

CITY OF BLACK DIAMOND
January 19, 2012 Meeting Agenda
25510 Lawson St., Black Diamond, Washington

7:00 P.M. – CALL TO ORDER, FLAG SALUTE, ROLL CALL

PUBLIC COMMENTS: Persons wishing to address the City Council regarding items of new business are encouraged to do so at this time. When recognized by the Mayor, please come to the podium and clearly state your name and address. Please limit your comments to 3 minutes. If you desire a formal agenda placement, please contact the City Clerk at 360-886-2560. Thank you for attending this evening.

PUBLIC HEARINGS: None

APPOINTMENTS, PRESENTATIONS, ANNOUNCEMENTS: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

1.) AB12-009 – Resolution Approving “Tough Mudder” Special Event

Mr. Pilcher

DEPARTMENT REPORTS:

MAYOR’S REPORT:

COUNCIL REPORTS:

ATTORNEY REPORT:

PUBLIC COMMENTS:

CONSENT AGENDA:

2.) **Claim Checks** – January 19, 2012 Check No.37793- through No. 37863 in the amount of \$207,468.12

3.) **Payroll** – December 31, 2011 No. 17618 through No. 17640 and ACH Pay in the total amount of \$281,885.53

4.) **Minutes** – Regular Council Meeting of January 5, 2012

EXECUTIVE SESSION:

ADJOURNMENT:

CITY COUNCIL AGENDA BILL

City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010

ITEM INFORMATION			
SUBJECT: Resolution 12-784, authorizing the Mayor and City Council to approve the "Tough Mudder" special event	Agenda Date: January 19, 2012		AB12-009
	Department/Committee/Individual		
	Mayor Rebecca Olness		
	City Administrator –		
	City Attorney –Chris Bacha		
	City Clerk – Brenda L. Martinez		
	Finance – May Miller		
	Public Works – Seth Boettcher		
	Economic Devel. – Andy Williamson		
	Police – Jamey Kiblinger		
Cost Impact:	Court – Stephanie Metcalf		
Fund Source:	Comm. Dev. – Steve Pilcher		X
Timeline: September 29 th & 30 th , 2012			
Attachments: Resolution 12-784, Application, Staff Comments			
SUMMARY STATEMENT: <p>The Tough Mudder event is a 10-12 mile foot race with military obstacles planned to take place on lands owned by Palmer Coking Coal. This will be the first Tough Mudder event to occur in the Pacific NW and event organizers are expecting a larger turnout (up to 10,000 participants and 3,000 spectators). Since this is a two-day event, City Council approval of a special event permit is required (BDMC 2.59.040).</p> <p>City staff reviewed the proposal, made initial comments and event organizers made modifications/clari- fications to the event that have satisfied staff's concerns. BDMC 2.59.080 lists reasons for which a special event permit could be denied. Staff did not find that any of these reasons could result in a need for permit denial. Therefore, staff is recommending approval of the special events permit, with the conditions noted as attached.</p> <p>A representative from Tough Mudder will be present at the Council meeting to make a brief presentation about their activity and answer any concerns from Council. They have requested this early Council consideration so they may have adequate time to begin advertising the event.</p>			
COMMITTEE REVIEW AND RECOMMENDATION: None			
RECOMMENDED ACTION: MOTION to adopt Resolution 12-784, approving the Tough Mudder special event SEP11-0014.			
RECORD OF COUNCIL ACTION			
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>	
January 19, 2012			

RESOLUTION NO. 12-784

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
AUTHORIZING THE CITY COUNCIL TO APPROVE THE
TOUGH MUDDER SPECIAL EVENT SEP11-0014**

WHEREAS, Tough Mudder LLC has proposed a two-day athletic event to occur on private property within the city limits on September 29th and 30th, 2012; and

WHEREAS, Black Diamond Municipal Code 2.59.040(B) requires the City Council to approve any special event that exceeds one day in duration; and

WHEREAS, City staff has reviewed the proposed activity and recommends it be approved, subject to conditions;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The Mayor is hereby authorized to execute the approval of special event permit SEP11-0014 for the Tough Mudder event to be held on September 29th and 30th, 2012.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 19TH DAY OF JANUARY 2012.

