

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: David A. Bobardt, Community Development Director
Joseph Fiss, Principal Planner  

DATE: February 7, 2011 (CC Meeting of 2/16/11)

SUBJECT: Consider Temporary Use Permit (TUP) 2011-03 for the 2011 AMGEN Tour of California Bicycle Race, Sunday, May 22, 2011 on Behalf of AEG Cycling, LLC

BACKGROUND/DISCUSSION

On February 3, 2011 AEG Cycling LLC filed an application for a TUP to allow the 8th and final stage of the 2011 AMGEN Tour of California Bicycle Race to go through Moorpark on its way from Santa Clarita to Thousand Oaks. The race will take place on Sunday, May 22, 2011. The expected time that the race would be on Moorpark streets is between 1:50 p.m. and 2:00 p.m. The proposed route includes Grimes Canyon Road south of Broadway just outside the City limits. The route would enter Moorpark on Los Angeles Avenue at the western City boundary and travel east to Tierra Rejada Road, then south and east on Tierra Rejada Road to Moorpark Road, turning south on Moorpark Road and leaving Moorpark at that point. As part of the race, Los Angeles Avenue and the southbound/eastbound half of Tierra Rejada Road would be closed to traffic just before the racers arrive and reopened just after the racers leave. A cover letter from the TUP application is attached giving details of this route. The race organizers will pay for all local government costs, including permit fees and staffing for traffic control. The race organizers would also provide a traffic management plan, including advance noticing, subject to local review and approval.

The AMGEN Tour of California Bicycle Race is the largest professional cycling event in America. It is a Tour de France-style cycling road race, presented by Anshutz Entertainment Group (AEG). Amgen is a major sponsor. This is an elite race with 144 top international riders from 18 teams starting. Although 144 riders start the race, as the race goes on, those over 20 minutes from the lead at the end of the day are dropped. An expected 80 riders would be coming through Moorpark on the final day. With team support and CHP and race officials, an expected 90 vehicles will be escorting the riders.

Typically, Temporary Use Permits are for one specific location and are reviewed by the Community Development Director. Since this application requires closure of certain City streets, staff is referring the application to the City Council for direction. Although most fans will watch the race from the beginning point, end point, or along the climbs along Balcom Canyon Road and the Norwegian Grade, race organizers estimate that Moorpark would experience about 1,000 fans (mostly residents) lining the race route as it goes through town. While this event will be exciting for Moorpark's bicycle racing fans to watch, it will inconvenience some residents and travelers during the event due to the road closure. Staff has worked with the applicant in creating a route and conditions of approval that would minimize traffic disruption through Moorpark.

FISCAL IMPACT

The processing of Temporary Use Permits is fully funded by permit fees. Additional costs to the City for providing services to support this permit will be covered directly by the applicant.

STAFF RECOMMENDATION

Direct staff to issue Temporary Use Permit 2011-03 subject to attached Conditions of Approval.

Attachments:

1. Cover Letter
2. Draft Conditions of Approval

The logo for the Amgen Tour of California. It features the word "AMGEN" in a bold, sans-serif font on the left. To its right is a stylized, black silhouette of a bicycle. Below the bicycle and "AMGEN" is the text "Tour of California" in a bold, sans-serif font.

AMGEN
Tour of California

The 2011 Amgen Tour of California is a professional style bike race modeled after the Tour de France. The race is governed by the same international cycling federation, we follow the same rules, and we have the same teams and riders as the Tour de France. The principal difference between the two events is that the Amgen Tour of California is a shorter event: 8-days vs 21-days. The race consists of 18 teams - each with eight riders. The 2011 race will have eight point to point road stages. Each stage is between 85 and 135 miles in length. The race begins in South Lake Tahoe on May 15th and concludes in Thousand Oaks on May 22nd. Lance Armstrong and several other top professionals are expected to be returning for the 2011 event.

The 2010 Amgen Tour of California drew over two million spectators along the 850 mile route and has quickly become the largest sporting event in the history of California. We will have live TV coverage on every stage for 2011. We will also be streaming live video on the Internet for the entire race.

