



CITY OF OAKLAND

MEMORANDUM

DATE: May 20, 2021
TO: City Council, Commissioners and Members of the Public
FROM: Council President Nikki Fortunato Bas, District 2
SUBJECT: Special Joint Meeting of City Council's Life Enrichment Committee (LEC), Parks & Recreation Advisory Commission (PRAC) and Cultural Affairs Commission

Dear City Council Colleagues, Commissioners and Members of the Public,

While Oakland has a thriving culture of celebration, festivals and special events, entrepreneurship, activism and recreation, our City has been challenged when expectations about how to use shared public spaces have not been agreed upon or addressed, and processes to use these spaces are confusing or cumbersome.

Lake Merritt and all our public spaces should be utilized in equitable, inclusive, safe and healthy ways. The Lake, which is a hub for Oaklanders and visitors alike, has faced serious maintenance, public safety and quality of life challenges, including large crowds during COVID, illegal parking and traffic congestion, impacting public safety access, neighbors and a range of park users. Solutions to these challenges are requiring significant staff resources and time across multiple departments.

To better address these challenges the City needs to improve coordination across agencies and departments and to develop community agreements and programming citywide, that balance the needs and priorities of the many people and organizations who use our public spaces.

As the County/City re-open from the pandemic, we must be proactive in programming a range of activities in our outdoor public parks and spaces. We can advance this work by hearing from the community about the events they would like to host and attend, streamlining our permitting processes, and creating community agreements for our public spaces.

During this meeting, we will:

1. **Hear an oral report on the City's Events Permitting Processes, as well as frameworks for community agreements and ways to implement agreements such as through a pilot ambassadors program**
2. **Discuss (1) improving the permitting process to support more programming at parks and public spaces citywide and (2) developing community agreements for public spaces and ways to implement them**

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More specifically, I hope to:

3. **Review and discuss event permitting processes** — Report on existing permitting processes for events at parks and public spaces and Oakland's special events ordinance, where OPRYD, OPD, CAO, EWD, DOT all play various roles, in an effort to answer;
 - a. What are these processes and are they working?
 - b. What are the events and activities we would like to see across the city?
 - c. Can we streamline permitting to simplify and expedite the process and address any barriers?
 - d. Can we promote parks and other city spaces in each district for events?
 - e. Can we ensure safety without relying on police resources via private security hired by event organizers, pilot parks ambassadors/event monitors, and so forth?
4. **Review and discuss community agreements** — Share existing agreements and frameworks, including PRAC's JEDI Principles (Justice, Equity, Diversity and Inclusion), and other ideas to guide our efforts. Report on work by the City to develop ambassador or other models to implement such agreements and reduce reliance on police resources. This includes work by OPRYD on parks ambassadors and event monitors and Department of Violence Prevention on creating an ambassadors model.

For questions regarding this memo, please contact Lia Azul Salaverry, Policy Analyst and Community Liaison, Office of Council President Nikki Fortunato Bas, at lsalaverry@oaklandca.gov.

Respectfully Submitted,



Nikki Fortunato Bas
Council President, District 2

Attachments:

1. [Special Events Web Page](#)
2. Special Events Resolution
3. PRAC's Environmental JEDI Principles (Justice, Equity, Diversity and Inclusion)
4. OPRYD's Rental Policies and Procedures (Parks and Buildings)
5. OPRYD's Rental Application (Parks and Buildings)

https://www.oaklandca.gov/topics/special-events

Special Events

Special Events Office is open Tuesday - Friday from 11am - 3pm BY APPOINTMENT ONLY

[Documents](#)

[About](#)

[Contact Us](#)

Documents

[Special Event Application](#)

[Special Event Questionnaire](#)

[Special Event Prerequisite Form](#)

[Short Term](#)

[Short Term](#)



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. 88236 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,

JUL 21 2020

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN - 8

NOES - 0
ABSENT - 0
ABSTENTION - 0

ATTEST:



ASHA REED

Acting City Clerk and Clerk of the Council of the City of Oakland, California

PRAC & The Environmental J.E.D.I. Way⁸

Embracing Environmental Justice, Equity, Diversity, and Inclusion in Oakland Parks

Environmental Justice—According to the Environmental Protection Agency (EPA) Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Environmental Justice also means the fair distribution of environmental goods which includes green spaces. Green spaces absorb CO2 and air pollutants, reduce flooding from storm water run-off, mitigate the urban heat island effect, and can serve as areas for recreation, food production, and wildlife habitat formation. All Oaklanders deserve a healthy environment to work, live, and play.

