



## PARKS AND RECREATION ADVISORY COMMISSION

City of Oakland

Wednesday, April 13, 2016

Lake Merritt Garden, 666 Bellevue Avenue

4:30pm

### Agenda

1. CALL TO ORDER:
2. ROLL CALL:  
**BELCHER, CORBIN, DU BOIS, HOWZE, KADERA-REDMOND, MANNING, MARSHALL, MILLER, PETERSON, REILLY, ROSENBLOOM, WU**
3. DISPOSITION OF MINUTES:  
November 18, 2015 and March 9, 2016 meeting minutes
4. SPECIAL ORDERS:
5. PRAC PENDING LIST:
6. MODIFICATIONS TO THE AGENDA:
7. CONSENT NEW BUSINESS:
  - A. REQUEST APPROVAL FROM THE PARKS AND RECREATION ADVISORY COMMISSION TO ALLOW EASTSIDE ARTS ALLIANCE TO HOST ARTS, CRAFT AND FOOD VENDORS, AND COLLECT DONATIONS AT THEIR 16<sup>TH</sup> ANNUAL MALCOLM X JAZZ FESTIVAL AT SAN ANTONIO PARK ON SATURDAY, MAY 21, 2016

Oakland Parks & Recreation received a request from EastSide Arts Alliance (ESAA), an organization of artists, cultural workers, and community organizers of color who live and/or work in the San Antonio district of Oakland. They are committed to working in the San Antonio and other Oakland neighborhoods to support a creative environment that improves the quality of life for communities and advocate for progressive, systemic social change. ESAA has requested to host arts, craft and food vendors and collect donations at their 16<sup>th</sup> Annual Malcom X Jazz Festival at San Antonio Park on Saturday, May 21, 2016.
8. NEW BUSINESS
  - A. REQUEST APPROVAL FROM THE PARKS AND RECREATION ADVISORY COMMISSION TO ALLOW THE EAST BAY AGENCY FOR CHILDREN'S CIRCLE OF CARE TO COLLECT DONATIONS AT THE 7<sup>TH</sup> ANNUAL WALK TO REMEMBER AT LAKESIDE PARK ON SATURDAY, MAY 14, 2016.

Oakland Parks and Recreation has received a request from the East Bay Agency for Children/Circle of Care, a non-profit organization requesting to collect donations on-site at their 7<sup>th</sup> Annual Walk to Remember at Lakeside Park on Saturday, May 14, 2016. Donations from the event will directly support East Bay Agency for Children's Circle of Care grief and loss program that provides much needed support services for children and families in Oakland.

**B. REQUEST FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO RECOMMEND TO THE RULES AND LEGISLATION COMMITTEE TO NAME THE GROVE IN DEFREMERY PARK IN HONOR OF BOBBY HUTTON**

Council President McElhaney requests that the Parks and Advisory Commission recommend to the Rules and Legislation Committee to name the grove in deFremery Park in honor of Bobby Hutton, the first member of the Black Panther party. He was also the 'first to fall' after his death during a tragic shootout near deFremery Park in 1968. His death marked a turning point in the history of Oakland and for the Black Panther Party. Each year, the local community commemorates his passing with a celebration in the park and has requested the naming of a portion of the park in Bobby Hutton's honor.

**C. REQUEST APPROVAL FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO ALLOW THE JACK AND JILL ORGANIZATION, BAY AREA CHAPTER, TO COLLECT FUNDS FOR CASH BAR(S) AND MEMORABILIA TABLE SATURDAY, APRIL 30, 2016 FOR THEIR 60<sup>TH</sup> ANNIVERSARY GALA, AT DUNSMUIR HELLMAN HISTORIC ESTATE.**

Oakland Parks & Recreation received a request from the Jack and Jill, Bay Area Chapter seeking permission from the Parks and Recreation Advisory Commission to collect cash and checks for their cash bar and memorabilia table(s) at their 60<sup>th</sup> anniversary, on Saturday, April 30, 2016 at Dunsmuir Hellman Historic Estate. Jack and Jill of America, Inc. is a membership organization of mothers with children ages 2-19, dedicated to nurturing future African-American leaders by strengthening children through leadership development, volunteer service, philanthropic efforts and civic duty.

