effectiveness of the closure. The evaluation will be based on the criteria established at the time of closure. The street may be reopened prior to the expiration of the eighteen months period if the evaluation indicates it is safe to do so.

9. When the closure devices are installed by the adjoining property owners, they shall also be responsible for the removal of the devices at the end of the allowed closure period at no cost to the City.

CITY OF LOS ANGELES

CALIFORNIA

ELIAS MARTINEZ
City Clerk

J. Michael Carey
Executive Officer

When making inquiries
relative to this matter
refer to File No.

93-1878



RICHARD J. RIORDAN
MAYOR

Office of
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

Pat Healy
Chief Legislative Assistant

PLACE IN FILES

JAN 11 1995

DEPUTY

January 6, 1995

Bureau of Engineering,
Land Dev. & Mapping Division
Attn: Louie Yamanishi
All Councilmembers
Bureau of Engineering
Bureau of Street Maintenance
Board of Public Works
Police Department

Bureau of Accounting
City Attorney
Bureau of Sanitation
Fire Department
Office of the Mayor

RE: ESTABLISHING POLICIES FOR THE TEMPORARY CLOSURE OF PUBLIC STREETS
DUE TO CRIMINAL ACTIVITY PURSUANT TO CALIFORNIA VEHICLE CODE
SECTION 21101.4

At the meeting of the Council held January 4, 1995, the following
action was taken:

Attached report adopted.....	_____ X _____
Attached motion () adopted.....	_____
Attached resolution adopted.....	_____
Ordinance adopted.....	_____
Motion adopted to approve attached report.....	_____
Motion adopted to approve attached communication.....	_____
To the Mayor for concurrence.....	_____
To the Mayor FORTHWITH.....	_____
Mayor concurred.....	_____
Appointment confirmed.....	_____
Findings adopted.....	_____
Negative Declaration adopted.....	_____
Categorically exempt.....	_____
Generally exempt.....	_____
EIR certified.....	_____
Tract map approved for filing with the County Recorder.....	_____

City Clerk
crm

steno\931878

67

PUBLIC WORKS COMMITTEE
Report/Communication for Signature

Council File Number 93-1878
Committee Meeting Date 11-9-94
Council Date 1-4-95

COMMITTEE MEMBER	YES	NO	ABSENT
COUNCIL MEMBER ALARCON, Chair	X		
COUNCIL MEMBER GOLDBERG	X		
COUNCIL MEMBER WALTERS			X

Remarks _____

Bill Pruner, Legislative Assistant II ♦♦♦♦ Telephone 485-5732

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

Your PUBLIC WORKS COMMITTEE

reports as follows:

	<u>Yes</u>	<u>No</u>
Public Comments	<u>XX</u>	<u> </u>

PUBLIC WORKS COMMITTEE REPORT relative to establishing policies for the temporary closure of public streets due to criminal activity pursuant to California Vehicle Code Section 21101.4.

Recommendations for Council action, as substantially recommended by the City Engineer:

ADOPT the following policies which establishes the necessary findings, criteria and procedures required for the temporary closure (maximum of two 18 month terms) of public streets due to criminal activity pursuant to California Vehicle Code Section 21101.4:

- A. That the five findings as enumerated in attachment "A" must be adopted for the temporary closure of streets.
- B. That all of the findings for criminal activities be based upon the recommendation of the Police Department.
- C. That all closures be effected by ordinance or resolution after a public hearing.
- D. That the procedures (rules and regulations) as outlined in attachment "B" be utilized for temporary street closures.

SUMMARY

The state has preempted the entire field of traffic control and procedures previously used by the City for either "permanent" or "temporary" type closures are no longer permissible in most cases. Any right of a local authority to interfere with the free flow of traffic, as by closing a street or alley, must be derived from an express delegation of authority from the Legislature of the State of California (see Vehicle Code Section 21). Therefore a procedure must be developed as requested by the motion (Alatorre - Alarcón) so that streets can be temporarily closed under the State Vehicle Code Section 21101.4 to alleviate criminal activity problems.

