



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCIL PRESIDENT KAPLAN

RESOLUTION REQUESTING THE CITY ADMINISTRATOR TO SUBMIT TO COUNCIL AMENDMENTS TO OAKLAND MUNICIPAL CHAPTER 9.52 AND OTHER ORDINANCES THAT ESTABLISH CRITERIA, PROCESSES AND REGULATIONS FOR APPROVING OR PERMITTING SPECIAL EVENTS ACTIVITIES, TO MOVE SUCH DUTIES AND FUNCTIONS FROM THE OAKLAND POLICE DEPARTMENT TO THE CITY ADMINISTRATOR'S OFFICE

WHEREAS, on June 1st, youth, city residents and students from Oakland Unified School District organized a peaceful protest and demonstration from Oakland Technical High School to Oakland City Hall Frank Ogawa Plaza; and

WHEREAS, around 7:40 pm Oakland Police Department fired tear gas, rubber bullets, and flash-bang grenades that injured protesters, many who were students and teenagers walking away from a peaceful demonstration in downtown; and

WHEREAS, several lawsuits have been filed showing Oakland Police Department knowingly broke their own court-ordered crowd control policies, which stipulated physical force should only be used as a last resort; and

WHEREAS, the total annual cost of the OPD unit for Special Events of the City of Oakland is approximately \$500,000 per year, including personnel and overhead; and

WHEREAS, as of March 31, 2020, the Oakland Police Department was paid over \$5.2 Million in invoice fees for Special Events by payees such as the Oakland Raiders, the Oakland A's, Blue Cross/Blue Shield and others holding events in Oakland; and

WHEREAS, according to the 2020 Mid-Cycle Budget report, from 2018-2019 OPD Overtime was \$14,662,458 dollars over budget, and from 2019-2020 OPD Overtime was \$16,937,304 dollars over budget; and

WHEREAS, the Oakland Police Department’s overtime deployments for the recent protests and demonstrations, which began after Memorial Day 2020. total \$2,954,127; and

WHEREAS, other California cities do not use the police department for special events, for example, the City of San Francisco Outdoor Event Planning and Permitting for Special Events is managed by the San Francisco City’s Entertainment Commission; the City of San Jose Festivals and Large Events Special Park Use Permit is managed by the Department of Parks, Recreation & Neighborhood Services; the City of Pasadena’s Special Events for cultural and street festivals is managed by the Human Services & Recreation Department, while the City of Pasadena’s “large-scale” special events such as the “Tournament of Roses” and “Rock ‘n’ Roll” Half Marathon” is managed by the City of Pasadena’s Economic Development; The City of Los Angeles Special Events Permit is managed and coordinated by the Los Angeles Department of Transportation, Street LA (Street Services) Division; and

WHEREAS, for “Special Events,” the City of Oakland’s Municipal Code 9-52.030 require a permit be obtained for a special event or dance permit before holding or assisting in the conducting or carrying on of a special event or dance in any public place in the City of Oakland, this includes the “Special Events,” short-term Encroachment Permit TF-696-2 Application Form to be filed and submitted to OPD; and

WHEREAS, currently, the Oakland Police Department handles Special Event Permits, and deploys police to special events. The City of Oakland can save money, and make it easier to plan and organize events by converting this function into a civilian role; now, therefore, be it

RESOLVED: That the City Council requests that the City Administrator or his or her designee submit to the Council amendments to Oakland Municipal Code Chapter 9.52 and other ordinances that establish criteria, processes and regulations for approving and permitting special events in the City of Oakland, to move such special events permitting functions from the Oakland Police Department to the City Administrator’s Office; and be it

FURTHER RESOLVED: That the City Council requests that the City Administrator take action to designate appropriate personnel, in alignment with Civil Service processes, who can appropriately handle street closures and related duties for parades, festivals, and similar events.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR,
THAO AND PRESIDENT KAPLAN

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
Acting City Clerk and Clerk of the Council
of the City of Oakland, California