**D. REQUEST APPROVAL FROM THE PARKS AND RECREATION ADVISORY COMMISSION TO ALLOW THE CRISIS SUPPORT SERVICES OF ALAMEDA COUNTY TO COLLECT REGISTRATION FEES AND DONATIONS AT THEIR 6<sup>TH</sup> ANNUAL WALK-A-THON AT LAKESIDE PARK ON SATURDAY, JUNE 4, 2016.**

Oakland Parks and Recreation has received a request from Crisis Support Services of Alameda County, a non-profit organization that would like to host its 6<sup>th</sup> Annual Suicide Prevention Walk/Run around Oakland's Lake Merritt. Crisis Support Services of Alameda is requesting permission to collect registration fees and donations on-site for their 6<sup>th</sup> Annual Walk-A-Thon at Lakeside Park on Saturday, June 4, 2016.

**E. REQUEST APPROVAL FROM THE PARKS AND RECREATION ADVISORY COMMISSION TO ALLOW THE ASIAN YOUTH PROMOTING ADVOCACY AND LEADERSHIP (AYPAL) TO COLLECT DONATIONS ON-SITE AT THE MAY ARTS CULTURAL FESTIVAL AT SAN ANTONIO PARK ON SATURDAY, MAY 14, 2016**

Oakland Parks and Recreation received a request from the Asian Youth Promoting Advocacy and Leadership (AYPAL), an independently funded project that is fiscally sponsored by the East Bay Asian Youth Center (EBAYC). AYPAL is requesting to collect donations at their May Arts Cultural Festival on Saturday, May 14, 2016. Donations from the event will directly support AYPAL's after school youth programming.

**F. REQUEST THE PARKS AND RECREATION ADVISORY COMMISSION MAKE A RECOMMENDATION TO CITY COUNCIL TO AMEND CHAPTER 12.64 OF THE OAKLAND MUNICIPAL CODE, PARK AND RECREATION AREA USE REGULATIONS, SECTION 12.60.070 OF THE OAKLAND MUNICIPAL CODE, BICYCLE OPERATION RULES-VIOLATIONS-PENALTY AS RELATED TO USE IN PARKS, AND SECTION 1.28.020 OF THE OAKLAND MUNICIPAL CODE VIOLATIONS AS INFRACTIONS.**

Staff recommends that the Parks and Recreation Advisory Commission (PRAC) make a recommendation to the City Council to amend Chapter 12.64 Park and Recreation Area Use Regulations of the Oakland Municipal Code (OMC), Section 12.60.070 of the OMC, Bicycle Operation Rules-Violations-Penalty, and Section 1.28.020 of the OMC, Violations as Infractions to make various changes to park rules and signage. The recommended amendments are the result of a Parks and Recreation Advisory Commission task force effort to review potential ordinance changes for park rules and signage as it relates to park noise regulations, children play areas, bikes in parks and other park rule usage. Additional minor edits to the proposed Ordinance may be made by OPR and the City Attorney's Office.

**G. REQUEST APPROVAL FROM THE PARKS AND RECREATION ADVISORY COMMISSION TO ALLOW THE ORGANIZER'S OF THE OAKLAND CARNIVAL TO COLLECTION OF VENDOR REGISTRATION FEES AND VENDOR SOLICITATION OF FEES FOR FOOD CONCESSIONS AND SALES OF GOODS AND WARES FOR JUNE 4, 2016 OAKLAND CARNIVAL AT MOSSWOOD PARK.**

This proposal is for Oakland Carnival, an annual free community festival held at Mosswood Park. Oakland Carnival is a free, family friendly event for the public featuring Oakland artisans celebrating African, Caribbean, and Latin American Cultures. Oakland Carnival attracts many Oakland residents for this one day event held at Mosswood Park. Organizers are requesting permission to collect registration fees from onsite vendors to create an African Marketplace and for approval of vendors to sell goods and food items. The merchandise sold will include clothing, soaps, beauty products and art. Food sales will also highlight culturally diverse cuisines. Individual vendors only, will benefit from sale of items.

