



Special Meeting
08-14-17
Item
6.C.

Council Agenda Report

To: Mayor Peak and the Honorable Members of the City Council

Prepared by: Jamie Peltier, Assistant Planner

Reviewed by: Bonnie Blue, Planning Director

Approved by: Reva Feldman, City Manager 

Date prepared: July 20, 2017 Meeting date: August 14, 2017

Subject: Ride to the Flags Event

RECOMMENDED ACTION: Receive staff's report on the Ride to the Flags event and provide direction to staff.

FISCAL IMPACT: There is no fiscal impact associated with the recommended action. If the event is approved and the applicant is not required to pay for staff and Los Angeles Sheriff's Department (LASD) costs, the City would be required cover them. These costs are currently unknown.

DISCUSSION: The matter before the Council is the proposed 2017 Ride to the Flags event, which proposes intersection closures that will impact City residents and visitors. The applicant has submitted a temporary use permit (TUP) application for the event, which is currently under review. At the time of this report, the applicant had not submitted all of the documentation as required by the City for approval of the event.

Pursuant to Malibu Municipal Code (MMC) Section 17.68.010, a TUP is intended to allow for the short-term placement of activities, many of which would be prohibited as permanent placements, in temporary facilities, public or private buildings or open spaces, or outside of buildings. A TUP addresses potential issues and applies mitigation measures and conditions of approval to ensure the event provides the least possible impact to the City. Normally, TUPs are processed administratively by staff; however, in this case, the event includes proposed intersection closures, similar to those addressed in the Council's

adopted Road Race Policy (#47) that would affect City residents and visitors.¹ Staff is seeking Council direction on the proposed intersection closures and any other comments on the proposed event, based on previous events.

Event Background

The event is proposed by the White Heart Foundation, which organizes programs to help support wounded veteran military members and families in need. The Ride to the Flags is one such fundraising program. The event has occurred for the past 10 years on or around September 11th and consists of motorcyclists riding from Ventura County on Pacific Coast Highway (PCH) to the flag display at Pepperdine University. At the conclusion of the ride, a fundraising event is held at Malibu Bluffs Park, which a TUP has been issued for the past three years.

None of the previous TUP applications for the event have proposed or included intersection closures along the route, nor have street or lane closures near Malibu Bluffs Park been permitted. However, the applicant has stated that they intend to forcibly close intersections and do not want to follow the rules of the road as required by LASD. Last year, the applicant enlisted funeral procession motorcyclists to lead the group of 450-700 motorcyclists to ride through the City uninterrupted even though that is illegal. Intersections along Malibu Canyon Road at PCH and Civic Center Way were heavily congested by the participating motorcyclists. A 15-20 minute delay at the intersection of Malibu Canyon Road and PCH was caused by the eastbound motorcycles making a left onto Malibu Canyon Road, followed by an illegal U-turn to park on the west side of Malibu Canyon Road. This caused significant traffic backups for motorists traveling westbound on PCH and southbound on Malibu Canyon Road. A traffic collision also occurred at this intersection as a result of the large number of motorcyclists.

City staff has met with the applicant on multiple occasions each year to discuss concerns and suggest alternatives which would allow the event to run more safely and with less impact to City residents and visitors. Some alternatives, which have not been accepted or complied with by the applicant, have included:

- Leaving the Ventura County Base earlier to avoid late morning PCH traffic;
- Using different routes to break up congestion on PCH;
- Abiding by the “rules of the road” without closing roads; and
- Moving the event to a different day and time.

¹ The purpose of the Road Race Policy is to establish a process for permitting the use of public roadways for non-motorized (walking, running, bicycling) races and events conducted by the private sector that affect residents or use of public resources. While the Ride to the Flags is an event conducted by the private sector involving motorized vehicles, past experience has shown that it affects residents and the use of public resources. Since intersection closures are now proposed, review by the City Council is appropriate.

Furthermore, all previous events held at Malibu Bluffs Park by the applicant pursuant to TUPs have not gone smoothly. The events, as approved, were allowed to include live music, approved vendors, food trucks, designated tents for alcohol service, and temporary rentals such as tents and restrooms.