Equity—It is an imperative that “all Oaklanders have access to the same opportunities or services that the City of Oakland administer or deliver, directly or by contract.”⁹ This includes Oakland parks, park programming, and facilities. All Oaklanders deserve access to safe, healthy, and quality public parks, gardens, green spaces, and nature for recreation.

Diversity—Different cultures have different traditions and wants from their engagements with nature, parks, gardens and other recreational green spaces. These differences must be recognized and respected. We must support new and traditional ways that encourage community engagements across cultural differences and community building. We want all Oaklanders to feel welcomed at our parks.

Inclusion— It’s time for a 21st Century Park System that has multi-generational, multi-cultural and culturally relevant recreational spaces. Oakland parks should not only be compliant with the Americans with Disabilities Act, but fully inclusive of our community members and park users who are differently mobile. Inclusion also means full participation in the governance and stewardship of our parks through our Recreation Advisory Council and PRAC meetings and events which shape and protect our public lands and green spaces while building community. We want all Oaklanders to enjoy our parks and play!



TO SECURE A CALENDAR DATE:

Event dates are reserved on a *first-come, first-serve* basis upon receipt of the following:

- **Completed Rental Application** (21 years of age or older) of individual hosting the event
- **Payment Requirements:**
 - Minimum Rental Rate (2-4 hours)
 - Security Deposit (\$75 - \$300)
 - \$30 Permit Processing Fee
- **Valid Driver's License or State Identification Card** to determine Oakland residency

Submit the above documents by e-mail, fax or walk-in to Facility Representative assigned to your event.

METHOD OF PAYMENTS ACCEPTED

- Cash
- Credit Cards/Debit Cards (VISA and/or MASTERCARD ONLY); Credit Card Payment Authorization Form is required.
- Cashier's Check/Money Order
- Personal/Business Checks (No checks accepted less than *30 days* prior to event date)
California State Law: Returned Checks may be liable for three times the amount of the check or \$100, whichever is more, plus the face value of the check and court costs. A minimum of \$25 will be charged for all returned checks.

ADDITIONAL DOCUMENTS REQUIRED (In a minimum of 30 Days Prior To Event Date)

- Oakland Police Department Special Events Application (Required for 50 or more guests in attendance)
- Oakland Police Department Special Event Prerequisites
- Completed Facility Floor Plan
- See Additional Permits Required

RENTAL HOURS

- Enterprise Facilities 6:00AM – 12:00AM (Sunday-Thursday) / 6:00AM-1:00am (Friday-Sunday)
- Recreation Centers: Customers must contact Recreation Centers directly for rental hours; Closing time is 12 Midnight

***Rental time is calculated hourly by facility use; therefore, applicants must include time needed for setup, decorating, cleanup, etc.**



YOUTH EVENTS

The City of Oakland permits Youth Events. Youth Events include Quinceaneras, Sweet 16 parties, 18-year-old birthday parties, and any event involving groups less than 21 years of age. A minimum of one adult per 12-15 youths is required and a minimum of 2 uniformed security guards (licensed & bonded) for up to 50 youth in attendance. The Central Reservation Unit will inform you of additional security required if attendance exceeds 50 youth. Arrangement of security staffing must be approved in advance by the Central Reservations Unit.

YOUTH EVENT REQUIREMENTS (In Minimum of 30 Days Prior to Event Date)

- Copy of Security Contract or Oakland Police Department Agreement
- Copy of Security Contract or Oakland Police Department receipt showing verification of payment
- Completed Chaperone Agreement
- Copy of Invitation / Flyer

SECURITY

The Director of Oakland Parks, Recreation & Youth Development (OPRYD) *or* authorized representative may impose a requirement for security staffing. Should security be required, Oakland Parks, Recreation & Youth Development (OPRYD) preference is a uniformed Police Officer to serve as on-site security. Contact the Oakland Police Department (OPD) Special Events Unit at (510) 777-8525. Should an outside security company be used, **approval must be authorized in advance by the Central Reservations Supervisor.**

The applicant, may, at his or her own option, deem it necessary to request security, the aforementioned rules apply.

SECURITY DEPOSIT/DAMAGE LIABILITY

- The Security Deposit will be returned within 6-8 weeks after the event date.
- Deposit refund may be withheld to compensate the City for unpaid rental fees or service charges; excessive building up and/or all damages; any other unusual cleaning or facility expenses; or failure to leave facilities in acceptable condition during the hours of use.