**H. REQUEST APPROVAL FROM THE PARKS AND RECREATION ADVISORY COMMISSION TO ALLOW THE ORGANIZER'S NONPROFIT PARTNERS' SALE OF AND COLLECTION OF FEES FROM ALCOHOL, FOOD, AND MERCHANDISE SALES FOR THEIR NEW BELGIUM CLIPS BEER & FILM TOUR ON AUGUST 19, 2016 AT MOSSWOOD PARK.**

This proposal is for New Belgium Clips Beer & Film Tour, a free community event held at Mosswood Park benefiting Bike East Bay. This event celebrates creative expression of brewing and film while encouraging sustainable initiatives and fostering positive relationships with local communities where New Belgium products are sold. The event will feature film shorts created by fans of New Belgium products and a "green tour" through composting and recycling all event by-products.

9. CONDITIONAL USE PERMITS:
10. COMMUNICATIONS:
11. PRAC COMMITTEE REPORT:
12. ADVISORY COUNCIL REPORTS:
13. UNFINISHED BUSINESS:
14. COUNCIL REFERRALS:
15. OPEN FORUM:
16. DIRECTOR'S REPORT:
17. ADJOURNMENT:

This meeting is wheelchair accessible. To request materials in alternative formats, or to request an ASL interpreter, or assistive listening device, please call *Oakland Parks and Recreation* at (510) 238-7532 or TDD (510) 615-5883 at least three working days before the meeting. Please refrain from wearing scented products to this meeting so attendees who may experience chemical sensitivities may attend. Thank you.

**Next Meeting:**

***Wednesday, May 11, 2016 4:30 p.m.***  
***Lakeside Garden Center***  
***666 Bellevue Ave, Oakland, CA***



**PARKS AND RECREATION ADVISORY COMMISSION**

City of Oakland

Wednesday, November 18, 2015

Lake Merritt Garden, 666 Bellevue Avenue

4:30pm

**\*\*\*Draft Special Meeting Minutes\*\*\***

1. CALL TO ORDER:

2. ROLL CALL:

**BELCHER, CORBIN, DU BOIS, KADERA-REDMOND, MANNING, MARSHALL, MILLER, PETERSON, ROSENBLOOM, SELNA, WU**

**Present:** Commissioners Du Bois, Kadera-Redmond, Manning, Marshall, Miller, Peterson, Rosenbloom, Selna and Wu

**Excused:** Commissioner Corbin

**Absent:** Belcher

**Staff:** Parks and Recreation - Audree V. Jones-Taylor, Dana Riley, Diane Boyd, Zermaine Thomas  
Mayor's Office - Shereda Nosakhare, Planning -Michael Bradley

**S3. DISPOSITION OF MINUTES:**

• **May 13, 2015 Draft Meeting Minutes**

**Motion:** Commissioner Miller entertained a motion to approve the May 13, 2015 meeting minutes with changes. **Moved by:** Commissioner Wu **Second by:** Commissioner Marshall **Vote: Yes:** Kadera-Redmond, Marshall, Miller, Rosenbloom, Selna and Wu. **Abstained:** Du Bois, Manning and Peterson **Motion:** Passed.

• **July 8, 2015 Draft Meeting Minutes**

**Motion:** Commissioner Miller entertained a motion to approve the July 8, 2015 meeting minutes. **Moved by:** Commissioner Peterson **Second by:** Commissioner Marshall **Vote: Yes:** Du Bois, Kadera-Redmond, Marshall, Miller, Peterson and Wu. **Abstained:** Manning, Rosenbloom and Selna **Motion:** Passed.

• **September 16, 2015 Draft Meeting Minutes**

**Motion:** Commissioner Miller entertained a motion to approve the September 16, 2015 meeting minutes. **Moved by:** Commissioner Selna. **Second by:** Commissioner Rosenbloom. **Vote: Yes:** Du Bois, Kadera-Redmond, Miller, Peterson, Rosenbloom, Selna and Wu. **Abstained:** Manning and Marshall **Motion:** Passed.

• **November 4, 2015 Draft Special Meeting Minutes**

**Motion:** Commissioner Miller entertained a motion to approve the November 4, 2015 meeting minutes. **Moved by:** Commissioner Manning **Second by:** Commissioner Kadera-Redmond **Vote: Yes:** Du Bois, Kadera-Redmond, Manning, Miller, Rosenbloom, Selna and Wu. **Abstained:** Peterson and Marshall **Motion:** Passed.

