



Legislation Details (With Text)

**File #:** 23-142      **Version:** 1      **Name:**

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

**File created:** 1/31/2023      **In control:** City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency

**On agenda:** 2/6/2023      **Final action:** 2/6/2023

**Title:** 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 February 18, 2023, Along Martin Luther King Jr Way from West 24th 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

Authorizes the use and closure of Martin Luther King Jr. Way from West 24th Street to West Main Street and a portion of the City Parking Lot #14 located at 1739 Martin Luther King Jr. Way on Saturday, February 18, 2023, 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 Martin Luther King Jr. Way from West 24th 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 Saturday, February 18, 2023, to hold the march and prepare food as part of a community celebration.

Sponsors:

Indexes:

Code sections:

**Attachments:** 1. 2023 Martin Luther King March Street Closure Application.pdf, 2. 2023 Martin Luther King March Map.pdf

Date	Ver.	Action By	Action	Result
2/6/2023	1	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency	approved	Pass

*Report Prepared by: Craig McKeeman, Police Officer, Police Department*

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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 Martin Luther King Jr. Way from West 24th 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 Saturday, February 18, 2023, 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 February 18, 2023, 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 24th Street and end in the 300 block of W. 18th Street, at the city parking lot #14 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 24th Street between "K" Street and Martin Luther King Jr. Way from 10:00 a.m. to 12:00 p.m. to organize and stage the parade participants.

Additionally, the request is to close Martin Luther King Jr. Way between West 24<sup>th</sup> Street and West Main Street for the parade route.

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 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 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)

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

Two Parking Enforcement Officers (on Overtime)

Twenty Police Explorer Scouts (Volunteers)

One Sergeant over Explorer Scouts (on overtime)

Two Adult Civilian Explorer Scout Advisors (Volunteers)

### **ATTACHMENTS**

1. 2023 Martin Luther King March Street Closure Application
2. 2023 Martin Luther King March Map