Conditions for deposit being withheld:

- Use of tape, nails, hooks, or tacks, screws, staples or any penetrating implement are not permitted on walls or doors.
- Throwing rice, birdseed, confetti or flower petals or use of silly string is prohibited.



- If Applicant does not cleanup, remove and dispose of all personal items brought in for event prior to end of contracted hours.
- **Extra Police Costs:** Applicant will be billed if the Oakland Police Department is called for excessive noise levels, residential complaints or disorderly conduct, illegal use of drugs, profanity and drunkenness (i.e. altercations, over capacity, misrepresentation of event) and requests to shut the event down.

Violation of any of the above requirements forfeits the applicant's security deposit. Claims exceeding amount of security deposit is payable upon receipt of notification. And failure to pay will lead to collections-impacting your credit.

ALCOHOLIC BEVERAGES

Alcoholic beverages may be served for adult events only. The applicant will hold Oakland Parks, Recreation & Youth Development (OPRYD), City of Oakland and its employees free from any liability or claim for damages or suit due to any injuries to any person or property, of any kind whatsoever, arising out of the serving of alcoholic beverages before, during and after use of event to self and attendees.

Alcoholic Beverage Control License is required for sales of any alcoholic beverages onsite (see Parks and Recreation Commission Requirements -PRAC).

PARKS AND RECREATION ADVISORY COMMISSION (PRAC)

If an event requires collections of on-site funds (i.e., fundraising, donations, registration fees, sponsorships, ticket sales, and entrance fees or vendor's sales), requests must be approved by the Parks and Recreation Advisory Commission (PRAC). All requests must be submitted 60 days or more in advance. PRAC meets the 2nd Wednesday of each month.

- *Please contact a Central Reservations Representative for the Parks and Recreation Advisory Commission (PRAC) Guidelines. No advertisement of an event should occur prior to PRAC approval.*

ADDITIONAL PERMITS REQUIRED (In a minimum of 30 Days Prior To Event Date)

- **Oakland Police Department Special Event Permit**
- **Security Contract Agreement**
License and Bonded Security Company
- **City of Oakland Fire Prevention Bureau**
Special Events Application, Vendor List, Floor Plan/Site Map
Email to FPBEvents@oaklandca.gov



CITY OF OAKLAND
PARKS, RECREATION &
YOUTH DEVELOPMENT

- **Alameda County Health Permit:**
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, Suite 111, 1st Floor, Alameda, CA 94502-6577
(510) 567-6700
- **Certificate of Insurance** in an amount of \$1, 000,000 per occurrence/\$1,000,000 annual aggregate, naming the City of Oakland, its council, agents and employees as additional insured
- **ABC License for the Alcohol Beverage Control Board**
1515 Clay Street Oakland, CA 94612
Website: <http://www.abc.ca.gov>
(510) 622-4970
- **Seller's Permit**
State Board of Equalization
1515 Clay Street, Suite 303 Oakland, CA 94612 (510) 622-4102
- **Charitable Solicitation Permit**
City Administrator's Office
1 Frank H. Ogawa Plaza, 11th Floor Oakland, CA 94612
(510) 238-3294
- **Business Tax License**
City of Oakland Finance Department
250 Frank H. Ogawa Plaza, Suite 1320 Oakland, CA 94612
(510) 238-3704
- **Event Recycling for Large Events**
Oakland Recycles Hotline at (510) 238-SAVE (7283)
- **Trash Bin/Recycling Bins**
Waste Management - (510) 613-8700
- **One (1) Time Event Recycling**
California Waste Solution – (510) 836-6200
- **Portable Restrooms** – ADA Accessible

MISREPRESENTATION OF EVENT

Any misrepresentation as to the nature of the event, the number of attendees expected, contact or payment information or any other falsification of permit documents will result in the immediate cancellation of the event and forfeiture of fees paid. Misrepresentation may also result in depriving the individual/group of further use of any OPR facility, denial of future permit requests and/or legal action.