4. SPECIAL ORDERS:
5. PRAC PENDING LIST:
6. MODIFICATIONS TO THE AGENDA:
7. CONSENT NEW BUSINESS:
8. NEW BUSINESS

**A. REQUEST APPROVAL FROM THE PARKS AND RECREATION ADVISORY COMMISSION TO ALLOW NIANTIC, INC. TO HOST A MOBILE CASH BAR, AND HAVE WINE, BEER AND MOBILE FOOD TRUCK VENDOR SALES AT THEIR "ABADDON OAKLAND" EVENT ON SATURDAY, DECEMBER 12, 2015 AT THE LAKESIDE PARK (BANDSTAND) AND LAKESIDE PARK GARDEN CENTER.**

The Parks and Recreation Advisory Commission reviewed the staff report for Item 8A prepared by Zermaine Thomas. Oakland Parks and Recreation received a request from Niantic, Inc. to host a mobile cash bar and food truck vendors at their Abaddon Oakland event at Lakeside Park (Bandstand) and Lakeside Park Garden Center on Saturday, December 12, 2015. All proceeds from alcoholic and food sales will be retained by the vendors. This is Niantic's first year hosting their fundraising event with Oakland Parks and Recreation.

Approximately 2,500 people are expected to participate in the "Abaddon Oakland" event. Over a 2 ½ hour period, attendees will walk through the City searching for, and capturing points of interest using the Ingress app on their cell phone. Ingress is an immersive real-world game downloaded more than 13 million times and played in more than 200 countries worldwide. After the search through Oakland, participants will return to the park for a standing reception.

The Commission recommended that the event organizers reevaluate their plans and consider increasing the number of mobile food vendors and restroom facilities to better accommodate the anticipated 2,500 participants.

**Motion:** Commissioner Miller entertained a motion to approve the staff recommendation to allow Niantic Inc. to provide a mobile cash bar and food truck vendors at their Abaddon Oakland event at the Lakeside Park Bandstand and Garden Center on Saturday, December 12, 2015. **Moved by:** Commissioner Peterson **Second by:** Commissioner Kadera-Redmond **Vote: Yes** Du Bois, Kadera-Redmond, Manning, Marshall, Miller, Peterson, Rosenbloom, Selna and Wu. **Motion:** Passed.

**B. REQUEST APPROVAL FROM THE PARKS AND RECREATION ADVISORY COMMISSION TO ALLOW OAKLAND TECHNICAL HIGH SCHOOL'S PTSA TO COLLECT ON-SITE DONATIONS AT THE 3RD ANNUAL OAKLAND TECH FAMILY FITNESS AND FUN 5K AT LAKESIDE PARK ON SUNDAY, DECEMBER 6, 2015.**

The Parks and Recreation Advisory Commission reviewed the staff report for Item 8B

prepared by Zermaine Thomas. The Oakland Technical High School Parent Teacher Student Association (PTSA) requested permission to collect on-site donations at their 3<sup>rd</sup> Annual Oakland Tech Family Fitness and Fun 5k on December 6, 2015 at Lakeside Park. Proceeds raised will be applied to offset the cost for hosting the event and support PTSA programs and activities.

**Motion:** Commissioner Miller entertained a motion to approve the staff recommendation to grant the Oakland Technical High School Parent Teacher Student Association's request to collect donations at their 3<sup>rd</sup> Annual Oakland Tech Family Fitness and Fun 5K at Lakeside Park on Sunday, December 6, 2015. **Moved by:** Commissioner Kadera-Redmond. **Second by:** Commissioner Manning. **Vote: Yes:** Du Bois, Kadera-Redmond, Manning, Marshall, Miller, Peterson, Rosenbloom, Selna and Wu. **Motion:** Passed.

- C. **REQUEST FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO APPROVE THE PLACEMENT OF A CHILDREN'S MEMORIAL STATUE IN LAKESIDE PARK.** The Parks and Recreation Advisory Commission reviewed the staff report for Item 8C prepared by Shereda Nosakhare from the Mayor's office. Almost 200 minors have die violently in Oakland during the past 20 years. The majority have been killed by guns. Because of this appalling number the City's population is riddled with families mourning the loss of a beloved son or daughter, brother or sister, grandchild, niece, nephew or friend.

