



## Legislation Text

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File #: 24-019, Version: 1

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

**SUBJECT:** Approval of Street Closure Request and Use of City Owned Real Estate by the Martin Luther King Jr. Celebration Committee for the Annual Martin Luther King Jr. Community March and Celebration on January 15, 2024, West 24<sup>th</sup> Street from the West Entrance of the Amtrak Station to Martin Luther King Jr Way, Martin Luther King Jr Way from West 24<sup>th</sup> Street to West Main Street and the Use of a Portion of Parking Lot #14 Located at 1739 Martin Luther King Jr. Way

### REPORT IN BRIEF

Considers approving the use and closure of West 24<sup>th</sup> Street from the West entrance of the Amtrak Station to Martin Luther King Jr Way, Martin Luther King Jr. Way from West 24<sup>th</sup> Street to West Main Street and a portion of the City Parking Lot #14 located at 1739 Martin Luther King Jr. Way on Monday, January 15, 2024, to hold a march, parade and food preparation for the annual Martin Luther King, Jr. celebration.

### RECOMMENDATION

**City Council** - Adopt a motion approving the request by Tamara Cobb and the Martin Luther King Jr. Celebration Committee to close West 24<sup>th</sup> Street from the West entrance of the Amtrak Station to Martin Luther King Jr Way, from West 24<sup>th</sup> Street to West Main Street and to cone off a portion of the City Parking Lot #14 located at 1739 Martin Luther King Jr. Way on Monday, January 15, 2024, to hold the march and prepare food as part of a community celebration.

### 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 January 15, 2024, a march honoring Dr. Martin Luther King Jr. will be held as part of a community-wide celebration that honors Dr. King's leadership, vision and accomplishments. The march will be held on the City's "Martin Luther King Jr. Way," a local street that was renamed to honor his legacy.

Proposed route: The route will begin on Martin Luther King Jr. Way at West 24<sup>th</sup> Street to West Main Street and end in the city parking lot #14 Street, behind Merced Theatre.

The attached Street Closure request was received from Tamara Cobb and the Martin Luther King Jr. Celebration Committee. The request is to temporarily close West 24<sup>th</sup> Street from the West entrance of the Amtrak Station to Martin Luther King Jr Way, Martin Luther Jr Way from West 24<sup>th</sup> to West 22<sup>nd</sup> St for the March Staging Area from 10:00 AM to 11:30 AM. A rolling road closure on Martin Luther King Jr Way from West 22<sup>nd</sup> St to West Main Street. The march will turn into the city parking lot #14 from Martin Luther King Jr Way. Th

The parade will start at 11:00 am and will end at approximately 12:00 pm at the Martin Luther King Jr Way entrance to the Merced Theatre.

The Martin Luther King Jr. Celebration Committee is also requesting the area of two 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 and informational booths. The closure time would be from 10:00 Am to 2:00 PM to include set up and clean up.

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 Martin Luther King Jr. 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 Traffic Sergeant (on-duty)

Two Senior Police Officers/Traffic, (on duty)

One Senior Police Officers from the Traffic Division (on overtime)

Two Parking Enforcement Officers (on Overtime)

Twenty Police Explorer Scouts (Volunteers)

One Officer Adviser over Explorer Scouts (on overtime)

Two Adult Civilian Explorer Scout Advisors (Volunteers)

## **ATTACHMENTS**

1. 2024 Martin Luther King March Street Closure Application
2. 2024 Martin Luther King March Map