Legislation Details (With Text)

File #:	19-159	**Version:**	1	**Name:**	
Type:	Consent Item			**Status:**	Passed
File created:	3/21/2019			**In control:**	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency
On agenda:	4/15/2019			**Final action:**	4/15/2019

Title: SUBJECT: Approval of Street Closure Request #19-06 by the Merced County Sheriff's Department for Merced County Fair (35th District Agricultural Association/Merced County Fair) to Close Traffic on G Street, Between W. Childs Avenue and 11th Street, During the Merced County Fair on June 5 and 6, 2019, from 3:00 p.m. to 11:00 p.m.; and on June 7, 8, and 9, 2019, from 5:00 p.m. to 12:00 a.m.

REPORT IN BRIEF
Considers approving a request by the Merced County Sheriff's Department for Merced County Fair (35th District Agricultural Association/Merced County Fair) for the closure and use of City streets on June 5 through June 9, 2019, to control traffic for the Merced County Fair. The request seeks approval to close G Street, between W. Childs Avenue, on June 5 and 6, 2019, from 3:00 p.m. to 11:00 p.m. and on June 7, 8, and 9, 2019, from 5:00 p.m. to 12:00 a.m.

RECOMMENDATION
City Council - Adopt a motion approving the street closure of G Street, between W. Childs Avenue and W. 11th Street, from 3:00 p.m. to 11:00 p.m. from Wednesday, June 5, 2019, through Thursday, June 6, 2019; and from 5:00 p.m. to 12:00 a.m. from Friday, June 7, 2019, through Sunday, June 9, 2019, for the Merced County Fair, subject to the details and conditions outlined in the administrative staff report.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location Map, 2. Site Plan/Closure Map, 3. Notification of Pending Street Closure

Date	Ver.	Action By	Action	Result
4/15/2019	1	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency	approved	Pass

Report Prepared by: Stephani Davis, Development Services Tech II, Planning Department/Development Services

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ALTERNATIVES

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

AUTHORITY

City of Merced Charter Section 200; California Vehicle Code (CVC) Section 21100(a), as follows:

"21100. Local authorities may adopt rules and regulations by ordinance or resolution regarding the following matters:

(a) Regulating or prohibiting processions or assemblages on the highways."

CITY COUNCIL PRIORITIES

Not applicable.

DISCUSSION

The 35th District Agricultural Association is requesting closure of City streets, in conjunction with the Merced County Fair, to be held June 5, 2019, through June 9, 2019.

The Merced County Fairgrounds is bordered by Martin Luther King Jr. Way, West 11th Street, G Street, and West Childs Avenue. Parking for the fair is available at several areas, with the largest and one of the most heavily-used lots being the unpaved gated area across G Street, east of the Fairgrounds (Attachment 1).

Street Closure Details

The only street involved in this request is G Street, from West/East Childs Avenue to West/East 11th Street. The street section will be used to route cars to specific fair parking areas, but will be closed to through traffic. Through access will be provided to emergency vehicles only.

The Merced County Sheriff's Department plans to set up coned-off "traffic lanes" to help guide vehicles wishing to park in the east parking lot. The general public will only be permitted access to the lot from the intersection of West/East 11th and G Streets, while only Fair-related traffic (i.e.

livestock exhibitors, fair personnel, etc.) will be allowed access from Childs Avenue.

By restricting access to through traffic in this manner, the Sheriff's Department is able to establish a "safe zone" pedestrian crossing area from the parking lot to the Fairground's eastern entrance gate each day of the fair. Safety is especially important here, as the Kiddie Carnival area is located just inside the gates at this side of the Fairgrounds. In addition to providing families close parking to the Kiddie Carnival area, the eastern parking lot also serves as overflow parking for the northern parking lot on West 11th Street (Attachment 2).

