

OAKLAND CITY COUNCIL

RESOLUTION NO. 78459 = C.M.S.

2004 MAR 11 PM 1:49

R. Rev. Diemo

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLAND
ADOPTING RULES AND REGULATIONS TO PARTIALLY AND
PERMANENTLY CLOSE 26TH AVENUE BETWEEN THE 2400 AND 2600
BLOCK THROUGH APPROPRIATE ROADWAY DESIGN FEATURES TO
PROTECT PUBLIC SAFETY AND IMPLEMENT THE CITY'S
TRANSPORTATION PLAN**

Whereas nine years ago following a hearing establishing a high level of crime-related traffic problems, the City installed street barriers on 26th Avenue between the 2400 and 2600 block and the barriers have been fully integrated into the traffic routes and patterns at this location without a major adverse impact on the delivery of emergency services; and

Whereas there is a pressing need to implement a program that provides for the permanent retention of traffic barriers on local streets where such barriers have been previously placed pursuant to California Vehicle Code § 21101.4 and where their permanent retention would further public safety; and

Whereas consistent with the responsibility of local governments to provide for the health and safety of its citizens, California Vehicle Code § 21101 (f) specifically authorizes cities to adopt rules and regulations prohibiting entry to, exit from, or both, from any street by means of islands, curbs, traffic barriers or other roadway design features to implement their transportation plans; and

Whereas the City's Transportation Plan requires it to take every opportunity to explore street design and small-area planning that minimizes adverse impacts to the environment by discourage through traffic, large traffic volumes and high-speed travel; respects the importance of pedestrian and bicycle movement; creates intimate neighborhood environments; promotes their use to primarily provide access to abutting properties in residential neighborhoods; and contributes to the overall quality of the neighborhood; and

Whereas the Council finds that 26th Avenue between the 2400 and 2600 block is a local street and is not part of a regional roadway; and

Whereas the Council finds that supporting data collected by the Oakland Police Department and Traffic Engineering show continuing concerns about traffic and speeding related to criminal activity at this location and further shows that a partial street closure at this location would adequately protect public safety

and would not significantly adversely impact the surrounding neighborhoods or the delivery of law enforcement or emergency services; and

Whereas the Council finds that this resolution is exempt from CEQA under CEQA Guidelines §15061 (b)(3) General rule of no potential for causing significant impact and CEQA Guidelines § 15301 – Existing Facilities; and

NOW, THEREFORE, BE IT RESOLVED by the Oakland City Council that the following rules and regulations are hereby adopted and in effect:

Roadway Design Features to Prohibit Entry to or Exit from Local Streets:

Roadway Design Features, including street barriers, that would permanently prohibit entry to or exit from a local street where such entry to and exit from has been temporarily prohibited for a period of three years or more as a result of the installation of temporary traffic design features pursuant to California Vehicle Code § 21101.4, may be allowed to permanently remain upon a determination by the City Council that such measures are necessary to protect public health and safety and to implement the City's Land Use and Transportation Plan.

BE IT FURTHER RESOLVED that street barrier presently in place at 26TH Avenue between the 2400 and 2600 block deters unwarranted through traffic and criminal activity associated with said traffic and shall be permanently retained as a roadway design feature that protects public safety and which implements the Oakland Land Use and Transportation Element of the General Plan.

IN COUNCIL, OAKLAND, CALIFORNIA, APR 6 2004, 20

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, CHANG, BROOKS, NADEL, REID, QUAN, WAN and PRESIDENT DE LA

FUENTE *-8*

NOES- *0*

ABSENT- *0*

ABSTENTION- *0*

ATTEST



for CEDRA FLOYD

City Clerk and Clerk of the Council
of the City of Oakland, California