The race is self-contained. Aside from the 144 professional racers, we also have approximately 85 vehicles that travel within the race. This includes the California Highway Patrol (CHP), team cars, medical support, mechanical support, race officials, motorcycle marshals, TV crews, etc. The entire race moves as one entity at an average speed of approximately 26 MPH. From the lead CHP car to the follow CHP car is approximately 1½ miles. It takes the race about ten minutes to pass any given spot on the road.

We require total road closure for the event. This is managed by the CHP. There are four elements to the closure: cross traffic that flows across the course at an intersection, traffic moving the same direction and ahead of the race, traffic moving the same direction and behind the race, and traffic moving towards the race. CHP/Police will allow cross traffic and traffic turning onto the course and heading away from the race until approximately 5-10 minutes before the race reaches the intersection but will prevent cars from turning onto the road heading into the race. Traffic moving the same direction and ahead of the race will be allowed to flow until the race is approximately 10 minutes behind the traffic. Traffic that is behind the race will not be allowed to pass, but it can follow. Traffic that is moving into the race will be stopped approximately 20 minutes before the race reaches any given point.

Traffic management is variable based on the type of road, the amount of traffic, and the type and number of opportunities where traffic can be pulled off the road for a short period. Where there are roads that are divided by medians, traffic will be allowed to flow on the side opposite the race. It may sound slightly onerous, but it is not as bad as it sounds. CHP has been able to perfect this type of closure and has worked closely with local PD and the sheriffs. For the 2010 event, that took place over eight days and 850 miles of roads, there was not a single complaint with the way the traffic was managed.

The entire 850 miles of the route has been reviewed and approved by Caltrans and CHP. As it has for the past five races, the California Travel and Tourism agency is a key supporter and sponsor of the 2011 Amgen Tour of California.

Stage 8, on May 22nd, will begin at the Towne Center Mall in Santa Clarita. The race is scheduled to begin at approximately Noon. The race will come down Grimes Canyon Rd and make a left turn onto Hwy 118. The race will enter the City of Moorpark just west of Montair Drive at approximately 1:50pm. The race will then make a right turn onto Tierra Rejada and then a right turn onto Moorpark Rd. The race will leave the Moorpark city limits on Moorpark Rd at approximately 2:00pm. Total distance traveled in Moorpark is just under four miles which will take about 10 minutes for the race to travel.

Because this is the final stage of the eight day race and the course has limited climbing, we expect the race caravan (riders and cars) to stay together within a one mile window. At the average speed the rider's travel, it should take less than 5-10 minutes for the race to completely pass any point on the route.

Drawing two million spectators raises a lot of eyebrows...and concerns. The vast majority of these crowds came in three areas: start cities, finish cities, and various long and steep climbs the riders encountered. Aside from some isolated areas, there are relatively few spectators along the course. Many people would watch from their driveway, but it was rare to find more than a few hundred in a single location. The exception for this stage will be the summits along

Starting approximately one week before the race, we will begin a program to notify the public about the race route and any expected delays they will encounter on May 22nd. This will be done via a traffic management plan that will determine the nature of signage along the route: the type of signs, when and where they will be placed, and the message they will deliver. Many of these signs will be CMS boards where the message can be changed electronically. We will also do outreach via press releases that will be posted on a wide range of websites.

We saw little to no trash along the route for the 2010 Amgen Tour of California. The fans along the way were well behaved and took whatever trash they may have generated with them when they left the area they were viewing the race. We also have a crew that follows the race to collect our signs and any obvious trash that was left by a spectator.

