



## Legislation Details (With Text)

**File #:** 17-127      **Version:** 1      **Name:**  
**Type:** Consent Item      **Status:** Passed  
**File created:** 3/9/2017      **In control:** City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency  
**On agenda:** 4/3/2017      **Final action:** 4/3/2017  
**Title:** SUBJECT: Street Closure #17-04 for the Sacred Heart Catholic Church

### REPORT IN BRIEF

Consider a request for use of City streets for Sacred Heart Catholic Church for Stations of the Cross Reenactment and a Silent March on Good Friday, April 14, 2017.

### RECOMMENDATION

City Council - Adopt a motion approving the street closures of Canal and M Streets between West 11th and West 13th Streets, West 11th and West 12th Streets between Canal and M Streets, and the alleyways enclosed within the loop of Canal, West 11th, M, and West 13th Streets, as requested by Sacred Heart Catholic Church, on Friday, April 14, 2017, between 3:00 p.m. and 4:30 p.m., and 7:00 p.m. and 8:00 p.m.; subject to the conditions and route outlined in the administrative staff report.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 1. Location Map, 2. 2. Route Map & Detail, 3. 3. Notice of Pending Street Closure

Date	Ver.	Action By	Action	Result
4/3/2017	1	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency	approved	Pass

*Report Prepared by: Kimberly Nutt, Planning Technician II, Development Services*

**SUBJECT:** Street Closure #17-04 for the Sacred Heart Catholic Church

### REPORT IN BRIEF

Consider a request for use of City streets for Sacred Heart Catholic Church for Stations of the Cross Reenactment and a Silent March on Good Friday, April 14, 2017.

### RECOMMENDATION

**City Council** - Adopt a motion approving the street closures of Canal and M Streets between West 11<sup>th</sup> and West 13<sup>th</sup> Streets, West 11<sup>th</sup> and West 12<sup>th</sup> Streets between Canal and M Streets, and the alleyways enclosed within the loop of Canal, West 11<sup>th</sup>, M, and West 13<sup>th</sup> Streets, as requested by Sacred Heart Catholic Church, on Friday, April 14, 2017, between 3:00 p.m. and 4:30 p.m., and 7:00 p.m. and 8:00 p.m.; subject to the conditions and route outlined in the administrative staff report.

## ALTERNATIVES

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

## AUTHORITY

City of Merced Charter Section 200; California Vehicle Code (CVC) Sections 21100(a) and 21101(e), the latter as follows:

“21101. Local authorities, for those highways under their jurisdiction, may adopt rules and regulations by ordinance or resolution on the following matters:

“(e) Temporarily closing a portion of any street for celebrations, parades, local special events, and other purposes when, in the opinion of local authorities having jurisdiction or a public officer or employee that the local authority designates by resolution, the closing is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closing.”

## CITY COUNCIL PRIORITIES

Not applicable.

## DISCUSSION

### Event Description

The Sacred Heart Catholic Church requests the street closures for religious activities in association with Good Friday (April 14, 2017). As with other Catholic churches honoring this day, these activities include a “Stations of the Cross” procession. The procession will stop and start intermittently in order to perform certain scenes in the Passion of the Christ. This procession will begin at 3:00 p.m. and will last approximately 90 minutes.

Additionally, the Silent March will be a slow walk through the closure area and will last approximately one hour. This march will begin at 7:00 p.m.

The Stations of the Cross reenactment and the Silent March are two separate activities held in connection with Good Friday remembrances. The congregation expects an attendance of approximately 800 people for both events.

### Street Closure Details

Requested street closures and times are as follows:

- Stations of the Cross: Friday, April 14, 2017; 3:00 p.m. to 4:30 p.m.
- Silent March for Good Friday: Friday, April 14, 2017; 7:00 p.m. to 8:00 p.m.

Route (both events will use the same route): From the Church sanctuary, begin by walking east through alley between W. 13<sup>th</sup>/W. 12<sup>th</sup>/M/Canal Streets (adjacent to the church), proceed east to Canal Street, then south to W. 11<sup>th</sup> Street, then west to M Street, then north to W. 12<sup>th</sup> Street, then

east to 519 W 12<sup>th</sup> Street parking lot (church property), continue north through parking lot to alley, then west along alley back to front of Church sanctuary (Attachments 1 and 2).