California Vehicle Code Section 21101.4 provides that a street,

alley or walkway can be temporarily closed for 18 months with one additional extension period of 18 months pursuant to the required findings as enumerated in attachment "A" that must be primarily based on substantial evidence presented by the Police Department as to serious and continual criminal activities in the subject area recommended for closure. The Police Department submitted a report outlining their procedure for reporting on each request for closure.

In addition to the required findings of fact, the City must establish procedures (rules & regulations) for such closures which are enumerated in Exhibit "B". It provides introduction of a motion or a request to the City Engineer written by the Councilmember of the District for closure; the required report by the Police Department; necessary reports by other Departments or agencies to be incorporated into the City Engineers recommendations & report; public hearing & notices, adoption of a resolution or ordinance by Council and installation of closure devices normally at no City Expense.

It is noted that there will be six month evaluation periods within the 18 month time frame for closure to determine the effectiveness of the closure on reducing criminal activities and whether the area may be reopened prior to the 18 month period.

Respectfully submitted,

PUBLIC WORKS COMMITTEE

Richard Alarcon
Jacqui Goldberg

CBP:bs
12/16/94

reports\#931878

Rept.
ADOPTED

JAN 04 1935

LOS ANGELES CITY COUNCIL


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+++++
ACONDA NO. 02-05      YES      ALTAFFE.....YES      BERNSON.....YES      BRAUDE.....YES
ALANSON.....YES      GALATIR.....YES      GOLDBERG.....YES      HERNANDEZ.....YES
SILVER.....YES      RIDLEY THOMAS.....YES      SVORINICH.....YES      WACHS.....YES
HOLDEN.....YES      FERRARO.....YES      YAROSLAVSKY.....YES      WALTERS.....YES
+++++

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)
 /
 TIME: 10 50 10 1/4/75

PUBLIC WORKS COMMITTEE
SUGGESTED NOTIFICATION OF COUNCIL ACTION

Council File No. 93-1878

- Petitioner/Communicant _____
- Council Member(s) all _____
- Board of Public Works (Mail Stop 465)
- Bureau of Accounting (Mail Stop 470)
- Bureau of Contract Administration (Mail Stop 480)
- Bureau of Engineering (Mail Stop 490)
- Bureau of Engineering, Real Estate Division (Mail Stop 515)
- Bureau of Sanitation (Mail Stop 520)
- Bureau of Street Lighting (Mail Stop 545)
- Bureau of Street Maintenance (Mail Stop 550)
- City Attorney (Mail Stop 140)
- Controller (Mail Stop 183)
- City Administrative Officer (Mail Stop 130)
- Office of the Mayor (Mail Stop 370)
- Fire Department (Mail Stop 250)
- Bureau of Engineering - Land Development & Mapping Center
- Police Department
- _____
- _____

Lois Gowerski

ATTACHMENT "A"

That the following five findings must be adopted for the temporary street closures:

1. There is substantial evidence of serious and continual criminal activities in the street recommended for temporary closure.
2. The temporary closure of the street will reduce the criminal activities in the street.
3. The street does not provide necessary vehicular or pedestrian access to adjacent properties or the affected property owners have agreed to the temporary closure.
4. The closure will not adversely affect the operation of emergency vehicles, the performance of municipal or public utility services, or the delivery of freight by commercial vehicles in the street proposed to be temporarily closed.
5. Vehicular or pedestrian traffic on the street contributes to the criminal activity.

ATTACHMENT "B"

The following procedure should be established for temporary street closures on a "block by block" basis:

1. The Councilmember of the District shall introduce a motion directing the City Engineer to investigate the feasibility of a temporary street closure, or forward a written request to the City Engineer requesting this investigation.
2. The City Engineer or Council Office shall request the Police Department to provide information and data that verifies substantial criminal activities within the street being temporarily closed.
3. Adjoining property owners must agree to the closure by signing the consent form. The percentage of adjoining property owners agreeing to the closure by signing the consent form must be satisfactory to the Council office of the District.
4. The City Engineer shall refer the closure request to the appropriate City offices and outside agencies for comments and recommendations.
5. The City Engineer shall prepare a report making appropriate recommendations as to the feasibility of the closure.
6. The City Clerk shall notify the adjacent property owners of the proposed closure and date of the public hearing. Additionally, notification will be published in a local newspaper and any affected schools will be notified.
7. If a temporary closure by Ordinance or Resolution is approved by the City Council, the adjoining property owners shall effect the closure within 6 months at no cost to the City or the City Engineer may recommended the approval be rescinded. Or if the Council determines the closure shall be effected at no cost to the property owners, an appropriation be made to the respective Departments to close the street and install warning signs. Appropriate closure devices acceptable to the City Engineer with concurrent approval of the Fire Department shall be used.
8. The period of the closure shall be for eighteen months, extendable upon request and with necessary Council approval, for one additional period of not more than eighteen months. A review of the closure area will be conducted every six (6) months to evaluate the effectiveness of the closure. The evaluation will be based on the criteria established at the time of closure. The street may be reopened prior to the expiration of the eighteen months period if the evaluation indicates it is safe to do so.

9. When the closure devices are installed by the adjoining property owners, they shall also be responsible for the removal of the devices at the end of the allowed closure period at no cost to the City.

I WISH TO BE HEARD BEFORE THE CITY COUNCIL

AGENDA ITEM NO. 2

TODAY'S DATE 11/9/94

I am speaking FOR AGAINST the Agenda Recommendation

COUNCIL FILE NO.: 93-1878

SUBJECT: STREET CLOSURES

Name: GORDON MURLEY

Street: 4128 MORRO DR

City: WOODLAND HILLS

Telephone: _____

Are you speaking on your own behalf? YES NO

If NO, and you are being compensated to speak for or represent someone other than yourself, please disclose who you are representing:

Name: _____

Street: _____

City: _____

(over)

LOS ANGELES POLICE DEPARTMENT



WILLIE L. WILLIAMS
Chief of Police

RICHARD J. RIORDAN
Mayor

P.O. Box 30158
Los Angeles, Calif. 90030
Telephone:
(213) 485-4048
Ref #: 1.2.1

November 4, 1994

Mr. Chauncey B. Pruner
Legislative Assistant II
Public Works Committee
City Hall, Room 395
200 North Spring Street
Los Angeles, California 90012

Dear Mr. Pruner:

In response to your request that the Los Angeles Police Department establish guidelines for the temporary closure of streets and alleys, members of my staff have contacted the State Legislature and Senator Robert Beverly's Office in Sacramento for a more concise interpretation of the related Vehicle Code Section.

Senator Beverly and his staff authored Vehicle Code Section 21101.4 and indicated it was purposely written to be vague and ambiguous. The language of the section was written in this fashion in an effort to give local law enforcement agencies and City Council officials flexibility in preparing their complaints.

The Vehicle Code Section regarding "serious and continual criminal activity" may be interpreted or defined as follows: The term serious may be interpreted as any situation or action having important or potentially dangerous consequences. Continual criminal activity, on the other hand, may be defined as "unlawful conduct that occurs above the norm for a specific time period that poses a threat of injury to people or property."

It will be the responsibility of each Area throughout the City to identify "serious and continual criminal activity" and convey this in writing when making street/or alley closure requests. Additionally, it will be each Area's responsibility to closely monitor criminal activity at each problem location. When the activity has sufficiently been abated to reopen the street or alley, the Area shall notify the concerned Council District Office and advise them of the change. The Area may also request a continuation of the closure, based upon its findings.



Mr. Chauncey B. Pinner

Page 2

1.2.1

My staff has also consulted with the Los Angeles City Attorney's Office and they concur with our findings. I hope the information provided will assist you and your committee.

If you have any further questions or comments, please contact Sergeant Bruce Miyazaki, Evaluation and Administration Section, Office of Operations, at (213) 485-4111.

Very truly yours,

WILLIE L. WILLIAMS
CHIEF of POLICE

A handwritten signature in cursive script, appearing to read "Bayan Lewis".