**CITY OF MOORPARK
SPECIAL CONDITIONS OF APPROVAL
FOR TEMPORARY USE PERMIT NO. 2011-03**

1. This approval is valid only for stated activities on **Sunday, May 22, 2011**, between the hours of **7:00 a.m.** and **3:00 p.m.** Barricades may be staged at previously approved locations in the City the day before the event.
2. By April 25, 2011, a traffic management plan must be provided for review and approval by the City. Such plan may require additional conditions of approval. The plan must address advanced noticing of road closures and emergency vehicle access during the event to the satisfaction of the Fire Department, Police Department, Community Development Director, and the City Engineer/Public Works Director. Road closures for the race may only occur on Los Angeles Avenue from Tierra Rejada Road west to the City limits and on the southbound/eastbound side of Tierra Rejada Road from Los Angeles Avenue to Moorpark Road and only for the time needed to safely conduct the race through Moorpark. Applicant must provide all labor and equipment necessary to set up, monitor and take down all traffic control and road closures. All signs and other traffic control devices must be removed from the public right-of-way by 6:00 p.m. on Sunday, May 22, 2011. The City is providing verification of the traffic control and back up assistance only.
3. By May 9, 2011, applicant must provide a certificate of liability insurance to the City of Moorpark naming the City as additional insured and an indemnification agreement endorsement verifying the City officials, agents and employees have been added to the required policies as additional named insured's for the coverage outlined without deductibles on forms acceptable to the City Manager. Applicant shall indemnify and hold harmless the City and any of its officials, employees and agents for any property damages or personal injuries of any kind to event staff, participants, and/or spectators..
4. By May 9, 2011, Applicant must obtain Encroachment Permits from the City of Moorpark and State Department of Transportation for this permit to be valid.
5. By May 9, 2011, applicant shall deposit \$7,500.00 with the City of Moorpark to cover all City and police costs and sign a Reimbursement Agreement to cover all City and police costs based on real time expended.
6. Applicant must provide protection for all City property and improvements and repair or replace any that is damaged.
7. The traffic signals on Tierra Rejada Road will be left in regular operation since there will be traffic on the westbound/northbound side not used by the Tour.
8. The City of Moorpark reserves the right to add any other reasonable conditions that the City Manager or his designee deems necessary to provide for public convenience and safety.

CC ATTACHMENT 2

**CITY OF MOORPARK
STANDARD CONDITIONS OF APPROVAL
FOR TEMPORARY USE PERMIT NO. 2011-03**

✓ *If a standard condition has a check mark the condition is applied to the approval, if the standard condition is not required delete the check mark, (delete this information on the final document).*

Planning Department

1. ✓ Curb cuts, sidewalks, doors, windows, fire hydrants and handicapped parking spaces shall not be blocked.
2. ✓ Site shall be cleaned up at the conclusion of the event.
3. ✓ Event area shall be marked off with high visibility pennants, banners, barricades or cones.
4. ✓ The applicant shall provide traffic control to insure pedestrian safety.
5. Food service requires approval from the County of Ventura Environmental Health Department prior to the start of the event.
6. Local business owners shall provide restroom facilities to the public as needed.
7. Applicant shall provide a sufficient number of portable restroom facilities on site.
8. No alcoholic beverages shall be served.
9. Immediately adjacent residents shall be contacted in advance of the event and notified of the time and description of the event.
10. No hazardous materials shall be stored or generated on site.
11. The music volume shall not create a distraction either on-site or adjacent pedestrians or vehicles.
12. Offsite sales or encroachment into the City right-of-way is not allowed.
13. Conditions of approval related to _____ shall apply.
14. Approval of a Business Registration permit is required prior to the issuance of this permit.

15. If applicant will be engaging in retail sales during the special event, applicant must provide:
 - A copy of their valid Seller's Permit issued by the State Board of Equalization.
 - A letter, on business letterhead, certifying that all retail sales generated at the event will be properly reported to the State Board of Equalization as occurring within the City of Moorpark.
16. All outdoor equipment shall be screened in a manner approved by the City.
17. Police department conditions (attached) apply.
18. ✓ Applicant is responsible for any fees or actions required by a public safety agency based upon a valid complaint. The Police Department has the authority to revoke this permit at their discretion.
19. ✓ Approval of an Encroachment Permit is required prior to the issuance of this permit.
20. Carnivals:
 - a. There shall be no charge for the prizes. Carnival games shall be games of skill rather than games of chance
 - b. No bullhorns or loudspeakers shall be used.
 - c. There shall be no charge for raffle tickets.
 - d. Prior to the issuance of a Special Events Building Permit, the following agencies shall provide written verification to the Community Development Department that all pertinent Conditions of Approval and applicable regulations have been met:
 - _____ Fire Protection District
 - _____ Parks & Recreation District
 - _____ Unified School District
 - _____ Waterworks District
 - _____ City Engineering Division
 - _____ Planning Division
 - _____ Environmental Health
 - _____ East Valley Sheriff Stations
 - _____ Other
21. ✓ The applicant shall defend, indemnify and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, or employees concerning the permit, which claim, action or proceeding is brought within the time period provided therefore in Government Code Section 66499.37. The City will promptly notify the applicant of any such claim, action or proceeding, and, if the City should fail to do so or should fail to

cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify and hold harmless the City or its agents, officers and employees pursuant to this condition.