All streets will be full “rolling” road closures, meaning that they will close and then re-open block-by-block as the processions move through. Southbound traffic on M Street will be held at the intersection or diverted until streets are clear of closure activities. W. 13<sup>th</sup> Street will not be used, as it is owned by the California Department of Transportation (City of Merced does not have jurisdictional authority to allow its closure).

All streets will be fully open during the hours of 4:30 p.m. and 7:00 p.m. between activities.

At least seventy-two hours (three days) prior to the street closures, the event organizers are required to notify nearby businesses and residences within one half-mile of the affected streets (Condition #5). To ensure this is done, event organizers are now required to provide staff with confirmation that this notification was given. To accomplish this, staff has prepared a standard form that the event sponsor shall complete, photocopy, and distribute to businesses and residences within the stated area (Attachment 3). A copy of this form shall also be signed and submitted to Planning Department staff, affirming that the required businesses and residences were notified.

### Conditions of Approval

The event and street closure will be subject to the following conditions, if approved:

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 the loss caused solely by the gross negligence of the City. Acceptance by the 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 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. 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 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 case, shall have the right to appeal such revocation to the City Council.
4. Event sponsor shall be responsible for placing and removing all traffic barricades and posting of parking restrictions where streets are closed. "No Parking" signs shall be posted at least twenty-four (24) hours prior to towing of vehicles(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 (Attachment 3).
6. Event sponsor shall provide emergency vehicle access to and through the interior of the closure area at all times. Fire hydrant access shall not be blocked at any time whatsoever.
7. In addition to the traffic control proved by the Merced Police Department, the Event Sponsor shall provide traffic monitors at the frequency of 3-4 volunteers each City block throughout the closure area in order to safely and efficiently move the activities through the closure areas. Each traffic monitor shall wear a safety vest for visibility and, at night, shall carry a flashlight.
8. Just prior to and for the duration of each activity, safety monitors shall be stationed at the east and west ends of each affected alley to ensure vehicles cannot enter or exit as participants walk by. Additionally, temporary barricades (i.e. safety cones, etc.) at the entrance(s) of the affected alleys are required.
9. Safety monitors, with aid of the Merced City Police Department if necessary, shall close and reopen the streets one block in advance and one block behind the Stations of the Cross procession and Silent March as they move through each City block.
10. The use of the intersection of W. 13<sup>th</sup> and M Streets is prohibited, as well as the use of W. 13<sup>th</sup> Street.
11. All participants in the Silent March shall carry a candle, flashlight, or both, for visibility and safety purposes. For both planned activities, slower-paced participants shall use the sidewalks if they are unable to keep up with the pace of the main groups using the closed street.
12. The Merced City Police Department or their designee has the authority to immediately cancel all activities requested with this street closure if there is a police or other emergency incident in the area. Applicable fees are non-refundable.
13. Event sponsor shall be responsible for removing all equipment and disposing of any trash and debris within and around the closure area that is generated from the event prior to the expiration of the closure permit.
14. Alcoholic beverages may not be served or sold at this event.
15. All other provisions addressed in Ordinance #1941 Chapter 12.42 (Temporary Street Closures)

shall apply.

### History and Past Actions

The Sacred Heart Catholic Church has held this event for several years and requested the same street closure format in the past. There have been no problems reported to staff with the past closures, which provide an important religious and cultural service to the community. Therefore, staff is recommending approval of the requested dual street closures, subject to the conditions listed above.

## **IMPACT ON CITY RESOURCES**

### Police Department Resources and Requirements

The affected streets will be closed as the processions move through the loop of streets, and then will be reopened when the streets are clear for traffic to resume. Unlike many street closure events which employ private security, traffic control will be provided at the surrounding four intersections by the Merced Police Department to ensure the safety of participants. Resources provided and related costs incurred to the Department for these services are as follows (note: rates include salary and benefits):

Resource required: Six Officers; One Sergeant

- 2.5 hours x 6 officers = 15 hours at \$100.77/hr\* = \$ 1,511.55
  - 2.5 hours for 1 sergeant = 2.5 hours at \$114.10/hr\* = \$ 285.25
- \* average rate of officers & sergeant on duty (includes overtime)

Total related costs, all required resources: \$ 1,796.80

## **ATTACHMENTS**

1. Location/Route Map
2. Closure Detail Map
3. Notification of Pending Street Closure