Spearheaded by former Alameda County District Supervisor Gail Steele, two Children's Memorial sculptures were created to honor the young lives lost; one for Hayward the other for Oakland. Supporters and organizers of the project requested that the Commission consider their request, and allow the Oakland statue be placed in Lakeside Park near the road left of Fairyland, near the Band Stand. The purpose of the installation of the statue is to provide a place for family members and the community to mourn and gather in memory of children who have died in Oakland due to violence. While in support of the memorial statue project, other community members suggested that due to the nature and volume of activities including sports, concerts and weddings, installation of the statue in the proposed area would not create the sacred reflective atmosphere grieving visitors would expect and requested the Commission consider another location.

After a brief discussion with the project organizers and community members, the Commission took both arguments under advisement and determined that the requested location for the installation of the statue was not appropriate for its purposes. Those present agreed with the Commission that the project organizers, city staff and community members would organize a tour of Lakeside Park to determine a better alternative location.

The Children's Memorial Statue Project will have to be submitted to the Public Arts Commission for review.

**Motion:** Commissioner Miller entertained a motion to accept the gift of the Children's Memorial Statue and that a specific location within Lakeside Park is to be decided in 45 days. **Moved by:** Commissioner Wu **Second by:** Commissioner Du Bois. **Vote: Yes** Du Bois,

Kadera-Redmond, Manning, Marshall, Miller, Peterson, Rosenbloom, Selna and Wu.  
**Abstained: Motion:** Passed.

9. CONDITIONAL USE PERMITS:

**A. REQUEST FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO MAKE A RECOMMENDATION ON A MAJOR CONDITIONAL USE PERMIT AND DESIGN REVIEW FOR THE PROPOSED INSTALLATION OF A TEN FOOT (10') EXTENSION TO AN EXISTING 64.3 FOOT PACIFIC GAS AND ELECTRIC (PG&E) TOWER TO CREATE A MINI - TELECOMMUNICATIONS FACILITY WITH SIX (6) ANTENNAS AND A 646 SQUARE FOOT EQUIPEMENT AREA ON THE GROUND IN A PORTION OF COLUMBIAN GARDENS PARK OWNED BY PG&E.**

The Parks and Recreation Advisory Commission reviewed the staff report for Item 9A prepared by Michael Bradley from the Bureau of Planning. Verizon, the applicant, requested Parks and Recreation Advisory Commission approval of a Major Conditional Use Permit and Regular Design Review to construct a Mini Telecommunications Facility consisting of a ten foot (10') extension to an existing 64.3 foot Pacific Gas and Electric (PG&E) tower with six (6) antennas and a 646 square foot equipment area on the ground surrounded by an 8' masonry wall to discourage unauthorized access in a portion of Columbian Gardens Park owned by PG&E.

There is an existing playground structure and a grass field of approximately 1,071 sq. ft. below the power lines and tower. The proposed equipment will be placed on the ground between the power lines above, and will take up 646 sq. ft. on the ground. The site is zoned as an open space neighborhood park. The Item was brought before PRAC for review and recommendation to the Planning Commission which will make the final decision.

The applicant's representative informed the Commission that the project has been in the planning stages for 3 years and the applicant has determined that the proposed site is the least intrusive way to provide coverage and capacity in the 98<sup>th</sup> Avenue and Highway 880 area. The site is surrounded by RD1 zoned housing. However, staff look at other zoned parcels in the search area. The company adhered to the zoning requirements which request that the first preference for locating a telecom facility be on an existing tower and would not have to build brand new facility 60 or 70 ft. tall to cover the targeted coverage area.

With respect to notification to the community, the Planning Commission will hear the item on December 2, to be followed by a 17 day comment period. All property owners in a 300 ft. radius of the site have received a notice mail. In addition, planning staff posted a large yellow "public notice" sign at the site.

The Commission inquired if Verizon would consider a goodwill gesture and replace the play structures at Columbian Park which were lost due to arson. The request was made as the Commission noted that the Verizon customer will benefit from the tower upgrade and that Columbian Park is a small site and that the neighborhood has no open space. According to the applicant's representative, the decision to replace the lost play structures would have to be determined by PG&E as they were removed by the company. However, as a point of clarification, the Oakland Parks and Recreation (OPR) Director noted that though PG&E



owns the land, the park falls under the jurisdiction of OPR. The Director also noted that OPR removed the hazardous burnt play equipment and supported the Chair's suggested goodwill gesture from Verizon as the project requires the field to be reduced by 676sq. ft.

