



Legislation Details (With Text)

**File #:** 19-346      **Version:** 1      **Name:**

**Type:** Consent Item      **Status:** Passed

**File created:** 6/13/2019      **In control:** City Council/Public Finance and Economic Development Authority/Parking Authority

**On agenda:** 7/15/2019      **Final action:** 7/15/2019

**Title:** SUBJECT: Approval of City-Owned Real Property Use Request #19-11 by the Mercy Medical Center Merced Foundation to Reserve the Use of Portions of the Merced Municipal Airport from Friday, September 27, 2019, at 8:00 a.m. to Sunday, September 29, 2019, at 2:00 p.m.; to Host Their Biennial Fundraising Gala, to be Scheduled for Saturday, September 28, 2019, from 5:30 p.m. to 12:00 a.m.

REPORT IN BRIEF

Considers approving a request by the Mercy Medical Center Merced Foundation to allow the use of portions of the Merced Municipal Airport from Friday, September 27, 2019, at 8:00 a.m. to Sunday, September 29, 2019, at 2:00 p.m. for the set-up, the event, and the clean-up of the Foundation's biennial fundraising gala, to include the serving of alcohol.

RECOMMENDATION

City Council - Adopt a motion approving the exclusive use of portions of the Merced Municipal Airport from Friday, September 27, 2019, at 8:00 a.m. to Sunday, September 29, 2019, at 2:00 p.m., as requested by the Mercy Medical Center Merced Foundation, for their biennial fundraising gala (includes the serving of alcohol); subject to the conditions outlined in the administrative report.

Sponsors:

Indexes:

Code sections:

**Attachments:** 1. Location Map/Airport Map, 2. Site Plan (Gala Event), 3. Site Plan (Event Parking), 4. Event Description

| Date      | Ver. | Action By  | Action   | Result |
|-----------|------|--|----------|--------|
| 7/15/2019 | 1    | City Council/Public Finance and Economic Development Authority/Parking Authority | approved | Pass   |

Report Prepared by: Stephani Davis, Development Services Technician II, Planning Division

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## RECOMMENDATION

**City Council** - Adopt a motion approving the exclusive use of portions of the Merced Municipal Airport from Friday, September 27, 2019, at 8:00 a.m. to Sunday, September 29, 2019, at 2:00 p.m., as requested by the Mercy Medical Center Merced Foundation, for their biennial fundraising gala (includes the serving of alcohol); subject to the conditions outlined in the administrative report.

## ALTERNATIVES

1. Approve, as recommended by staff; or,
2. Approve, with modifications; or,
3. Deny the request completely; or,
4. Refer to staff for reconsideration of specific items as requested by Council; or,
5. Continue to a future City Council meeting (date and time to be specified in the motion).

## AUTHORITY

Merced Municipal Code, Section 9.12.020 - Serving or drinking liquors on street:

*"It is unlawful, and a misdemeanor, subject to punishment in accordance with Chapter 1.12 of the code, for any person to serve, drink, consume, or have in his/her possession an open container containing any spirituous, vinous, malt, or any other intoxicating liquors in or upon any of the streets, sidewalks, alley, parks, parking lots, or any public place in the City, unless otherwise permitted by the Merced Municipal Code or authorized by the city council."*

## CITY COUNCIL PRIORITIES

Not applicable.

## DISCUSSION

The Mercy Medical Center Merced Foundation is requesting approval for use of portions of the Merced Municipal Airport for their biennial fundraiser gala from Friday, September 27, 2019, at 8:00 a.m. to Sunday, September 29, 2019, at 2:00 p.m. (includes set-up and clean-up times).

The event itself will occur on Saturday, September 28, 2019, from 5:30 p.m. to 12:00 a.m. and will include a plated-catered dinner, free casino game play, alcoholic beverage service, a formal event program, and live music entertainment. Funds raised from the event will benefit the Mercy Foundation Heritage Endowment.