- a. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:
 - i. The City bears its own attorney fees and costs;
 - ii. The City defends the claim, action or proceeding in good faith.
 - b. The applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the applicant.
22. All site amenities, including architectural details, landscaping and irrigation, as shown on plans approved by the Community Development Department, shall be installed prior to issuance of the Certificate of Occupancy. Landscaping shall utilize drought tolerant/desert-appropriate landscaping wherever feasible.
 23. All required temporary parking spaces shall be delineated at the site and maintained with lines on the surface of the parking area to the satisfaction of the City.
 24. The provision of temporary parking and access shall be in conformance with the Site Plan which shows adequate access and fire lanes. A minimum of _____ loading spaces, _____ parking spaces shall be provided, of these a minimum of _____ shall be spaces for the handicapped.
 25. Any temporary lights used to illuminate the site shall be designed and installed so as to have a cut-off feature or be so directed to not allow light or glare above the horizontal plane of the fixture and to reflect away from adjoining properties and public thoroughfares. A lighting plan showing temporary security lighting shall be reviewed and approved by the Planning Department prior to issuance of building permits.
 26. All temporary signs shall be approved by separate permit.
 27. ✓ Prior to issuance of a Special Events Building Permit, the applicant(s) shall sign and complete an "Acknowledgement of Conditions," and shall return the executed original to the Planning Department for inclusion in the case records.
 28. Temporary trash service shall be provided with the submission of an executed service contract being submitted to the Building and Safety Division and subject to the review and approval of the City Engineer (see condition number 53).
 29. ✓ The approval of temporary signs, banners, flags, streamers, balloons, or other similar advertising devices are not included under this application. Temporary signs are processed under a separate permitting procedure

- and are subject to the requirements of Section 17.40 of the Municipal Code and the review and approval of the Planning Director.
30. ✓ This approval is valid on **Sunday, May 22, 2011**. All activities authorized under this approval shall be discontinued after **3:00 p.m.** on that day.
 31. The Community Development Director may declare a Temporary Use Permit that is not in compliance with the conditions of approval or for some other just cause, a "public nuisance." The applicant shall be liable to the City for any and all costs and expenses to the City involved in thereafter abating the nuisance and in obtaining compliance with the conditions of approval or applicable codes. If the applicant fails to pay all City costs related to this action, the City may enact special assessment proceedings against the parcel of land upon which the nuisance existed (Moorpark Municipal Code Section 1.12.080).
 32. The permittee shall be required to remedy any defects in ground or building maintenance, or landscaping as indicated by the Code Enforcement Officer within thirty (30) days after notification.
 33. The applicant and/or property owner shall remove any graffiti within five (5) days from written notification by the City of Moorpark. All such graffiti removal shall be accomplished to the satisfaction of the Planning Director.
 34. ✓ No conditions of this entitlement shall be interpreted as permitting or requiring any violation of law or any unlawful rules or regulations or orders of an authorized governmental agency. In instances where more than one set of rules apply, the stricter ones shall take precedence.
 35. No noxious odors shall be generated from any use on the subject site.
 36. All uses and activities shall be conducted inside the building (s) unless otherwise authorized by the Planning Director or as approved by this Permit.
 37. All equipment and other noise generation sources on-site shall be attenuated to 55 dBA at the property line, or to the ambient noise level at the property line measured at the time of the occupant request. Prior to the issuance of a zoning clearance for initial occupancy or any subsequent occupancy, the Planning Director may request that a noise study be submitted for review and approval which demonstrates that all on-site noise generation sources would be mitigated to the required level. The noise study must be prepared by a licensed acoustical engineer in accordance with accepted engineering standards.
 38. The event is subject to all applicable regulations of the _____ Zone, and all requirements and enactments of Federal, State, Ventura County, the City authorities and any other governmental entities, and all such requirements and enactments shall, by reference, become conditions of this permit.
 39. ✓ Unless otherwise approved, Temporary Use Permit activities shall be

limited to between the following hours:

- a) Monday through Friday: _____
 - b) Saturday: _____
 - c) Sunday: 7:00 a.m. to 3:00 p.m.
40. Should Hazardous Waste be encountered during the activities approved in this permit, the event shall be immediately stopped and the Ventura County Environmental Health Department, the Fire Department, the Sheriff's department, and the City Building Inspector shall be notified immediately. The event shall not proceed until a hazards clearance has been issued by all of these agencies.
41. ✓ The permittee's acceptance of this permit and/or commencement of uses under this permit shall be deemed to be acceptance of all conditions of this permit.
42. All conditions of approval of _____ shall apply, except as modified by the conditions of this event permit.

Building and Safety Department

43. Submit engineered plans or state approval for all temporary structures, tents, and grandstands.
44. A pre-construction permit and inspection are required prior to permit issuance to verify requirements.
45. Temporary erosion control plans are required and must be submitted to and approved by the Building Official prior to issuance of permits.
46. All utilities are required to be placed in compliance with the applicable construction or safety codes as approved by the City Engineer or City Building Official.
47. Comply with State of California Disability Access requirements.
48. Submit all current ride certifications verifying compliance with State of California requirements.
49. Provide contract for a minimum of one male and one female handicapped-accessible restroom and an additional ___restroom(s) as required by the Uniform Plumbing Code.
50. The site will be cleaned up of all debris within one (1) days from the termination of the event and shall be inspected by the City Building Department prior to final sign-off.
51. The applicant shall obtain building permit(s) for all temporary structures and electrical permits for lighting regulated by the National Electrical Code (i.e. festoon lighting).

Engineering Department

52. ✓ Prior to issuance of a special events permit, a final plan for temporary traffic control measures with street layouts shall be submitted for review and approval by the City Traffic Engineer showing provisions for receiving and conducting offsite and onsite traffic around or through the site in a manner which will not adversely affect adjacent properties. Approvals for traffic control measures may also require the Fire District and Police Department approvals.
53. Prior to issuance of a special events permit for any event in the public right of way or wherever it is foreseeable that substantial quantities of trash and litter may be generated, the applicant shall provide a National Pollution Discharge Elimination Systems (NPDES), plan subject to the review and approval of the City Engineer / Public Works Director, and the plan must comply with following measures:
- A). Proper management of trash and litter generated; and
 - B). Arrangement for temporary screens to be placed on catch basins; or
 - C). Provide clean out of catch basins, trash receptacles, and grounds in the event area within 24 hours subsequent to the event.

Fire Protection Department

54. The above-referenced project is protected by the Fire Protection District. Prior to temporary construction or installation occurring on any parcel, the owner shall contact the Fire District for site inspection for current fire protection requirements which could include temporary assignment of fire personnel on site during the event.
55. All temporary construction and installation must comply with applicable sections of the Uniform Fire Code, Uniform Building Code, Health and Safety Code and other statutes, ordinances, rules and regulations regarding fires and fire prevention adopted by the State, County or Fire Protection District.
56. Prior to final inspection, each booth or temporary structure shall be provided a location number and the same shall be placed on a location map for the event and the map shall be filed with the Fire Marshall.
57. Any portable mechanical or electrical equipment used in conjunction with the event shall be maintained with an approved spark arrester and muffler.
58. All flammable vegetation, such as dead shrubbery and dry grass, shall be removed from the site a minimum distance of thirty (30) feet from any adjacent combustible building material, including any finished structure.
59. Approved fire extinguishers shall be installed prior to operation commencement.
60. The special event shall have two points of vehicular access for fire and other emergency equipment, and for routes of escape which will safely

handle evacuations. Each point of access shall be a minimum 20 feet wide and have a minimum of 13-1/2 feet of vertical clearance.