As requested by the Director, Planning staff addressed the City's policy regarding "no net loss" of city park land. The Commission was informed that given the expansion of the Oak Knoll and Brooklyn Basin/Oak to 9<sup>th</sup> Street projects the City will be gaining several acres of parkland, the Columbian Gardens reduction of 676 sq. ft. would not result in a loss of park space for the City.

Appreciative of the City's no-net-loss policy regarding parkland, the Commission rejected the comparison of the Oak Knoll and Brooklyn Basin projects to that of Columbian Gardens Park, and reiterated that, given the magnitude and appearance of the proposed installation, and given the modest trappings of the park and surrounding neighborhood, the installation of new play equipment by Verizon would be received as a goodwill gesture and appreciated by the community.

The Commission also suggested there be more outreach to the community regarding the project and to gather input from the residents as to what they may want to see placed on the property. It was concluded that there needs to be some kind of community benefit to area.

Planning staff suggested that the PRAC could recommend the Planning Commission address the replacement of the play structures in its final decision on the project.

Commissioner Wu – retired.

The Chair suggested that perhaps the community could be engaged to paint a mural on the surrounding wall structure and learned that the applicant would be using an anti-graffiti masonry product on its surface. The applicant's representative informed the Commission that the company would deploy maintenance crew to address graffiti removal. This information would be placed in the standard staff report.

The Commission queried staff about possible health hazards to be considered from the proposed installation. Planning staff referenced the background section of the staff report and informed the Commission that based on the 1996 FCC ruling and based on all telecom cases from the City Attorney's Office, staff cannot make a decision on an application based on environmental health concerns. Decision will be based strictly on aesthetics.

The commission engaged in a brief discussion regarding possible conditions to be added to the recommendation to the Planning Commissions and additional community input with enhanced meeting notification such as flyer distribution, recreations center and church postings. The discussion included the City's standard notification to the property owner v. renters. OPR staff suggested that City staff ask PG&E for their area mailing list to notify renters in the project area.

**Motion:** Commission Miller entertained a motion to recommends approval of Verizon's CUP request at Columbian Gardens Park, subject to the following conditions:

- That there be additional (more pro-active) outreach to the community regarding what they'd like to see in the park
- That the applicant explore the possibility of a mural or other arts project on the exterior of the concrete enclosure wall, if feasible---and if not feasible, that they commit to removing any graffiti within 72 hours
- That the applicant provide an amenity in the park to offset the removal of the 646 square feet of usable open space from this under-served community, such as the replacement of the (burned) play structure with a new play structure, or a similar amenity if the community feels that would be more appropriate.

**Moved by:** Commissioner Peterson **Second by:** Commissioner Kadera-Redmond **Vote:**  
**Yes** Du Bois, Kadera-Redmond, Manning, Marshall, Miller, Peterson, Rosenbloom  
**Abstained:** **Motion:** Passed.

#### 10. COMMUNICATIONS:

Chair Miller informed the Commission that he received an email from Mr. James Callahan, a leader/member of the neighbor group opposed to the cutting down of the Redwood tree on Vernon Street. The Chair learned in an effort to avoid PRAC, the applicant applied for a tree removal permit through the Planning Commission siting they are planning a development. His letters have been forwarded to the Public Works Director. The permit application is on hold while the legalities of the permit are investigated. PRAC denied the removal at an earlier Commission meeting.

#### 11. PRAC COMMITTEE REPORT:

Commission Kadera-Redmond reported the Parks Ordinance Review subcommittee is reviewing the language regarding noise, musical instruments, bikes, adults in enclosed tot lots and sleeping in City of Oakland parks.

Chair Miller: Serving as a PRAC representative on the Impact Fees Taskforce of 20 members. The taskforce is charged with looking at fees for new developments in the City of Oakland. Meetings are held every week for 2 ½ hours at city hall. Areas that would benefit from the fees include affordable housing, transportation and capital facilities. The Chair is trying to lobby for parks to receive a guaranteed share of capital facilities or a separate category from capital facilities which covers of city utilities.