CITY OF BLACK DIAMOND:

Rebecca Olness, Mayor

Attest:

Brenda L. Martinez, City Clerk



SPECIAL EVENT APPLICATION

PERMIT# _____

EVENT INFORMATION

EVENT NAME: Tough Mudder
EVENT LOCATION: 31407 Highway 169 Black Diamond, WA 98010
(If structures will be erected and/or street ROW used, please attach (3) drawings noting locations and dimensions.)

EVENT TYPE: ☐ Exhibition ☐ Protest ☒ Run/Walk ☐ Dance ☐ Festival ☐ Concert ☐ Party
(Check all that apply) ☐ Wedding ☐ Drama ☐ Parade ☐ Other ☐

DATE OF EVENT: 9/29-9/30 2012 HOURS: 7am - 5pm

PURPOSE OF EVENT: 10 mi Endurance run

EST. ATTENDANCE: Participants 7,000/day Spectators 2,000/day Volunteers/Personnel 75
CITY BUS. LICENSE #: _____ (participating commercial vendors will also require a City license)

* PARKING PLANS: See attachment A
(Please provide a drawing unless you are using an existing parking lot with sufficient stalls.)

FACILITIES TO BE USED: ☐ City Park ☐ Lake Sawyer ☐ Sidewalk ☐ Street ☒ Private Property
(If using private property, you must provide proof that you have permission unless you are the owner.)

CITY ASSISTANCE REQUIRED: ☒ Police ☒ Fire ☐ Public Works ☐ Other _____
Describe: Traffic Flow (Police), Event Safety (Fire)
(Police and Fire services require a written agreement that must be submitted with the event application.)

INSURANCE COMPANY: Gem Insurance
(Proof of Ins. required naming City of Black Diamond as co-insured if event is taking place on City property.)

FOOD TO BE SERVED: ☒ YES ☐ NO If yes, provide copy of Health Dept approval/license.
SOUND SYSTEM: ☒ YES ☐ NO
(If liquor and music are provided a Cabaret license may be required.)

SANITATION PLANS (Sani-cans, hand washing stations, etc): Sani-cans, *hand-washing stations

PRODUCTS OR SERVICES TO BE SOLD: ☒ YES ☐ NO If yes, what? Merchandise

ADMISSION FEE: ☒ YES ☐ NO If yes, how much? \$120 participants / \$40 spectators

HAS THE EVENT BEEN PREVIOUSLY PRODUCED? ☒ YES ☐ NO PREVIOUS DATE: 20+ events held

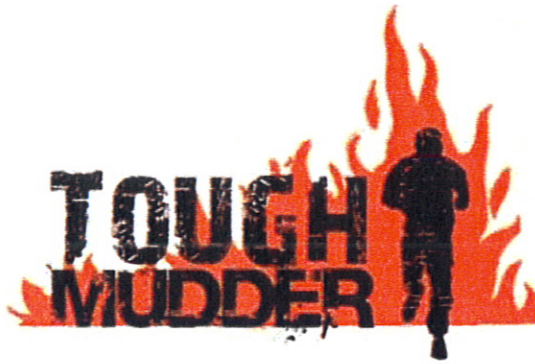
ANY CHANGES FROM PREVIOUS EVENT? ☐ YES ☒ NO If yes, list changes:

APPLICANT INFORMATION

APPLICANT: Tina Fekula ORGANIZATION: Tough Mudder
MAILING ADDRESS: 55 Washington St 329 Brooklyn, NY 11201

CONTACT PHONE: 718-878-6349 FAX _____
EMAIL ADDRESS: Tina. Fekula @ toughmodder. com
EMERGENCY CONTACT Tina Fekula PHONE 718-878-6349
CFR 12/13/11
SIGNATURE OF APPLICANT DATE

Additional information or requirements may be requested. Please allow 3 - 4 weeks for processing.



City of Black Diamond Special Events Proposal

What is Tough Mudder?

Tough Mudder is a foot race across 10-12 miles, featuring 25 military style obstacles.

How many people are attending the event?