BAYAN LEWIS, Deputy Chief
Director
Office of Operations

CITY OF LOS ANGELES
CALIFORNIA

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J. Michael Carey
Executive Officer

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refer to File No.



Office of
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Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

September 20, 1994

RICHARD J. RIORDAN
MAYOR

Pat Healy
Chief Legislative Assistant

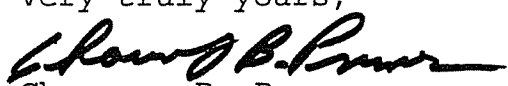
Commander Maurice Moore
Department Traffic Coordinator
Los Angeles Police Department
150 North Los Angeles Street
Los Angeles, CA 90012

The Public Works Committee, at its meeting of September 14, 1994, considered three separate files containing the attached reports by the City Engineer adopting a policy that establishes a procedure for temporary closures of streets, alleys and walks or stairways due to criminal activities.

At the above meeting, it was noted that Recommendation B. 1. refers to "serious and continual criminal activities" as stated in the State of California Vehicle Code Section 21101.4(a)(1). In order to establish intent and uniformity in the understanding of the terminology, it is requested that the Los Angeles Police Department's interpretation of the phrase "serious and continual criminal activity" be conveyed in writing to this Committee.

Additionally, it is requested that the Department establish guidelines to determine when the criminal activity is sufficiently abated by the closure, or if the criminal activity is even affected by the closure, such that the street should be reopened. A periodic review of this activity would then provide a basis for continuance or termination of the closure.

Action on the reports will be taken by the Committee upon receipt of the information from your Department.

Very truly yours,

Chauncey B. Pruner
Legislative Assistant II
Public Works Committee

Attachment

PDCLIR

steno\moore.ltr

Revised Report

Office of the City Engineer

Los Angeles, California

To the Public Works Committee

Of the Honorable Council

of the City of Los Angeles

JUL 21 1994

Honorable Members:

All C.D.'s

SUBJECT:

Adoption of a Policy That Establishes a Procedure for Temporary Closure of Public Streets Due to Criminal Activities

RECOMMENDATION:

- A. That the City Council adopt a policy that establishes the procedure as outlined in the Conclusion Section of this report for the processing of requests for temporary closure of local streets pursuant to California Vehicle Code Section 21101.4.
- B. That the following four findings be adopted for the temporary street closures:
 1. There is substantial evidence of serious and continual criminal activities in the street recommended for temporary closure.
 2. The temporary closure of the street will reduce the criminal activities in the street.
 3. The street does not provide necessary pedestrian access to adjacent properties or the affected property owners have agreed to the temporary closure.
 4. The closure will not adversely affect the operation of emergency vehicles, the performance of municipal or public utility services, or the delivery of freight by commercial vehicles in the street proposed to be temporarily closed.
- C. That all of the findings for criminal activities be based upon the recommendation of the Police Department.
- D. That all closures be effected by Ordinance or Resolution after a public hearing.

TRANSMITTAL:

Copy of (Alatorre-Alarcon) Motion.

DISCUSSION:

The (Alatorre-Alarcon) Motion (Transmittal No. 1) instructed the City Engineer to establish a procedure to process temporary street closures in accordance with State Vehicle Code Section 21101.4 whenever the Police Department determines that the temporary closure will alleviate the criminal activities occurring in the area.

CONCLUSION:

The following procedure should be established for temporary street closures on a "block by block" basis:

1. The Councilmember of the District shall introduce a motion directing the City Engineer to investigate the feasibility of a temporary street closure, or forward a written request to the City Engineer requesting this investigation.
2. The City Engineer or Council Office shall request the Police Department to provide information and data that verifies substantial criminal activities within the street being temporarily closed.
3. The City Engineer shall refer the closure request to the appropriate City offices and outside agencies for comments and recommendations.
4. The City Engineer shall prepare a report making appropriate recommendations as to the feasibility of the closure.
5. The City Clerk shall notify the adjacent property owners of the proposed closure and date of the public hearing.
6. If a temporary closure by Ordinance or Resolution is approved by the City Council, the adjoining property owners shall effect the closure at no cost to the City. Or if the Council determines the closure shall be effected at no cost to the property owners, an appropriation be made to the respective Departments to close the street and install warning signs. Appropriate closure devices acceptable to the City Engineer with concurrent approval by the Fire Department shall be used.
7. The period of the closure shall be for eighteen months, extendable upon request and with necessary Council approval, for one additional period of not more than eighteen months.