Kadera-Redmond: Brooklyn Basin – developers hired a landscaped architect to determine how visitors could engage in the open spaces projected in the design. It was an open community process. Everyone in attendance felt their voices were heard.

#### 12. ADVISORY COUNCIL REPORTS:

#### 13. UNEFINISHED BUSINESS:

#### 14. COUNCIL REFERRALS:

15. OPEN FORUM:

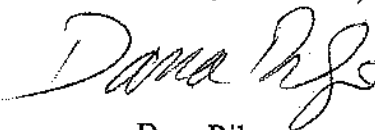
16. DIRECTOR'S REPORT:

- Proposed PRAC Voting Requirements: The current quorum requires 6 members to vote on an item. It is usually a majority of the members seated. The Commission will still need 6 members to vote on an item, but only a majority of the quorum to pass an item.

**Staff recommends that the City Council:** Adopt An Ordinance Amending Ordinance No. 8065 C.M.S. And Ordinance No. 11731 To Amend The Rules And Procedures Of The Parks And Recreation Advisory Commission To Change The Vote Required To Adopt Motions From Six (6) To A Majority Of The Members Present And Voting.

17. ADJOURNMENT: 6:29pm

Respectfully submitted,



Dana Riley  
for  
Audree V. Jones-Taylor  
Secretary



Diane Boyd  
Recording Secretary

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Next Meeting :

**Wednesday, December 9, 4:30 p.m.**  
**Lakeside Garden Center**  
**666 Bellevue Ave, Oakland, CA**



**PARKS AND RECREATION ADVISORY COMMISSION**

City of Oakland

Wednesday, March 9, 2016

Lake Merritt Garden, 666 Bellevue Avenue

4:30pm

**Draft Meeting Minutes**

1. CALL TO ORDER: 4:37p.m.

2. ROLL CALL:

**BELCHER, CORBIN, DU BOIS, KADERA-REDMOND, MANNING, MARSHALL, MILLER, PETERSON, ROSENBLOOM, WU**

**Present:**

Commissioners Corbin, Du Bois, Kadera-Redmond, Manning, Marshall, Miller, Peterson, and Wu

**Excused:**

Commissioners Belcher and Rosenbloom

**Staff:**

Parks and Recreation – Stephanie Hom, Dana Riley, Diane Boyd, Zermaine Thomas  
Planning and Building – Alicia Parker and Joanna Winters

3. DISPOSITION OF MINUTES:

December 9, 2015 meeting minutes

**Motion:** Commissioner Miller entertained a motion to approve the December 9, 2015 meeting minutes. **Moved by:** Commissioner Peterson **Second by:** Commissioner Wu

**Vote: Yes:** Commissioners Corbin, Kadera-Redmond, Manning, Miller, Peterson and Wu

**Abstained:** Commissioners Marshall and Du Bois **Result:** Passed

February 10, 2016 meeting minutes

**Motion:** Commissioner Miller entertained a motion to approve the February 10, 2016 meeting minutes. **Moved by:** Commissioner Wu **Second by:** Commissioner Du Bois

**Vote: Yes:** Commissioners Corbin, Du Bois, Kadera-Redmond, Marshall, Miller and Wu

**Abstained:** Commissioners Manning and Peterson **Result:** Passed

4. SPECIAL ORDERS:

5. PRAC PENDING LIST:

6. MODIFICATIONS TO THE AGENDA:

**Motion:** Commissioner Miller entertained a motion to move Open Forum above Communications. **Moved by:** Commissioner Peterson **Second by:** Commissioner Wu  
**Vote: Yes:** Commissioners Corbin, Du Bois, Kadera-Redmond, Manning, Marshall, Miller, Peterson and Wu **Abstained:** Commissioners Marshall and Du Bois **Result:** Passed

7. CONSENT NEW BUSINESS:

A. REQUEST PERMISSION FROM THE PARKS AND RECREATION ADVISORY COMMISSION TO ALLOW THE OAKLAND RUNNING FESTIVAL TO SERVE AND SELL FOOD AND ALCOHOLIC BEVERAGES; AND TO ACCEPT DONATIONS AND COLLECT REGISTRATION FEES AT THEIR 7<sup>TH</sup> ANNUAL OAKLAND RUNNING FESTIVAL MARATHON ON SUNDAY, MARCH 20, 2016 AT SNOW PARK.