Participants: 10,000 (Saturday: 7,000; Sunday: 3,000)

Spectators: 3,000 (Saturday: 2,000; Sunday: 1,000)

Location: Palmer Coking Coal Company, 31407 Highway 169 Black Diamond, WA 98010

Senior Event Planner Contact Information:

Daniella Sloane

Tough Mudder LLC

55 Washington St, #329, Brooklyn, NY 11201

Phone: 718.643.2221 Fax: 347.227.0220

daniella.sloane@toughmudder.com

Event Planner Contact Information:

Rachel Kerner

Tough Mudder LLC

55 Washington St, #329, Brooklyn, NY 11201

Phone: 718.878.6337 Fax: 347.227.0220

rachel.kerner@toughmudder.com

Time of Event:

	START TIME	END TIME
Saturday September 29, 2012	8:00am	6:00pm
Sunday September 30, 2012	8:00am	6:00pm

Operating Details:

Duration of event (including pre-event set up and post-event tear down):

	START DATE	END DATE
Course Construction	9/1/12	9/28/12
Event Set Up	9/24/12	9/28/12
Event Breakdown	9/30/12	10/2/12

Typical hours of activity:

All event set up will take place between the hours of 7am – 7pm; Event Execution will take place between 6am – 7pm.

Staffing:

Roughly 200 individuals – both paid staff and volunteers – will be on hand to execute the event. Tough Mudder will be responsible for managing volunteers, event staff, and security.

Facilities provided:

Tents, stage, showers, portable toilets, picnic tables, 5-6 drinking water stations on course.

Camping:

Overnight camping will not be permitted on site.

Water Stations:

Water at on-course hydration stations will be supplied with 16.9 ounce bottled water. Participants will be allowed to take one bottle per station. Bananas and energy bars will also be provided throughout the course.

Portable toilet locations and quantities:

There will be 55 standard portable toilets, 2 ADA accessible portable toilets, and 6 hand washing stations placed in the base area and on the course. Tough Mudder will contract with United Site Services in order to provide the aforementioned resources; they will be serviced daily.

Trash Removal:

Trash removal will happen all day during the event. Saturday night there will be a significant clean up as well as one Sunday after the event. Dumpsters, trash cans, and a large trash management labor force will be utilized to accomplish this.

Tough Mudder will also take care of litter the event may cause along the municipal ingress and egress roads (i.e. Route 169, Lake Sawyer Road, and SE Auburn – Black Diamond Road). We will contract through the third-party event staffing company Labor Ready.

Accommodations for Disabled Visitors:

We will provide reserved parking spaces, ADA portable toilets, and a wheelchair accessible van shuttle between parking lots and post party area.

Power Requirements:

Small generators will be brought in to power small PA systems; power will also be pulled from buildings where possible.

Equipment Rentals:

UTV's, forklift, skid steer, flatbed trucks and other equipment will be rented to set up the course.

Vendors:*Food Concessions*

Food will be provided by Spectrum Catering and Concessions. Dave Smalley is the president of Spectrum and can be reached by phone at 281.363.0900 x240 or by email at dsmalley@spectrumfcs.com.

Additional Vendors:

Tough Mudder branded merchandise will be for sale (t-shirts, hats, posters). Additional vendors include local gyms, energy drink, energy bar, and athletic apparel providers. All vendors will be located within the post party area.

Please see Exhibit A: Sample Base Map.

Parking and Vehicles:

Amount of Parking Needed:

Approximately 3500 spaces per day.

Parking Locations:

All parking will take place on site at the venue. The parking area can be seen as designated on the map. From experience, we are able to park 125 cars per acre and have designated 37 acres of the site for parking. Our estimates are conservative, however, there are fields designated for overflow parking on the property as well.

Ingress and egress locations are also noted on the map. Because of the nature of the event, all attendees will arrive in the morning and leave in the afternoon. Therefore, in the morning all ingresses and egresses can become ingresses in case of back up, and vice versa in the afternoon.

Please see Exhibit B: Parking, Ingress & Egress

Traffic Controls:

Directional signage will be placed at Route 169 directing participants to parking lots. 'Lot Full' signs will be provided by Tough Mudder. Electronic message boards will also be used to notify travelers of the special event. We will use local law enforcement to manage ingress/egress on highway. Lanes for emergency vehicles will be left open at all times.