However, the following issues were documented by City staff and have repeatedly been raised with the applicant:

2014

- Set-up and clean-up days ran beyond the permitted times, inhibiting normal park operations and access;
- No recycled trash containers were provided as required by TUP conditions;
- No water was available to fill hand washing stations for portable restroom facilities;
- No fire extinguishers were present for the generator;
- Tents were not tied down by water barrels or sand bags, and in some instances, the vendors were placing stakes in the field to hold the tents, which is prohibited by the facility rental contract to avoid field damage;
- Fencing, hay bales, and bar station from alcohol tent were not entirely removed until three days after the event; and
- Hard liquor was present in designated alcohol tent without required approvals in the TUP or from Department of Alcoholic Beverage Control.

2015

- Set-up and clean-up days ran beyond the permitted times, inhibiting normal park operations and access;
- No hired security or traffic control to direct traffic as required by TUP;
- Smoking on park premises when Malibu Bluffs Park is a no-smoking park;
- Doors to Michael Landon Center required to be closed pursuant to rental contract were propped open;
- No fire extinguishers were provided as required; and
- Clean-up of the entire event was conditioned for the Monday following the event, and items like rentals, dumpsters, and motorcycles were left until Wednesday at 4:00 p.m., again inhibiting park operations and access.

2016

- Applicant was not present to supervise the arrival of tents, restrooms, fencing, and other equipment, which City staff was then required to coordinate;
- Set-up and clean-up days ran beyond the permitted times, inhibiting normal park operations and access;
- Floodlights were used until 11:30 p.m. which violated TUP conditions requiring lighting to be turned off no later than 10:00 p.m.;
- Vendors drove on the multi-purpose field, which is prohibited by the rental contract;

- Not all vendors were pre-approved by the Community Services Department, as required by the rental contract;
- No emergency medic onsite, as indicated in proposed event description approved in the TUP;
- Vehicles and motorcycles parked along red curbs;
- The five parking spaces required for City Staff working the day of the event were not provided per the approved TUP;
- No recycle trash containers were provided as required by TUP, and trash containers were inadequate; and
- Clean-up of the entire event was conditioned for the Monday following the event, and items like tents, dumpsters, and motorcycles were left in the parking lot until Wednesday at 4:00 p.m., again inhibiting park operations and access.

Proposed 2017 Event

According to the representative of the White Heart Foundation and the submitted materials, this year's event is intended to operate the same way as last year's event, with a motorcycle caravan from Ventura to the Pepperdine University flag display, followed by the fundraiser event at Malibu Bluffs Park. The event is proposed for Sunday, September 10, 2017, and would include approximately 1,000 guests. The event would be advertised in local publications, online websites, and on flyers placed in 1,700 businesses. A \$20 fee would be charged to attendees arriving in a vehicle for the post-ride Malibu Bluffs Park event. Motorcyclists that ride in the event would be admitted to the event for free.

The event at Malibu Bluffs Park is proposed as a gathering place for the motorcyclists at the end of the ride that would include:

- Live amplified music;
- Vendors selling merchandise;
- Food trucks; and
- A limited access tent where alcohol would be sold and served in accordance with an approved temporary license from the Department of Alcoholic Beverage Control.

Similar to previous years, the alcohol service and consumption are proposed to be confined to a limited access, designated tent area only.

Setup would begin the day before the event, and clean up would conclude the day following the event, as described in Table 1.

Table 1 – Event Schedule		
Activity	Date	Time
Event Setup	Saturday, September 9, 2017	6:00 p.m. to 10:00 p.m.
Event	Sunday, September 10, 2017	12:00 p.m. to 4:00 p.m.
Event Break-Down	Sunday, September 10, 2017	4:00 p.m. to 10:00 p.m.
	Monday, September 11, 2017	7:00 a.m. to 12:00 p.m.

General users of the Malibu Bluffs Park would be significantly impacted by the event which would utilize the multi-purpose field, the Michael Landon Center, and the parking lot. Trails on the Malibu Bluffs Open Space would remain open with access allowed from Malibu Road. The ball fields at Malibu Bluffs Park would also be open to the general public, however no onsite parking would be available during the event.