8. When the closure devices are installed by the adjoining property owners, they shall also be responsible for the removal of the devices at the end of the allowed closure period at no cost to the City.

Respectfully submitted,

for Glenn M Bakke
ROBERT S. HORII
City Engineer

RSH/LSY/HM
A:JL49CLO

PUBLIC WORKS COMMITTEE

WEDNESDAY - MAY 25, 1994

2:00 P.M. - ROOM 252 - CITY HALL

MEMBERS: COUNCIL MEMBER RICHARD ALARCÓN, Chair
COUNCIL MEMBER JACKIE GOLDBERG
COUNCIL MEMBER RITA WALTERS

Legislative Assistant II - Chauncey B. Pruner - 485-5732

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listing for the "Council Phone" number applicable to your area.

FILE NO.

SUBJECT

(1)
87-0882 Continued from 4-27-94 and 5-11-94. Consideration of
S12A report from Chairperson, Environmental Quality and
Waste Management Committee relative to an extra
capacity fee for the Automated Refuse Collection
program together with amending motions as referred by
the City Council. (Also referred to Budget and Finance
Committee)

DISPOSITION _____

(2)
93-1964 Consideration of report of the Environmental Quality
and Waste Management Committee recommending to receive
and file Motion (Wachs-Chick) relative to expansion of
the City's pilot program for the collection of horse
manure inasmuch as expansion is not feasible until
adoption of the proposed extra capacity charge.

DISPOSITION _____

PUBLIC WORKS COMMITTEE
Wednesday - May 25, 1994

(3)

94-0256
93-2140
93-0221

- A. Communication from the Coordinating Committee on Clean Water Problems to approve concept of five-year installment or time payment plans for Sewerage Facilities Charges over \$17,000; restructure all new and existing payment plans to include 15% down payment, one-time admin. fee, maximum five-year repayment period, quarterly payments, and proscribed interest rate. (ALSO BEING CONSIDERED BY BF Comte)

DISPOSITION _____

- B. REVIEW OF NEED FOR THE SEWERAGE FACILITIES CHARGE (in response to Motion, Alarcón - Goldberg, and request from Public Works Comte) - Bureau of Engineering and CAO reports proposing in effect implementation of a new installment payment plan for Sewerage Facilities Charges as recommended above by the Clean Water Committee; and Note and File motions to eliminate or impose a five year moratorium on the SFC pending experience with the new payment plan. (ALSO BEING CONSIDERED BY BF Comte)

DISPOSITION _____

(4)

88-0081

- City Engineer and the City Administrative Officer report on the feasibility of an expanded assessment deferral program to include commercial property.

DISPOSITION _____

(5)

93-1878
Citywide

- City Engineer submits report recommending adoption of a Procedure for Temporary Closure of Public Streets under California Vehicle Code Section 21101.4 in response to the Motion (Alatorre - Alarcón).

DISPOSITION _____

Continued to 6-08-94

PUBLIC WORKS COMMITTEE

WEDNESDAY - SEPTEMBER 14, 1994

2:00 P.M. - ROOM 252 - CITY HALL

MEMBERS: COUNCIL MEMBER RICHARD ALARCÓN, Chair
COUNCIL MEMBER JACKIE GOLDBERG
COUNCIL MEMBER ~~RITA WALTERS~~

Legislative Assistant II - Chauncey B. Pruner - 485-5732

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FILE NO.

SUBJECT

(1)
93-1878 Continued from 5-25-94. City Engineer submits
Citywide supplemental report recommending adoption of a Procedure for Temporary Closure of Public Streets under California Vehicle Code Section 21101.4 in response to the Motion (Alatorre - Alarcón).