We agree to use the Black Diamond Police Department for the following coverage:

- 1) Traffic Control: 0600-1100 hours, 1200-1700 hours (2 officers) both days --- 20 hours per officer
- 2) One officer to assist with overall security 0600-1100 (1 officer) both days --- 22 hours

Total hours: 62hr x \$75.00/hr = \$4650

Safety Plan Overview:

30-40 First Aid and EMT staff as well as a medical director of operations will be provided by a national vendor. Tough Mudder will coordinate with the national vendor to designate access for emergency vehicles as well as helicopter landing zones if necessary. Four first aid stations will be staged along the course, EMT staff will be roaming the course on utility vehicles, and a base tent or trailer will be set up and staged in the Post Party area. 6-10 water rescue technicians and lifeguards will also be contracted to ensure water safety at the event. Comprehensive Event Safety and Emergency Action Incident Plans will be developed closer to the event date.

Communications:

Incident Command System used. Handheld two-way radios will be ordered and used with designated channels for Tough Mudder Staff, Event Staff, Medical and Security.

High Risk Areas and Protection of Spectators (i.e. barriers, closures, restricted areas):

Barricades will be used around some obstacles, but spectators are allowed to access all parts of the course. Spectators are required to sign liability waivers before accessing the event.

Environmental Concerns:

Tough Mudder recognizes that several areas of the proposed site are designated as "Sensitive Areas"; specifically Rock Creek and Oak Lake. Tough Mudder is familiar with the City of Black Diamond Municipal Code Chapter 19.10: Sensitive Areas. We have proposed a course design which only crosses Rock Creek on the Palmer Coking Coal Access Road, and does not enter Oak Lake as we fully intend to avoid the lake and its associated buffer. No obstacles or trails will be built in sensitive areas or their buffers.

Please see Exhibit C: Course Map

There will be no surface water discharge as a result of our event. We do use water to create mud pits, however, following the event they will be allowed to dry and will be filled in.

We will not be using any chemicals for any portion of our event. We will be using gasoline and oil for our access vehicles and generators. All gas and oil will be stored inside containers, provided fueling tanks and oil shacks.

We will keep spill kits on hand to be sure that vehicles in our parking lots will not contaminate groundwater were they to leak fluids. We will be certain to distribute the spill kits to the hired parking attendants.

Insurance:

Tough Mudder is insured by GEM Insurance, with all participants personally insured under our policy. The City of Black Diamond will be named as an "additional insured" on the policy as well as other parties as requested.

Noise:

A band will play from 11:00am – 4:30pm. 4 small PA systems will be spread around the course, and we respectfully request that announcements and music be played starting at 9am.

Managing Organization:

Tough Mudder
55 Washington St Ste 329
Brooklyn, NY 11201

Contact:

Reed Raskin
718-412-1936
reed.raskin@toughmudder.com



Exhibit A: Sample Base Area

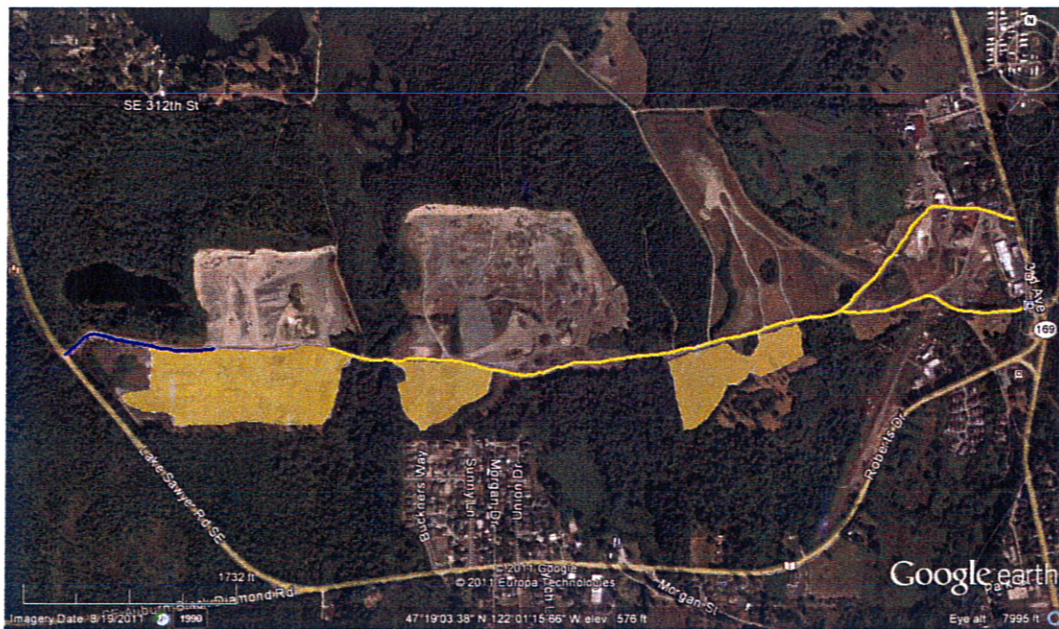
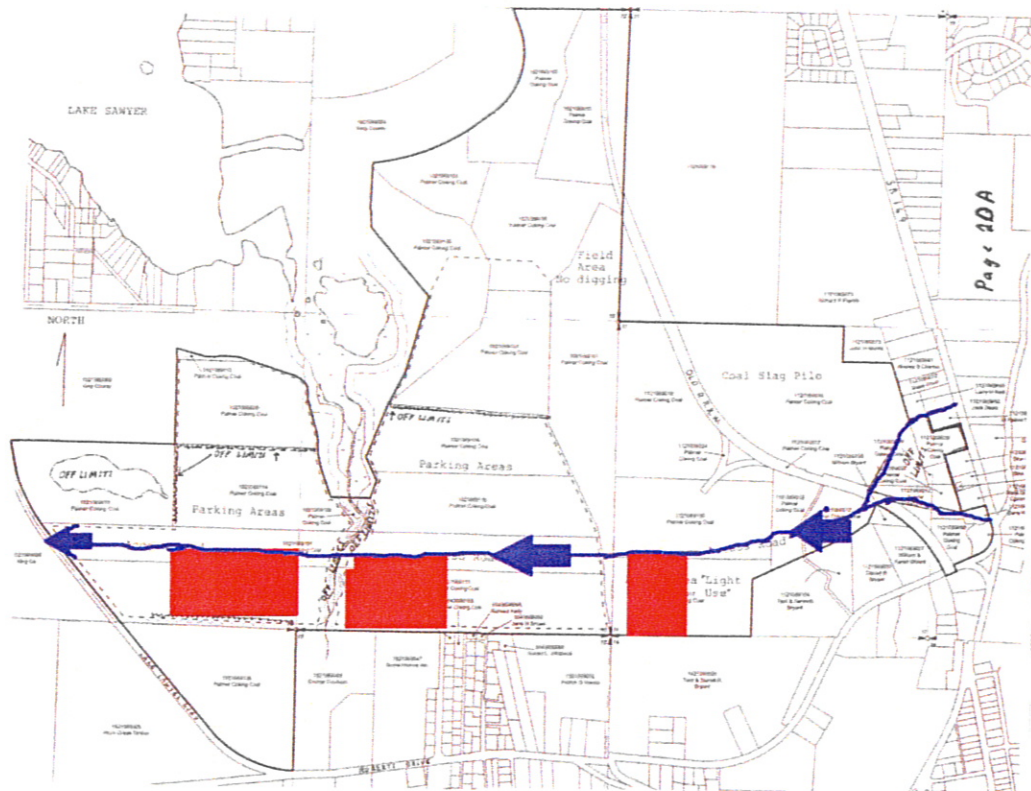