Event parking is proposed at four locations: along Winter Mesa Drive, in the parking lot of Malibu Bluffs Park, on John Tyler Drive, and on both sides of Malibu Canyon Road. The proposed parking would allow for a total of 1,266 motorcycle parking spaces, though the City has not agreed to the Malibu Canyon Road location as it would eliminate parking for members of the general public visiting the flag display at Pepperdine. Currently, no area has been designated for parking to accommodate event attendees who are not participating in the rally portion of the event either. The applicant proposes using only event staff to direct traffic for parking purposes. No proposed digital changeable message boards, signage, or hired parking control services would be provided.

TUP Application Status

As of the distribution date of this report, the application is incomplete with the following items outstanding:

- City's permission to use Malibu Bluffs Park for the event;
- Deposit for Malibu Bluffs Park to the Community Services Department;
- Complete site plan including: access to site, parking areas, dimensions of tents and stage, location of all temporary structures, including restrooms (200 feet from food stations), food service locations, bar location, hand washing stations, water supply (potable water), generators, lighting, media, stage, trash cans and recycling bins;
 - Complete and finalized parking plan, including written permission from the property owner of any offsite parcel to be used for parking;
- Traffic control plan;
- Temporary signage plan (parking location signs, electronic message boards, advertising signs, etc.);
- Proof of Liability Insurance (each lot used for event);
- Waste Reduction and Recycling Plan; and

- Approvals:
 - City Public Works Department
 - Sheriff's Department
 - Fire Department
 - Department of Alcohol Beverage Control

Due to the scope and size of the proposed event, Council is being asked to consider whether a TUP for Malibu Bluffs Park should be issued and to provide guidance regarding the proposed motorcycle ride which will impact the City from the western border of Malibu to Malibu Canyon Road on Sunday, September 10, 2017, for approximately 4-6 hours.

ATTACHMENTS:

- 1) Letter from Ride Captain Mike Abraham to Los Angeles County Board of Supervisors

Ride to the Flags X, sponsored by the Whiteheart Foundation, September 10, 2017.

This year will mark the 10th year of Ride to the Flags. This will be the third year of using Pacific Coast Highway from Point Mugu NAS to Bluff's Park across from Pepperdine University as the route for the ride. It is estimated that this year's ride will consist of between 550 and 750 motorcycles.

This route is a distance of 25 miles, with 10.4 miles in Ventura County and 14.6 miles in Los Angeles County. There are not any controlled (lighted) intersections in the Ventura County portion of the ride. In Los Angeles County, there is a total of 14 controlled (lighted) intersections and 8 uncontrolled (non-lighted) intersections that are of concern for the ride organizers and Los Angeles Sheriff's Department (the law enforcement agency for this portion of the county).

During the last two years rides, the Ride to the Flags has utilized a professional funeral escort service, Motorcade Protective Services, help hold traffic at the controlled intersections in Los Angeles County along PCH. They would safely enter each lighted intersection, control the flow of traffic and allow the procession of motorcycles to proceed without stopping. This allowed for the minimum amount of disruption to traffic and the maximum level of safety for the riders. Each intersection was interrupted for approximately 8 minutes.

Once the rides reached Bluff's Park, located at PCH and Malibu Canyon Road, the Los Angeles County Sheriff's department controlled this intersection to allow the safe and timely parking of all vehicles in either the parking lot of Bluff's Park or across the street along Malibu Canyon Road.

This year, the Los Angeles County Sheriff's department has informed us that we will no longer be allowed to utilize Motorcade Protective Services to control intersections. Instead, we will need to stop at all controlled intersections when they turn red. This will cause the group of riders to split up into several smaller groups, causing an inherently more dangerous condition and longer delays for motorists.

We are asking to see if there is some way to obtain resources to allow the Ride to the Flags to continue as in previous years.

This ride is a charity fund raiser that raises needed funds for severely wounded warriors injured in our countries current conflicts. This years beneficiary is Corporal Zac Gore, U.S. Army.

Please feel free to contact me if there are any questions regarding this matter. Thank you.

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