The event will begin set-up for the event on Friday, September 27, at 8:00 a.m., with the event itself scheduled to run from 5:30 p.m. to 12:00 a.m. on Saturday, September 28. The event will be set up along the eastern end of a taxiway that runs parallel to Falcon Way, where airplane hangars are located (Attachments 1 and 2). This event will not affect the operations of the Airport or the main runway where planes land and depart. Use of the City property includes a 288-square-foot stage for the live music, approximately 81 tables with chairs for guest seating during the dinner on the taxiway, 3 bar areas (a cigar, scotch, and grand bar), 2 portable restroom trailers, one hangar to house the free casino play, and a table for guest check-in/registration at the main entry point (Attachment 2 and 4).

The event sponsor will be using a service club to assist with the directing of cars within the proper parking area (Attachment 3).

Security is required for the event at a minimum of one guard per fifty guests, per Merced Police Department requirements. Security staff will be responsible for patrolling the perimeter and interior of the event throughout its duration.

On the day following the event, September 29, 2019, all structures will be taken down, and the property will be cleaned up, in order to be completely finished with use by the requested end time of 2:00 p.m.

Conditions of Approval:

1. Prior to engaging in the event, Event Sponsor shall provide the City with a Certificate of Liability Insurance evidencing coverage in an amount of no less than \$500,000 for property damage and \$500,000 for personal injury or a minimum combined single limit coverage of \$500,000. Said policy shall stipulate that this insurance will operate as primary insurance and that no other insurance will be called on to cover a loss covered thereunder. Additional insured endorsements evidencing this coverage, naming the City of Merced, its Officers, Employees, and Agents as additional insureds, must be submitted to the City prior to the event. This certificate shall provide that thirty (30) days written notice of cancellation shall be given to the City. If the Event Sponsor has any employee(s), full workers' compensation insurance shall be provided with a limit of at least \$100,000 for any one person as required by law.
2. Event sponsor shall remove all structures, debris, and any other event-generated items from the property and surrounding areas by 2:00 p.m. on Sunday, September 29, 2019, the day following the event.
3. Event sponsor shall be responsible for making arrangements with the City's Public Works Refuse Department's staff to deliver and remove refuse containers for use during the event and for any necessary clean-up afterwards.
4. Event sponsor shall comply with all applicable statues, ordinances, rules, regulations, etc., including all regulations of the City of Merced Fire Department, including obtaining permit(s) for any tents or canopies used for the event.
5. All provisions of the Fire Code shall apply. This includes, but is not limited to, posting no-smoking signs in any tented areas as required, no parking within 20 feet of any tent, all requirements for any cooking in a tent, and including any temporary and portable electrical power supplies that may be used.
6. Event sponsor shall provide adequate supervision and security throughout the area to ensure the safety of the participants and the public, as required by the Merced Police Department. At minimum, security guards shall be provided at one officer per 50 attendees.
7. Event sponsor and its caterers shall comply with all requirements of the Merced County Health Department with regards to the serving of food.
8. Event sponsor shall ensure that any independent vendors, such as portable toilet rental

companies, photo booth vendors, bartenders, and caterers, obtain or hold current business licenses with the City of Merced.

9. The event sponsor shall provide access to disabled-accessible restrooms, as required by the California Building Code.

10. Alcoholic beverages may be served during this event, subject to the strict rules, regulations, and restrictions of the California Alcohol Beverage Control.

### **IMPACT ON CITY RESOURCES**

The event sponsors will be providing their own generators, so City electricity will not be impacted.

Event attendees and event staff will be using an open lot within the Merced Municipal Airport property on the evening of the event (Attachment 3).

Vehicle traffic is not expected to be affected; therefore, no traffic control services are necessary. The event will not impact the operations of the Airport.

The Airport Manager is in support of this event.

### **ATTACHMENTS**

1. Location Map/Airport Map
2. Site Plan (Gala Event)
3. Site Plan (Event Parking)
4. Event Description