Exhibit B: Parking, Ingress & Egress

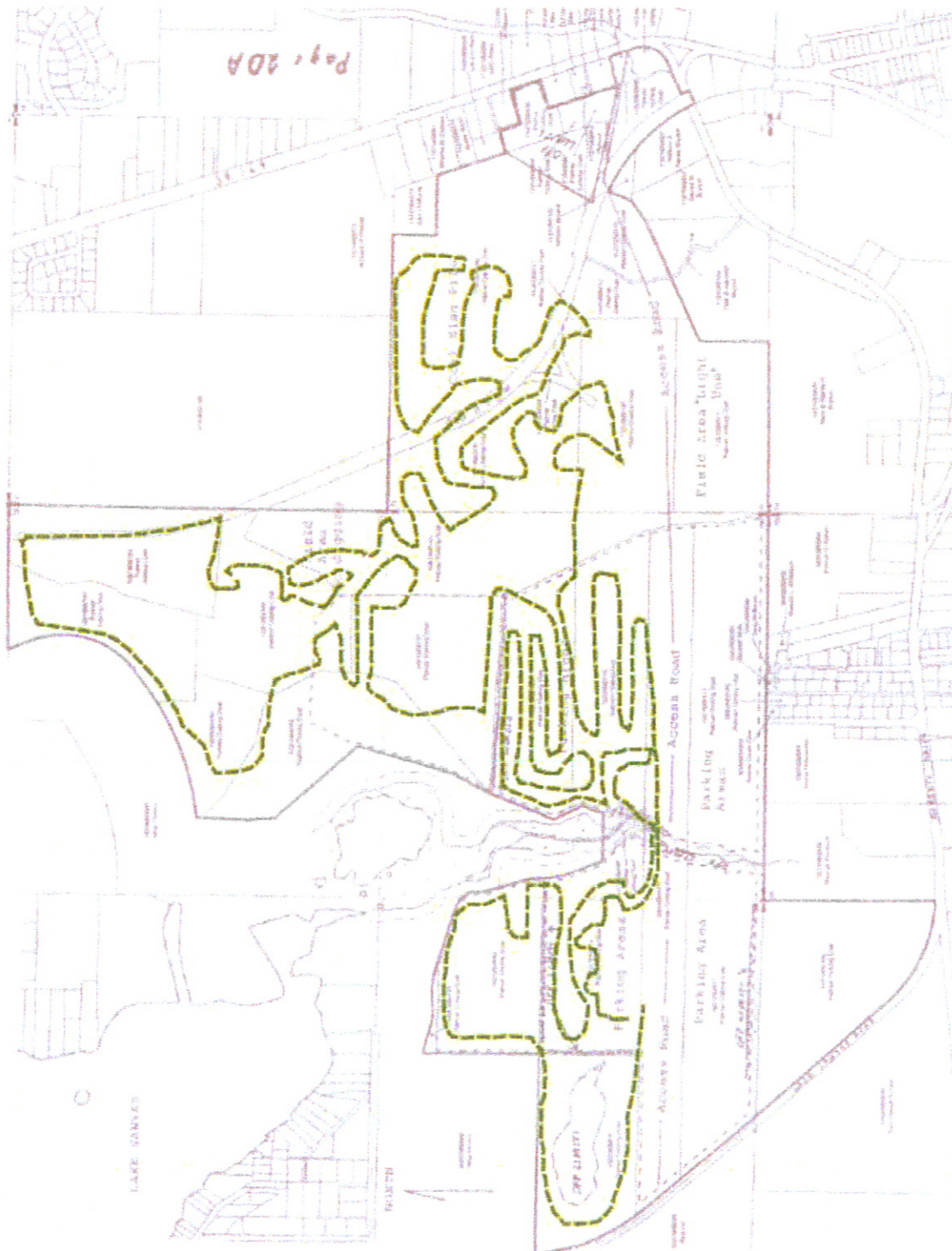
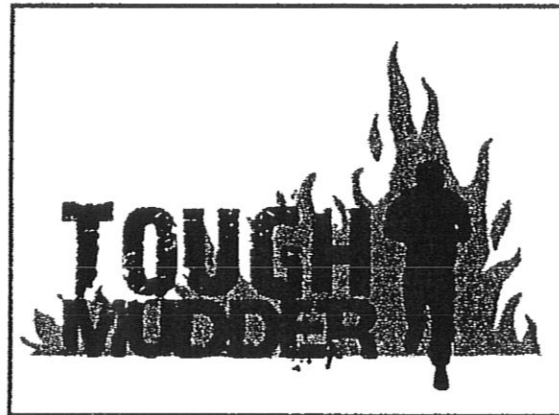


