



## Legislation Text

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**File #:** 16-098, **Version:** 1

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**SUBJECT:** Street Closure #16-05 - Street Closure Request for the Merced County Fair (Merced County Sheriff's Department)

### REPORT IN BRIEF

Consider a request for use of City streets.

### RECOMMENDATION

**City Council** - Adopt a motion approving the street closure of "G" Street, between W. Childs Avenue and W. 11th Street, from 5:00 p.m. to 12:00 a.m. on Wednesday, June 8, 2016, through Sunday, June 12, 2016, for the Merced County Fair; subject to the details and conditions 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; 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

#### Street Closure Details

The Merced County Sheriff's Department and the Merced County Fair are requesting approval for a street closure to secure traffic lanes and route vehicles to specific parking areas during the Fair. The street closure will take place on "G" Street, between W. 11<sup>th</sup> Street and W. Childs Avenue, from June

8, 2016, to June 12, 2016, between 5:00 p.m. and 12:00 a.m. The Merced County Sheriff's Department plans to set up coned-off two-way "traffic lanes" for those wishing to park in the east parking lot. The general public will be permitted access to the parking lot from the intersection of W. 11th and "G" Streets, while Fair traffic (i.e., livestock exhibitors, fair personnel, etc.) will be permitted access from Childs Avenue. By restricting access this way, the Sheriff's Department eliminates all through traffic (except for emergency vehicles) and is able to establish a pedestrian "safe zone" crosswalk area from the parking area to the Fairgrounds' east gate during peak Fair hours. The eastern lot will also serve as overflow parking for the northern Fairgrounds parking lot on W. 11th Street (Attachment 2).

### 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 people each day. In 2010, to avoid conflicts with the California State Fair, which moved to July, the event moved to June. This year, the fair runs from Wednesday to Sunday, June 8 to June 12. Fair hours are from 5:00 p.m. to midnight, Wednesday through Friday, and from 3:00 p.m. to midnight on Saturday and Sunday.

The Merced County Fairgrounds site is bordered by Martin Luther King, Jr., Way, W. 11th Street, Childs Avenue, and "G" Street. Parking for the Fair is available at several areas, with the largest and more heavily-used lot being the unpaved gated area across "G" Street, east of the Fairgrounds (Attachment 1), adjacent to the requested street closure.

### 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 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 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 event, 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 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 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 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 additional sworn personnel and directional signage throughout the closure area and all affected intersections to ensure the safe flow of traffic.

7. The event sponsor shall provide staffing for all barricaded areas to allow emergency vehicles to pass through the street closure during an emergency response.

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 E. 9th Street and E Street. 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/E. 11th Street and "D" Street/E. 9th Street to direct traffic onward. Actual use of this gate shall be at the discretion of the Fair/Sheriff's Dept.; 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.

11. If needed, the event sponsor shall also make use of the "G" Street side gate at the northern paved W. 11th Street parking lot for moving overflow parking to the eastern unpaved "G" Street parking lot more easily.

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.

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

**IMPACT ON CITY RESOURCES**

No appropriation of funds is needed.

**ATTACHMENTS**

Attachment 1 - Location Map

Attachment 2 - Site Plan

Attachment 3 - Notification of Pending Street Closure