DISPOSITION Continued to 10-12-94

(2)
93-1878 Continued from 5-25-94. City Engineer submits
S1 supplemental report recommending adoption of a Policy
Citywide for Temporary Closure of Public Alleys under California State Vehicle Code Section 21101.4.

DISPOSITION _____

(3)
93-1878 Continued from 5-25-94. City Engineer submits
S2 supplemental report recommending adoption of a policy
Citywide for Temporary Closure of Public Walks and Stairways under California State Vehicle Code Section 21101.4.

DISPOSITION _____

Public Works Committee
Wednesday - September 14, 1994

Revised Report

Office of the City Engineer

Los Angeles, California

To the Public Works Committee
Of the Honorable Council
of the City of Los Angeles

MAY 19 1994

Honorable Members:

All C.D.'s

SUBJECT:

Adoption of a Procedure for Temporary Closure of Public Streets
under California Vehicle Code Section 21101.4 - Council File No.
93-1878

RECOMMENDATION:

That the following procedure be adopted for the processing of
requests for temporary closure of local streets pursuant to
California Vehicle Code Section 21101.4:

1. The Councilmember of the District shall introduce a motion directing the City Engineer to investigate the feasibility of a temporary street closure, or forward a written request to the City Engineer requesting this investigation.
2. The City Engineer or Council Office shall request the Police Department to provide information and data that verifies substantial criminal activities within the street being temporarily closed.
3. The City Engineer shall refer the closure request to the appropriate City offices and outside agencies for comments and recommendations.
4. The City Engineer shall prepare a report making appropriate recommendations as to the feasibility of the closure.
5. The City Clerk shall notify the adjacent property owners of the proposed closure and date of the public hearing.
6. If a temporary closure by ordinance or resolution is approved by the City Council, the adjoining property owners shall effect the closure at no cost to the City. Or if the Council determines the closure shall be effected at no cost to the property owners, an appropriation be made to the

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respective Departments to close the street and install warning signs. Appropriate closure devices acceptable to the City Engineer with concurrent approval by the Fire Department shall be used.

- 7. The period of the closure shall be for 18 months, extendable upon request and with necessary Council approval, for one additional period of not more than 18 months.
- 8. When the closure devices are installed by the adjoining property owners, they shall also be responsible for the removal of the devices at the end of the allowed closure period at no cost to the City.

TRANSMITTAL:



- 1. Copy of (Alatorre-Alarcon) Motion.

DISCUSSION:

The (Alatorre-Alarcon) Motion (Transmittal No. 1) instructed the City Engineer to establish a procedure to process temporary street closures in accordance with State Vehicle Code Section 21101.4 whenever the Police Department determines that the temporary closure will alleviate the criminal activities occurring in the area.

CONCLUSION:

It is recommended that the procedure outlined in this Report be followed for processing of temporary local street closures on a "block by block" basis if the Police Department determines that the area is plagued with criminal activities, and that the temporary closure will help remedy these undesirable conditions.



 (LSY LLL)

Respectfully submitted,


 ROBERT S. HORII
 City Engineer

RSH/LSY/HM
 A:JL49CLO
 LD&M Div.
 05/19/94

bcc: LD&M Div. - 5 copies

Revised Report

Office of the City Engineer

Los Angeles, California

To the Public Works Committee
Of the Honorable Council
of the City of Los Angeles

APR 29 1994

Honorable Members:

All C.D.'s

SUBJECT:

Adoption of a Procedure for Temporary Closure of Public Streets
under California Vehicle Code Section 21101.4 - Council File No.
93-1878

RECOMMENDATION:

That the following procedure be adopted for the processing of
requests for temporary closure of local streets pursuant to
California Vehicle Code Section 21101.4:

1. The Councilmember of the District shall introduce a motion directing the City Engineer to investigate the feasibility of a temporary street closure, or forward a written request to the City Engineer requesting this investigation.
2. The City Engineer or Council Office shall request the Police Department to provide information and data that verifies substantial criminal activities within the street being temporarily closed.
3. The City Engineer shall refer the closure request to the appropriate City offices and outside agencies for comments and recommendations.
4. The City Engineer shall prepare a report making appropriate recommendations as to the feasibility of the closure.
5. The City Clerk shall notify the adjacent property owners of the proposed closure and date of the public hearing.
6. If the temporary closure is approved by the City Council, the adjoining property owners shall effect the closure at no cost to the City. Or if the Council determines the closure shall be effected at no cost to the property owners, an appropriation be made to the respective Departments to close the street and install warning signs. Appropriate closure devices acceptable to the City Engineer with concurrent

6

approval by the Fire Department shall be used.

7. The period of the closure shall be for eighteen months, extendable upon request and with necessary Council approval, for one additional period of not more than eighteen months.
8. When the closure devices are installed by the adjoining property owners, they shall also be responsible for the removal of the devices at the end of the allowed closure period at no cost to the City.

TRANSMITTAL:

1. Copy of (Alatorre-Alarcon) Motion.

DISCUSSION:

The (Alatorre-Alarcon) Motion (Transmittal No. 1) instructed the City Engineer to establish a procedure to process temporary street closures in accordance with State Vehicle Code Section 21101.4 whenever the Police Department determines that the temporary closure will alleviate the criminal activities occurring in the area.

CONCLUSION:

It is recommended that the procedure outlined in this Report be followed for processing of temporary local street closures on a "block by block" basis if the Police Department determines that the area is plagued with criminal activities, and that the temporary closure will help remedy these undesirable conditions.

Respectfully submitted,

Robert S. Horii
for ROBERT S. HORII
City Engineer

RSH/LSY/HM
A:JL49CLO

PUBLIC WORKS

SEP 14 1993

MOTION

The City of Los Angeles has historically permitted the withdrawals and gating of streets and alleys from public use when those streets and alleys have become nuisances or havens for criminal activity.

Recently, the City Attorney has confirmed that under state law (California Vehicle Code Section 21101), the City has no authority to gate these streets and alleys as so-called "convenience closures. Further, court orders have been issued (including Citizens Against Gate Enclaves v. The City of Los Angeles) requiring the rescinding of actions gating these streets and alleys.

There are many instances, especially in the commercial areas of Downtown Los Angeles and in residential neighborhoods, where alleys and isolated, dead-end streets have become a haven for criminal activity. The only way to protect these neighborhoods, in the absence of sufficient police resources--and often at the request of the police--is to close and gate these streets and alleys at the surrounding property owners expense.

Other than the costly, lengthy process of street and alley vacations, the Vehicle Code provides one other recently enacted remedy under California Vehicle Code Section 21101.4. No procedure has been established by the Los Angeles City Council to implement this ordinance which reads as follows:

S21101.4 Closing highway due to criminal activity

(a) a local governing authority may by ordinance or resolution, adopt rules and regulations for temporarily closing to through traffic a highway under its jurisdiction when all of the following conditions are after a public hearing, found to exist:

(1) The local authority finds and determines that there is serious and continuing criminal activity in the portion of the highway recommended for temporary closure. This finding and and determination shall be based upon the recommendation of the police department or in the case of a highway in an unincorporated area on the joint recommendation of the sheriff's department and the Department of the California Highway Patrol.

(2) The highway has not been designated as a through highway or arterial street.

(3) Vehicular or pedestrian traffic on the highway contributes to the criminal activity.

(4) The closure will not substantially adversely affect 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 highway proposed to be temporarily closed.

(b) A highway may be temporarily closed pursuant to subdivision (a) for not more than 18 months, except that period may, pursuant to subdivision (a) be extended for one additional period of not more than 18 months.

I THEREFORE MOVE that the City Council's Public Works Committee, with the advice of the City Attorney,, the Department of Transportation, the City Clerk (for information on possible notification procedures in compliance with the State Vehicle Code), and the appropriate entities of the Department of Public Works, hold hearings to develop and implement a procedure whereby these streets and alleys may be temporarily withdrawn from public use and closed to through traffic.