61. Show verification of all retardant limits used on temporary structures as required by the Uniform Fire Code.

Waterworks District

62. If any temporary water service is required to be provided, a copy of a contact with the water purveyor shall be submitted to the Building and Safety Department and the Waterworks District.

Police Department

63. ✓ Temporary security measures shall be provided. A temporary security plan outlining the measures to be employed should be submitted to the Moorpark Police Department and the City Building and Safety Department for final approval.
64. ✓ A contract for the provision of temporary traffic control and/or on-site security with the City of Moorpark Police Department is required.

**City of Moorpark
Public Works Billing Rates**

2011 Amgen Tour of CA - Traffic Control Support

Prepared 2/7/11

Three (3) hours overtime for PW Supt. and Sr. Maint. Worker with a Ford Ranger and Ford dump truck loaded with traffic cones and Road Closed signs to verify that the Amgen Tour traffic control and road closures are adequate and assist where necessary.

Includes 2 trailer mounted message signs for advance event notification for five (5) days, 24 hours per day.

It is understood that the Amgen Tour personnel will provide all labor and equipment necessary for all required traffic control and road closures to the satisfaction of the City.

In addition to the costs below, an Encroachment Permit is required for the event at a cost of \$75.00

Equipment	Qty.	Rate	Amount	Total
F250 Utility (9.2K) #58	0	\$26.69	\$0.00	
F350 Utility (9.7K) #43	0	\$26.69	\$0.00	
F450 Utility / Dump (10.7K) #66, #24	3	\$26.69	\$80.07	
F650 Dump (26K) #63	0	\$40.09	\$0.00	
Backhoe (JD 310 SG) #59	0	\$30.47	\$0.00	
Loader/Gannon (FORD)	0	\$28.63	\$0.00	
Ranger/Dakota (5.2K)	3	\$15.86	\$47.58	
Trailer Mounted Message Sign - 2 for 5 days, 24 hr/day	240	\$8.75	\$2,100.00	
SUB TOTAL				\$2,227.65
Labor (Regular Time)	Qty.	Rate	Amount	Total
Supt	0	\$105.00	\$0.00	
Sr. Maintenance Worker	0	\$65.00	\$0.00	
Maintenance Worker III	0	\$60.00	\$0.00	
Crossing Guard Sprvisor	0	\$55.00	\$0.00	
Maintenance Worker I	0	\$50.00	\$0.00	
SUB TOTAL				\$0.00
Labor (Overtime)	Qty.	Rate	Amount	Total
Supt	3	\$105.00	\$315.00	
Sr. Maintenance Worker	3	\$97.50	\$292.50	
Maintenance Worker III	0	\$90.00	\$0.00	
Maintenance Worker II	0	\$82.50	\$0.00	
Maintenance Worker I	0	\$75.00	\$0.00	
SUB TOTAL				\$607.50
GRAND TOTAL				\$2,835.15

**City of Moorpark
Police Department Billing Rates**

2011 Amgen Tour of CA - Traffic Control/Security

Prepared 2/4/11

Three (3) hours for all staff: Includes 1.5 hours prior to the event, and 1.5 hours after the proposed start of the event.

Labor (Regular Time)	Qty	Rate*	Hours	Amount	Total
Sergeant	0		0		
Senior Deputy Sheriff	0		0		
Deputy Sheriff	0		0		
Reserve Deputy Sheriff	2	\$ 33.25	3	\$ 199.50	
Cadet	0		0		
Explorer	5	\$ -	3	\$ -	
Volunteer	15	\$ -	3	\$ -	
				SUB TOTAL	\$ 199.50
Labor (Overtime)	Qty.	Rate*	Hours	Amount	Total
Sergeant	1	\$ 101.57	3	\$ 304.71	
Senior Deputy Sheriff	2	\$ 85.67	3	\$ 514.02	
Deputy Sheriff	10	\$ 70.98	3	\$ 2,129.40	
Reserve Deputy Sheriff	0	\$ -	0	\$ -	
Cadet	2	\$ 22.60	3	\$ 135.60	
Explorer	0	\$ -	0	\$ -	
Volunteer	0	\$ -	0	\$ -	
				SUB TOTAL	\$ 3,038.73
Grand Total				\$	3,238.23

* Includes 15% City Administrative Charge