Exhibit C: Course Map



Date: December 16, 2011

To: Robert Young
Black Diamond Fire Department

From: Tina Fekula
Tough Mudder, LLC

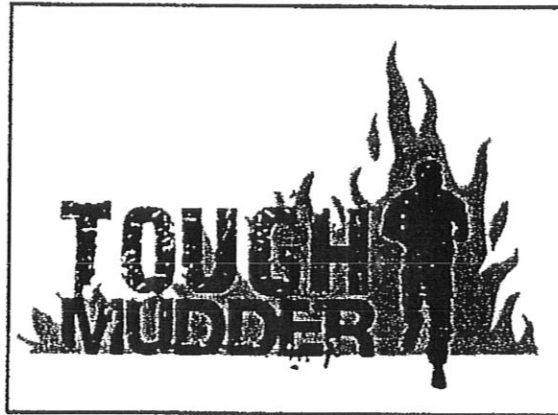
Subject: Tough Mudder 2012

Tough Mudder requests the assistance of the Black Diamond Fire Department to assist at our event on September 29th and 30th, 2012 on the Palmer Coking Coal Company property. We request two (2) ambulances with ALS units on site. We will hire an outside medical company with approximately 45 medics on site; the fire department will act as additional support.

Respectfully,

Tina Fekula
Tough Mudder, LLC

~~Greg Goral~~ Robert Young
Commander, Black Diamond Police Department
Asst. Chief, Mt View Fire + Rescue



Date: December 15, 2011

To: Commander Greg Goral
Black Diamond Police

From: Tina Fekula
Tough Mudder, LLC

Subject: Tough Mudder Parking Support 2012

Tough Mudder requests the assistance of the Black Diamond Police Department to assist with traffic flow at our event on September 29th and 30th, 2012. We request two (2) police officers and agree to pay the current, designated rate for services.

Respectfully,

A handwritten signature in black ink, appearing to be "Tina Fekula", written over a horizontal line.

Tina Fekula
Tough Mudder, LLC

Greg Goral
Commander, Black Diamond Police Department



Permit Review Details

Permit: SEP11-0014

1010			Complete?	Y
12/29/2011	SWELSH	30	SINCE THIS IS A TWO DAY EVENT, PER BDMC SECTION 2.59.040.B, THE CITY COUNCIL IS RESPONSIBLE FOR APPROVING THIS SPECIAL EVENT PERMIT. A PUBLIC HEARING IS NOT REQUIRED.	Y
<p>*****ADDITIONAL INFORMATION IS NEEDED FROM THE APPLICANT:</p> <p>-DESCRIBE ANY PROPOSED IMPACTS/USE OF ROCK CREEK AND OAK LAKE. THIS INFORMATION IS NECESSARY TO DETERMINE ANY SENSITIVE AREAS IMPACTS/PERMITS NECESSARY.</p> <p>-PROVIDE A MORE DETAILED PARKING PLAN WITH DIMENSIONS TO PROVE THAT THE AREA SHOWN CAN ACCOMMODATE ADEQUATE PARKING & MANEUVERING AREAS FOR THE ESTIMATED 3500 CARS/DAY.</p> <p>-CLARIFY THE TRAIL MAP TO SHOW THAT THE EVENT WILL NOT INTRUDE ONTO NON-PALMER COKING COAL LAND (IN PARTICULAR NEED TO VERIFY AVOIDANCE OF THE REGIONAL PARK PROPERTY).</p> <p>-CLARIFY REGARDING THE MAP SUBMITTED AS PART OF PCC/TM CONTRACT WHETHER OR NOT AREAS SHOWN AS "OFF LIMITS" HAVE THE PROPOSED COURSE TRAIL SHOWN GOING THROUGH THEM OR NOT.</p>				
01/10/2012	ADONLAN	0	REC'D ADDITIONAL INFORMATION AND UPDATED DOCUMENTS. AD	N
01/11/2012	SWELSH	30	THE RESUBMITTAL SATISFIED MY CONCERNS.	Y
			Total Time:	60
1030			Complete?	N
01/05/2012	RMEYERS	30	1) PROVIDE INFORMATION ABOUT THE LOCATION, NUMBER OF STANDARD RESTROOM UNITS, AND NUMBER OF ACCESSIBLE RESTROOM UNITS AND HAND WASHING STATIONS.	Y
			2) PROVIDE INFORMATION ABOUT STANDS/TENTS AND OTHER STRUCTURES SUCH AS TYPES, LOCATION ON PROPERTY AND SET UP INFORMATION.	
01/10/2012	ADONLAN	0	REC'D ADDITIONAL INFORMATION AND UPDATED DOCUMENTS. AD	N
			Total Time:	30
1050			Complete?	N
01/04/2012	DDALSANTO	30	The only concern the public Works dept. has is additional litter along city streets. Maybe a road clean-up after the event if necessary.	Y
01/11/2012	ADONLAN	0	REC'D ADDITIONAL INFORMATION AND UPDATED DOCUMENTS. AD	N
			Total Time:	30
1060			Complete?	N
01/04/2012	RYOUNG	30	The fire department has concerns relating to the medical coverage of such an event, coordination with event staff relating to emergency response, and access to site and the planned route of the individuals who are participating in the event.	Y
<p>An emergency plan meeting the requirements of Chapter 4 of the International Fire Code will be required to be developed and approved by the fire marshal.</p> <p>Presently there is not enough information provided for the fire department to make a recommendation to approve this special event permit.</p>				
01/11/2012	ADONLAN	0	REC'D ADDITIONAL INFORMATION AND UPDATED DOCUMENTS. AD	N
			Total Time:	30
1070			Complete?	N
01/05/2012	JKIBLINGER	30	Traffic control: 0600-1100 hours, 12-5pm (2 officers) both days ---20 hours (40 hours- 2 officers) 1 officer to assist with overall security 0600-1700 (1 officer) both days ---11 hours (22 hours)	N
Total hours: 62 x 75.00 per hour = \$4650.00				
01/05/2012	JKIBLINGER	0		Y
01/11/2012	ADONLAN	0	REC'D ADDITIONAL INFORMATION AND UPDATED DOCUMENTS. AD	N
			Total Time:	30
1080			Complete?	Y
12/29/2011	ANIX	120	1. It appears that the course route will utilize some sensitive areas and their associated buffers. The sensitive areas ordinance does allow for certain outdoor activities within sensitive areas and their associated buffers, but they cannot "degrade the sensitive area" and have "minimal adverse impact". It's unclear within the currently supplied materials what types	Y

