File #: 19-090, **Version:** 1

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

SUBJECT: Approval of Street Closure Request #19-03 by the Sacred Heart Catholic Church to Host the "Stations of the Cross" Reenactment and the Silent March for Good Friday on April 19, 2019, from 3:00 p.m. to 4:00 p.m. and from 7:00 p.m. to 8:00 p.m. on Canal Street Between West 13th and West 11th, West 11th Street Between Canal and M Streets, West 12th Street Between M and Canal Streets and the Alleyway Behind Sacred Heart Catholic Church

REPORT IN BRIEF

Considers approving a request by the Sacred Heart Catholic Church for the closure and use of City streets on April 19, 2019, for the Stations of the Cross Reenactment. The request seeks approval to close Canal Street (between West 13th Street and West 11th Street), West 11th Street (between Canal Street and M Street), M Street (between West 11th Street and West 13th Street), West 12th Street (between M Street and Canal Street) and the alleyway behind the church located between W. 13th Street and 12th Street on Friday, April 19, 2019, from 3:00 p.m. to 4:00 p.m. and from 7:00 p.m. to 8:00 p.m.

RECOMMENDATION

City Council - Adopt a motion approving the closure of Canal Street (between West 13th Street and West 11th Street), West 11th Street (between Canal Street and M Street), M Street (between West 11th Street and West 13th Street), West 12th Street (between M Street and Canal Street) and the alleyway behind the church located between W. 13th Street and 12th Street, as requested by Sacred Heart Catholic Church, on Friday, April 19, 2019, from 3:00 p.m. to 4:00 p.m. and from 7:00 p.m. to 8:00 p.m.; subject to the 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 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

Sacred Heart Catholic Church requests the street closures to host two religious activities associated with Good Friday on April 19, 2019. 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 one hour. Additionally, the Silent March for Good Friday will be a slow walk through the closure area and will also last approximately one hour. This march will begin at 7:00 p.m.

The “Stations of the Cross” reenactment and the Silent March for Good Friday are two separate activities held in connection with Good Friday remembrances. The congregation expects an attendance of approximately 800 people for both events. Food or alcohol will not be served at this event.

Street Closure Details

Requested street closure times are as follows:
- “Stations of the Cross”: Friday, April 19, 2019; 3:00 p.m. to 4:00 p.m.
- Silent March for Good Friday: Friday, April 19, 2019; 7:00 p.m. to 8:00 p.m.

Requested street closure locations
- Canal Street, between West 13th Street and West 11th Street
- 11th Street, between Canal Street and M Street
- M Street, between West 11th Street and West 13th Street
- 12th Street, between M Street and Canal Street
- The alleyway behind the church, between 13th Street and 12th Street

Route (both events will use the same route):

The route will begin from the alley between W. 13th/W. 12th/M/Canal Streets (adjacent to the church), then proceed east to Canal Street, south to W. 11th Street, west to M Street, north to W. 12th Street, and end the procession by entering the church office's parking lot (519 W. 12th Street), and returning to the front of the church. All streets will be fully open during the hours of 4:00 p.m. and 7:00 p.m. between activities.

The affected streets will be closed as the processions move through the loop and then will be reopened when the streets are clear for traffic. Barricades will be used to block off all streets. Traffic

control will be provided at the surrounding six intersections by church volunteers and the Merced Police Department to ensure the safety of participants.

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 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 2). 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 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 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 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 (Attachment 2).

6. Event sponsor shall provide emergency vehicles 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 provided 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. 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 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 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. Application fees are non-refundable.

11. 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.

12. Alcoholic beverages may not be served or sold at this event.

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

IMPACT ON CITY RESOURCES

No appropriation of funds is needed. However, Police Department personnel will provide some traffic control at the event, diverting police resources from other areas of the City.

ATTACHMENTS

1. Street Closure Area
2. Notification of Pending Street Closure

powered by Legistar™