

CITY OF OAKLAND
AGENDA REPORT

2009 OCT -1 PM 2:54

To: Office of the City Administrator
Attn: Dan Lindheim
From: Oakland Police Department
Date: October 13, 2009

Re: A Report and Proposed Ordinance Amending Ordinance No. 12948 C.M.S. (Master Fee Schedule) To Reflect New Fees Associated with Applying For a Special Events Permit From the Oakland Police Department

SUMMARY

On July 28, 2009, Council adopted the FY 2009-11 budget amendments which included estimated annual revenues in the amount of \$90,000 for special event permit fees. As a result of this action, staff has prepared a report and proposed ordinance amending Ordinance No. 12948 C.M.S. (Master Fee Schedule) to reflect these new administrative fees associated with applying for a special event permit from the Oakland Police Department.

FISCAL IMPACT

Amendment of Ordinance No. 12948 C.M.S. is anticipated to increase the Police Department revenues by \$90,000 in FY 2009-10. Funds will be deposited to the General Purpose Fund (1010), Traffic (107510), Personnel Services Account (45718).

It should be noted that this anticipated revenue has already been included in the FY 2009-10 Amended Budget as adopted on July 28, 2009. Should Ordinance No. 12948 C.M.S. not be amended to establish the special event permit fees, there would be a \$90,000 negative impact to the General Purpose Fund.

The proposed new fees are as follows:

Special Event Fees (As allowed in OMC chapter 9.52)

- | | | | |
|----|-------------------------------------|--------------|-----|
| 1. | Encroachment Permits | 35.00 Permit | New |
| 2. | Special Event | | |
| | a. Small Event (50 to 100 people) | 35.00 Event | New |
| | b. Medium Event (101 to 300 people) | 100.00 Event | New |
| | c. Large Event (301 or more people) | 150.00 Event | New |
| | d. Parade/Festival Permit | 300.00 Event | New |

Item: _____
Finance & Management Comte.
October 13, 2009

BACKGROUND

The new special event permit fees were initially proposed by the Police Department as part of the FY 2009-11 Proposed Budget and subsequently adopted by Council as part of the FY 2009-10 Amended Budget on July 28, 2009.

KEY ISSUES AND IMPACTS

The Police Department is responsible for processing all City event permits applications, such as block parties, parades, and festivals. Private parties held at non-City owned venues such as Sweets Ballroom, Mac Arthur Hall, Moose Lodge, etc. are also required to have a special event permit. Additionally, special events held at City-owned venues (e.g., Parks and Recreation rental facilities) are required to have a special event permit.

The Police Department processes in excess of 1,000 special event permits a year, which takes staff time and resources to accommodate. Although Oakland Municipal Code chapter 9.52 has long allowed for collection of a fee for processing an application, no fee has ever been set in the Master Fee Schedule. The Department has not previously charged an administrative fee to apply for a permit for special events, though staff spends a significant amount of time researching and verifying permit information prior to granting the event permit. The established fees are based on estimates of costs associated with the staff time of a sworn officer conducting the required research of the event and facility. Larger events require more time to research and longer staff time, making the cost greater. Historically, coordinators of events have been charged only for reimbursing the Oakland Police Department for police services rendered at the event, which are agreed upon during the planning stages of the event and payable within 30 days after the event has concluded. Under this Ordinance amendment, persons issued permits will continue to be responsible for any extra police services associated with their event.

PROGRAM DESCRIPTION

Event coordinators are referred to the Police Department to apply for and obtain a permit to conduct an event at various venues as mentioned above. Event coordinators are then required to submit an application to Police Department staff at least 30 days in advance to disclose the details of the event. Special event permit applications are filed with the Police Department; however it is the responsibility of the event coordinator to provide a copy of the permit information to the venue.

DISABILITY AND SENIOR CITIZEN ACCESS

There are no Americans with Disabilities Act (ADA) access or senior access issues contained in this report.

Item: _____
Finance & Management Comte.
October 13, 2009

SUSTAINABLE OPPORTUNITIES

Economic: Adoption of this ordinance will generate estimated annual revenues in the amount of \$90,000 for the City.

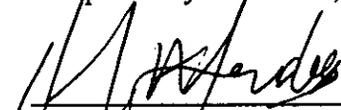
Environmental: There are no environmental opportunities identified in the report.

Social Equity: By ensuring that special events are properly permitted, public safety is increased by the presence of law enforcement officials during social events being conducted throughout the City.

RECOMMENDATION / ACTION REQUESTED OF THE COUNCIL

Staff recommends that the City Council accept this report and adopt the attached ordinance amending Ordinance No. 12948 C.M.S. (Master Fee Schedule) to reflect the new administrative fees associated with obtaining a special event permit from the Oakland Police Department.

Respectfully submitted,


Howard A. Jordan
Acting Chief of Police

Prepared by:
Ms. Felicia Silva
Fiscal Services Manager
Oakland Police Department

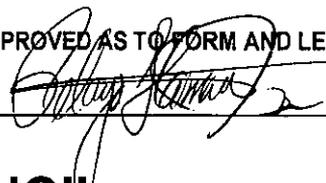
Reviewed by:
Ms. Cynthia Perkins
Legislative Analyst
Oakland Police Department

APPROVED AND FORWARDED TO
THE FINANCE & MANAGEMENT
COMMITTEE:



Office of the City Administrator

Item: _____
Finance & Management Comte.
October 13, 2009



INTRODUCED BY COUNCIL MEMBER _____
OFFICE OF THE CITY CLERK
OAKLAND

2009 OCT -1 PM 2: 54 **OAKLAND CITY COUNCIL**

ORDINANCE No. _____ C.M.S.

**ORDINANCE AMENDING ORDINANCE NUMBER NO. 12948 C.M.S
(MASTER FEE SCHEDULE) TO ESTABLISH NEW SPECIAL EVENT
PERMIT FEES**

WHEREAS, the City of Oakland periodically updates its Master Fee Schedule to account for general cost of living increases and program changes or other costs; and

WHEREAS, the City Council finds and determines that the herein-referenced addition is necessary to reimburse the City for the cost of performing the special event permit function; and

WHEREAS, the new special event permit fee proposed herein has been justified by the Police Department, and revenues associated with the special event permit fee were adopted by the City Council as part of FY 2009-10 Amended Budget on July 28, 2009; now, therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. Master Fee Schedule. The Master Fee Schedule, Ordinance No. 12948 C.M.S. is amended to add these service fees as follows in Section 3.

Section 2. The City Council finds and determines the foregoing recitals to be true and correct and hereby makes them a part of this ordinance.

Section 3. The Master Fee Schedule is amended as follows:

Special Event Permit Application Fees (As allowed in OMC chapter 9.52)

- | | | | |
|----|-------------------------------------|--------------|-----|
| 1. | Encroachment Permits | 35.00 Permit | New |
| 2. | Special Event | | |
| | a. Small Event (50 to 100 people) | 35.00 Event | New |
| | b. Medium Event (101 to 300 people) | 100.00 Event | New |
| | c. Large Event (301 or more people) | 150.00 Event | New |
| | d. Parade/Festival Permit | 300.00 Event | New |

Section 4. This Ordinance shall become effective immediately on final adoption if it receives six or more affirmative votes on final adoption as provided by Section 216 of the City Charter; otherwise it shall become effective upon the seventh day after final adoption.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION: _____