of obstacles, trails or other elements will be needed within these sensitive areas. Specific detail is needed for any disruption to the function of these sensitive areas and their associated buffers. Please submit details associated with potential impacts to these areas.

2. Any surface water discharge into Rock creek, Oak lake, etc. shall meet water quality standards as mandated by the State of Washington.

3. Because of the porous nature of the ground underneath the proposed race area and proximity to groundwater, specific details with regard to the storage, use and handling of chemicals and other potentially polluting substances need to be identified and dealt with appropriately so that groundwater contamination does not occur. This also includes the parking of over 3500 vehicles which may pose a threat to groundwater/surface water contamination. Appropriate spill kits to handle fluids associated with motor vehicles shall be required onsite. Spills/leaks need to be cleaned up immediately.

01/11/2012	ADONLAN	0	REC'D ADDITIONAL INFORMATION AND UPDATED DOCUMENTS. AD	N
01/11/2012	ANIX	60	1. Limited information has been supplied in regards to impacts associated with course trail within the Oak Lake buffers. Although Oak Lake has not been formally delineated, buffer dimensions are based on wetland/lake class and can vary from 40' all the way up to 225'. The northern route around Oak Lake appears to be very close to the water's edge and may lie within this sensitive area's buffer. Trail construction is inevitable based on the current course map. Please detail trail construction in this area and contact the City prior to commencing work for a walk through in this area. 2. It appears, based on the new information submitted, that a central location will be utilized for the storage of gasoline and oil. In addition to spill kits being supplied for the parking areas, please have some available for this area in case of accidental spills.	Y
Total Time:				180
1190 Complete?				N
01/05/2012	ADONLAN	0	sent comment letter to Reed Raskin.	Y
01/11/2012	ADONLAN	0	REC'D ADDITIONAL INFORMATION AND UPDATED DOCUMENTS. AD	N
Total Time:				0
1200 Complete?				Y
01/05/2012	BMARTINEZ	10		Y
Total Time:				10
1210 Complete?				Y
01/05/2012	AWILLIAMSON	15		Y
01/11/2012	ADONLAN	0	REC'D ADDITIONAL INFORMATION AND UPDATED DOCUMENTS. AD	N
01/11/2012	AWILLIAMSON	15		Y
Total Time:				30
Total Reviews:		21	Total Time:	400