IMPORTANT NOTES

- Rental rates apply to all individuals, groups, private parties, corporations and organizations.
- Rental fees are governed by the City of Oakland's Master fee schedule. There are no further discounts.
- Noise levels must be kept at a reasonable level so as not to disturb our neighbors or animals. No loud
- *City of Oakland, Municipal Code 12.64.120.* No Loudspeaker shall be placed in a public park within 300 feet of any residential structure. In no event, shall amplified sound exceed eighty decibels (80 dB) at any boundary of the park in which amplified sound is being produced
- Submit in writing any changes to the original reservation; an Administrative Service Fee *may apply to any changes made to existing reservations* and/or applications received and/or applications received within 30 days of the event.
- Smoking in parks is prohibited
- Children (Minors) under the age 18 must be under complete control and supervision of a responsible adult at all times.
- Illegal use of drugs, profanity, and drunkenness are prohibited at any OPR Enterprise Facility, Recreation Centers or Parks
- The City reserves the right to **cancel** the rental of any park/rental facility *at any time* and without stated cause therefore. In such cases, all fees, deposits, and service charges previously paid will be returned to applicant.
- The City requires appropriate **liability insurance coverage** for any event scheduled in a City park/rental facility.
- Groups, organizations, or individuals using City parks are expected to use the parks in an orderly and safe manner at all times. Disorderly conduct may result in the immediate cancellation of the event and/or the forfeiture of the right to use any City operated facility in the future.
- Applicant is to use appropriate hangers to fasten objects to the park structures (i.e. painters tape). All decorations, signs and posters *must be* removed from park at the end of rental.
- **Extra Police Cost:** Applicant will be billed if the Oakland Police Department is called for excessive noise levels, residential complaints or disorderly conduct (i.e. altercations, over capacity, misrepresentation of event, etc.) and requests to shut the event down.



Rental Application

ATTENTION: _____

Date of Application: _____

RESIDENCY IS DETERMINED ACCORDING TO ADDRESS INDICATED ON DRIVER'S LICENSE OR STATE IDENTIFICATION CARD. PHOTO ID IS REQUIRED.

Name of Business/Organization: _____

Business/Organization Address: _____

Street Address

City

Zip Code

Applicant Name _____

Applicant Mailing Address: _____

Street Address

City

Zip Code

Phone Number: _____ Fax Number: _____ E-mail: _____

Facility/Park Name: _____

Room(s)/Site(s) _____

Event Information:

Date(s) of Event: _____

Time In/Prep Time _____ Actual Event Time _____ to _____ Time Out/Cleanup Time _____

Type of Event/Purpose: *(be specific, i.e., Wedding Reception, Meeting, Birthday Party, Banquet, Picnic, BBQ, Walk, Run, Festival, Rally, Quinceanera, BarMitsvah/BatMitzvah, etc.)*

General Public Allowed: Yes No Sound Amplification: Yes No Non-Amplified Sound: Yes No

Type of Equipment to be used: *(i.e., musical instruments, live band, cd player, amplifiers, microphones, etc.)*

Note: Charging admission, selling tickets or merchandise, or solicitation of money in any manner must be approved by the Parks and Recreation Advisory Commission (PRAC) 60 days or more in advance of event date.

Number of Participants (Total) _____ Approximate # of Adults _____ # of Teens _____ # of Children/Infants _____

Please provide below special accommodations/requests for your event. If no special accommodations required, please write NONE.

Will you require a caterer for your event? Yes No
 If yes, Name of Caterer: _____ **See Additional Permit Regulations*

RENTAL FEES (The minimum rental requirement and deposit are required when the facility of your choice is reserved 31 days or more in advance.)

Non-Refundable Permit Processing Fees:

-Picnic & Related Events: \$15 (50+) people

-Park Use//Building Rentals/Special Events (Parks): \$30:

(1) _____ x _____ = _____
 (Hourly Rate) (# of hours)

(2) _____ x _____ = _____
 (Hourly Rate) (# of hours)

(3) Permit Processing Fee = _____

(4) Deposit = _____

(5) Setup/Teardown = _____

(6) Kitchen = _____

(7) Alcoholic Beverage Fee = _____

(8) Administrative Service Fee = _____

(9) Sound Use Fee = _____

(10) Other Charges = _____

TOTAL: \$ _____ Less Advance Minimum Payment of \$ _____; BALANCE DUE 30 DAYS BEFORE EVENT: \$ _____
(Deposits are refunded 6-8 weeks AFTER event date, provided the facility is left in acceptable condition and the event goes as planned.)

Please check payment type: Cash: _____ Check #: _____ Type of Credit Card: Visa or MasterCard: _____
 (See attached Authorization for Credit Card Payment Form)

CANCELLATION FEE: 61 days or more notice: Forfeit ½ Deposit 30 days to 11 days notice: Forfeit Deposit Plus ½ Rental Fee
 31 to 60 days notice: Forfeit Deposit 10 days or less notice: Forfeit All Fees

APPLICANT SIGNATURE _____ **DATE** _____

Please note: By submitting this application, other documents/permits may be initiated to finalize your reservation.