The following are the planned times of the street closure, along with the official Fair hours:

- Street Closure hours: 3:00 p.m. to 11:00 P.M., June 5 and 6, 2019, and 5:00 p.m. to 12:00 a.m., June 7 to 9, 2019.
- Fair hours: Wednesday through Friday, 5:00 p.m. through 12:30 a.m.; and Saturday and Sunday, 3:00 p.m. to 12:30 a.m.

Event Background

First held in 1891, the Merced County Fair has been a fixture on regional event calendars each year, drawing crowds of approximately 10,000 each day. In 2010, to accommodate the State Fair's new schedule, the Merced County Fair moved from each July to each June, allowing fairgoers to enjoy the slightly milder temperatures of late spring/early summer.

The Merced County Fair, with the help of the Merced County Sherriff's Department, first used this street closure format in 2009, and has used it each successive year since.

Conditions of Approval

The 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 the City, its officers, employees, agents, and volunteers harmless from any and all claims or causes of action for death or injury to person, 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, and volunteers, except for 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 closing any streets, Event sponsor shall complete and file with the City a special events, general liability, and automobile policy of at least $500,000 combined limit for bodily injury and property damage which covers the entire event. 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 special events, general liability and automobile coverage, naming the city and its officers, agents, and employees 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.

3. Event Sponsor shall contact all businesses and residences affected by the street closures, advising 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 signed confirmation that the proper notification was given (Attachment 3).

4. Event Sponsor shall be responsible for placing and removing all traffic barricades and posting of parking restrictions where the street will be closed. Specifically, where parking is currently permitted on the proposed closed section of G Street, the applicant shall post “No Parking” signs for the duration of the Fair on both the east and west sides to ensure the street is clear. Any parked vehicles remaining at the start of the Fair shall be towed away. “No Parking” signs shall be posted at least twenty-four (24) hours prior to the towing of vehicle(s) per California Vehicle Code Section 22651(m).

5. Event Sponsor shall maintain a minimum 22-foot-wide emergency vehicle travel lane through the interior of the closure area at all times. Fire hydrant access shall not be blocked at any time whatsoever.

6. Event Sponsor shall provide staffing at or near all barricades, so that personnel is on-hand and readily available to move barricades aside for emergency vehicles, Fair equipment, or other such authorized vehicles to pass through quickly and unobstructed, in the event this is necessary.

7. Event Sponsor shall provide additional sworn personnel and directional signage throughout and surrounding the closure area and all affected intersections to ensure the safe flow of traffic.

8. The Event Sponsor shall make a concerted effort to employ more parking lot attendants in all Fairgrounds parking lots, in order to effectively move vehicles through the lots and reduce traffic congestion.

9. The Event Sponsor shall maintain a dedicated “pedestrian zone” within the closed section of G Street. All areas of the pedestrian zone shall be handicapped accessible, per ADA requirements.

10. To aid the traffic flow of fairgoers leaving the area, the Fair shall make available the use of the G Street parking lot’s rear gate at the elbow intersection of East 9th and E Streets. The Event Sponsor shall ensure that the driveway is clear of obstructions for the safe passage of vehicles out of the parking lot. If the gate is used, additional sworn officer personnel shall be placed at both adjacent intersections at E Street/East 11th Street and D Street/East 9th Street to direct traffic onward. Actual use of this gate shall be at the discretion of the Fair/Sheriff’s Department; however, it shall be readied and made available in the event it is needed to ease traffic congestion and/or public safety issues or concerns (Attachment 2).

11. If needed, the Event Sponsor shall also make use of the G Street side gate at the northern paved West 11th Street parking lot for moving overflow parking to the eastern G Street parking lot.

12. 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 Fair event prior to the expiration of the closure permit each day.

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

History and Past Actions

The Merced County Fair and Merced County Sheriff's Department first requested this street closure procedure in 2009. It has operated successfully and has subsequently been approved annually by the City Council.

IMPACT ON CITY RESOURCES

As all traffic control will be handled by the Sheriff's Department and volunteers, no impact to City resources is expected.

ATTACHMENTS

1. Location Map
2. Site Plan/Closure Map
3. Notification of Pending Street Closure