



Legislation Text

File #: 23-465, Version: 1

Report Prepared by: Nathan McKinnon, Police Sergeant, Police Department

SUBJECT: Approval of Street Closure Request and Use of City Owned Real Estate by the Juneteenth Celebration Committee for the Juneteenth Community March and Celebration on June 17th, 2023

REPORT IN BRIEF

Considers approving the use of a portion of Parking Lot #14 Located at 1739 Martin Luther King Jr. Way, and the closure of Martin Luther King Jr Way from West 18th Street to West Main Street, West Main Street to M Street, M Street to W 11th Street, W 11th Street to K Street into (McNamara Park) on Saturday June 17th, 2023, to have a staging area, hold a march, parade and food preparation for the Juneteenth Celebration. The use of Bob Hart Square for the Juneteenth Celebrate Freedom Event from 10:00 a.m. to 3:00 p.m.

RECOMMENDATION

City Council - Adopt a motion approving the request by Tamara Cobb and the Juneteenth Celebration Committee to use a portion of Parking Lot #14 Located at 1739 Martin Luther King Jr. Way, and the closure of Martin Luther King Jr Way from West 18th Street to West Main Street, West Main Street to M Street, M Street to W 11th Street, W 11th Street to K Street into (McNamara Park) on Saturday June 17th, 2023 to have a staging area, hold a march, parade and food preparation for the Juneteenth Celebration. The use of Bob Hart Square for the Juneteenth Celebrate Freedom Event from 10:00 a.m. to 3:00 p.m.

ALTERNATIVES

1. Approve, as recommended by staff or,
2. Approve, subject to modifications recommended by Council; or,
3. Deny; or,
4. Refer to staff for reconsideration of specific items; or,

AUTHORITY

Charter of the City of Merced, Section 200
City of Merced Municipal Code Section 12.42.010
State of California Vehicle Code Section 21101(e)

DISCUSSION

On June 17th, 2023, a march honoring Juneteenth will be held as part of a community-wide celebration that honors the end of slavery in the United States. On June 17th, 2021 Juneteenth became a federal holiday. The march will be held on the City's "Martin Luther King Jr. Way," a local street that was renamed to honor Dr Martin Luther King Jr. The route will begin at the Merced

Theatre and continue down Martin Luther King Jr. Way to West Main Street, West Main Street to M Street, M Street to W 11th Street, W 11th Street to K Street into (McNamara Park) on Saturday June 17th, 2023, to have a staging area, hold a march, parade and food preparation for the Juneteenth Celebration.

The attached Street Closure request was received from Tamara Cobb and the Juneteenth Celebration Committee. The request is to use a portion of Parking Lot #14 Located at 1739 Martin Luther King Jr. Way and Martin Luther King Jr Way between W 18th Street and W Main Street from 9:00 a.m. to 11:00 a.m. to organize and stage the parade participants. Closure of parking and through traffic on W Main Street from M Street to Martin Luther King Jr Way from 9:00 a.m. to 12:00 p.m.

Additionally, the request is to close M Street to W 11th Street, W 11th Street to K Street into (McNamara Park) with a rolling road closure. The parade will start at 11:00 a.m. and will end at approximately 12:00 p.m. at McNamara Park. Vehicle parking will not be affected on M St or W 11th St during this march. M Street to W 11th Street, and W 11th Street to K Street will only be done as a rolling street closure provided by the Merced Police Department Traffic Division as minimally impact traffic on M Street. Closure should only last less than 10 minutes at any given block on M Street.

The Juneteenth Celebration Committee is also requesting the area of five rows of parking in City Parking Lot #14 located at 1739 Martin Luther King Jr. Way behind the Merced Theatre be sectioned off for food preparation, informational booths, and march staging area.

The use of Bob Hart Square for the Juneteenth Celebrate Freedom Event from 10:00 a.m. to 3:00 p.m.

The businesses and residences along the march-route should receive ample notification of the event from the organizing Committee. The event Chairperson, Tamara Cobb, and the Juneteenth Celebration Committee will be responsible for notifying the businesses and residents along the march-route.

Any additional City services that are needed will be requested separately and from the appropriate departments.

The Street Closure Request contains the following requirements:

1. By applying for the street closure request, the Permittee shall agree to indemnify, protect, defend (with counsel selected by the City), save, and hold City, its officers, employees, agents, and volunteers harmless from any and all claims or causes of action for death or injury to persons, or damage to property resulting from intentional or negligent acts, errors, or omissions of Event Sponsor or Event Sponsor's officers, employees, agents, volunteers and participants during performance of the Event, or from any violation of any federal, state, or municipal law or ordinance, to the extent caused, in whole or in part, by the willful misconduct, negligent acts, or omissions of Event Sponsor or its officers, employees, agents, volunteers, or participants, or resulting from the negligence of the City, its officers, employees, agents, and volunteers, except for loss caused solely by the gross negligence of the City. Acceptance by City of insurance certificates and endorsements required for this Event does not relieve Event Sponsor from liability under this indemnification and hold harmless

clause. This indemnification and hold harmless clause shall apply to any damages or claims for damages whether or not such insurance policies shall have been determined to apply.

2. 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 \$500,000.00 for property damage and \$500,000.00 for personal injury or a minimum combined single limit coverage of \$500,000.00. 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. Certificates of Insurance shall also be provided for automobile insurances of all automobiles used for the event. If the Event Sponsor has any employee(s), full workers compensation insurance shall be provided with a limit of at least \$100,000.00 for any one person as required by law.

3. Failure to comply with any law, rule, or regulation applicable to the use of said streets shall be grounds to revoke any such permit and, in such circumstances, the Chief of Police shall immediately revoke said permit. The Event Sponsor or permit holder, in such cases, shall have the right to appeal said revocation to the City Council.

4. Event Sponsor shall be responsible for placing and removing all traffic barricades and posting of parking restrictions where street is closed. "No Parking" signs shall be posted at least twenty-four (24) hours prior to towing of vehicle(s) per California Vehicle Code Section 22651(m).

5. Event Sponsor shall contact all businesses and residences affected by the street closures, advising them of the hours, conditions, and reason thereof within one half mile of the closure area at least seventy-two (72) hours prior to the event. Event Sponsor shall provide the City with confirmation that the proper notification was given.

6. Event Sponsor shall be responsible for removing all equipment and disposing of any trash and debris within and around the closure areas that is generated from the event prior to the expiration of the closure permit.

7. The applicant shall arrange and pay for special event City Refuse services by contacting Public Works at (209) 385-6800.

8. Event Sponsor shall provide adequate supervision throughout the course and surrounding intersections to ensure the safety of the participants and the public gathered, as required by the police department.

9. No alcoholic beverages may be served or sold at this event.

10. All other provisions addressed in Ordinance #1941; Chapter 12.42 (Temporary Street Closures) shall apply.

IMPACT ON CITY RESOURCES

Police Department staffing for this event consists of:

One Sergeant (on-overtime)
One Senior Police Officers (on-duty)
Two Citizen Volunteers
Four Senior Police Officers (on overtime)
Twenty Police Explorer Scouts
Two Adult Civilian Explorer Scout Advisors (Volunteers)

ATTACHMENTS

1. 2023 Juneteenth March Street Closure Application
2. 2023 Juneteenth March Certificate of Insurance
3. 2023 Juneteenth March Map