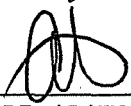
I FURTHER MOVE that the appropriate entities be convened by the Chief Legislative Analyst's office, or combined with an existing group meeting on the subject of street and alley closures.

I FURTHER MOVE that the procedures developed by the above entities be returned to the Public Works Committee for review within 60 days.

I FURTHER MOVE that these procedures include methods of informing the surrounding community as well as the adjoining property owners that actions are pending to temporarily close these alleys and streets to the public.

September 14, 1993

PRESENTED BY


RICHARD ALATORRE
Councilman, 14th District

SECONDED BY



CITY OF LOS ANGELES
CALIFORNIA

NANCY RUSSELL
City Clerk

J. Michael Carey
Executive Officer

When making inquiries
relative to this matter
refer to File No.



RICHARD J. RIORDAN
MAYOR

Office of
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - 485-5703
General Information - 485-5705

Pat Healy
Chief Legislative Assistant

93-1878

September 15, 1993

PUBLIC WORKS COMMITTEE

At the meeting of the Council held September 14, 1993, the motion (Alatorre - Alarcón) attached to the file, was referred to the PUBLIC WORKS COMMITTEE.

Nancy Russell

City Clerk
crm

132



ms

Office of the City Engineer
Los Angeles, California

To the Public Works Committee
Of the Honorable Council
of the City of Los Angeles

APR 8 1994

Honorable Members:

All C.D.'s

SUBJECT:

Adoption of a Procedure for Temporary Closure of Public Streets
under California Vehicle Code Section 21101.4 - Council File No.
93-1878

RECOMMENDATION:

That the following procedure be adopted for the processing of
requests for temporary closure of local streets pursuant to
California Vehicle Code Section 21101.4:

1. The Councilmember of the District shall introduce a motion directing the City Engineer to investigate the feasibility of a temporary street closure, or forward a written request to the City Engineer requesting this investigation.
2. The City Engineer or Council Office shall request the Police Department to provide information and data that verifies substantial criminal activities within the street being temporarily closed.
3. The City Engineer shall refer the closure request to the appropriate City offices and outside agencies for comments and recommendations.
4. The City Engineer shall prepare a report making appropriate recommendations as to the feasibility of the closure.
5. The City Clerk shall notify the adjacent property owners of the proposed closure and date of the public hearing.
6. If the temporary closure is approved by the City Council, the adjoining property owners shall have the option of either installing, at no cost to the City, appropriate closure devices acceptable to the City Engineer, with concurrent approval by the Fire Department, or if resources are available, request the Bureau of Street Maintenance to install the barricades and the Department of Transportation to install warning signs.

7. The period of the closure shall be for eighteen months, extendable upon request and with necessary Council approval, for one additional period of not more than eighteen months.
8. When the closure devices are installed by the adjoining property owners, they shall also be responsible for the removal of the devices at the end of the allowed closure period.

TRANSMITTAL:

1. Copy of (Alatorre-Alarcon) Motion.

DISCUSSION:

The (Alatorre-Alarcon) Motion (Transmittal No. 1) instructed the City Engineer to establish a procedure to process temporary street closures in accordance with State Vehicle Code Section 21101.4 whenever the Police Department determines that the temporary closure will alleviate the criminal activities occurring in the area.

CONCLUSION:

It is recommended that the procedure outlined in this Report be followed for processing of temporary local street closures on a "block by block" basis if the Police Department determines that the area is plagued with criminal activities, and that the temporary closure will help remedy these undesirable conditions.

Respectfully submitted,


for ROBERT S. HORII
City Engineer

RSH/LSY/HM
A:JL49CLO

PUBLIC WORKS

M O T I O N

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(2) The highway has not been designated as a through highway or arterial street.

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I FURTHER MOVE that the appropriate entities be convened by the Chief Legislative Analyst's office, or combined with an existing group meeting on the subject of street and alley closures.

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September 14, 1993

PRESENTED BY _____
RICHARD ALATORRE
Councilman, 14th District

SECONDED BY _____