Oakland Parks & Recreation received a request from Gene Brtalik, the Oakland Running Festival Race Director, to serve and sell beer, wine and food and collect registration fees at the Oakland Running Festival event at Snow Park on Sunday, March 20, 2016. Proceeds collected at the events will benefit the City of Oakland and local charities. Also, a portion of proceeds for alcohol sales will be given to the Oakland Fire Department's Random Acts of Charity fund.

B. REQUEST PERMISSION FROM THE PARKS AND RECREATION ADVISORY COMMISSION TO ALLOW THE AMERICAN FOUNDATION FOR SUICIDE PREVENTION TO COLLECT DONATIONS AND SELL EVENT RELATED ITEMS AT THEIR OUT OF THE DARKNESS WALK AT LAKESIDE PARK ON SATURDAY, OCTOBER 15, 2016

Oakland Parks & Recreation received a request from the American Foundation for Suicide Prevention (AFSP) to collect donations and sell t-shirts and other event related items at their Out of the Darkness Walk at Lakeside Park on Saturday, October 15, 2016. Proceeds from the event will benefit the organization's ongoing suicide prevention and awareness outreach efforts.

C. REQUEST PERMISSION FROM THE PARKS AND RECREATION ADVISORY COMMISSION TO ALLOW THE FRIENDS OF FAITH INC. TO COLLECT REGISTRATION FEES, HOST MOBILE FOOD TRUCKS AND ALLOW VENDORS TO SELL EVENT RELATED ITEMS AT THEIR 12<sup>TH</sup> ANNUAL FAITH FANCHER BREAST CANCER CHALLENGE WALK/RUN AT LAKESIDE PARK ON SATURDAY, AUGUST 27, 2016.

Oakland Parks & Recreation received a request from the Friends of Faith, Inc. (FOFI) to collect registration fees, allow vendors sales and mobile food vendors at the 12<sup>th</sup> Annual Faith Fancher Breast Cancer Challenge Walk/Run at Lakeside Park on Saturday, August 27, 2016. The funds raised will help provide health services support to breast cancer survivors and education regarding early detection.

**D. REQUEST FROM THE PARKS AND RECREATION ADVISORY COMMISSION TO ALLOW THE NATIVE AMERICAN HEALTH CENTER, INC. TO COLLECT REGISTRATION FEES AT THEIR 14<sup>th</sup> ANNUAL RUNNING IS MY HIGH 5K AND 10K FUN RUN/WALK AT LAKESIDE PARK ON SATURDAY, MARCH 12, 2016.**

Oakland Parks & Recreation received a request from the Native American Health Center, Inc., to collect on-site registration fees for their 14th Annual Running is My High, a 10k and 5k Fun Race at Lakeside Park on Saturday, March 12, 2016. The proceeds will be used to support the organization's cost recovery for t-shirt purchases and participant scholarships.

**Motion:** Commissioner Miller entertained a motion to approve the Consent New Business Items 7A – 7D. **Moved by:** Commissioner Wu **Second by:** Commissioner Peterson

**Vote: Yes:** Commissioners Corbin, Du Bois, Kadera-Redmond, Manning, Marshall, Miller, Peterson and Wu. **Result:** Passed.

**8. NEW BUSINESS**

**A. REQUEST APPROVAL FROM THE PARKS AND RECREATION ADVISORY COMMISSION TO ALLOW THE EAST BAY AGENCY FOR CHILDREN'S CIRCLE OF CARE TO COLLECT DONATIONS AT THE 7<sup>TH</sup> ANNUAL WALK TO REMEMBER AT LAKESIDE PARK ON SATURDAY, MAY 14, 2016.**

Oakland Parks & Recreation received a request from the East Bay Agency for Children's Circle of Care to collection donations at their 7<sup>th</sup> Annual Walk to Remember event at Lakeside Park on Saturday, May 14, 2016. The event's proceeds will support the agency's grief and loss program which provides assistance to Oakland children and families. The East Bay Agency for Children's Circle of Care is entirely operated by volunteers, and is the only agency of its kind in the East Bay to provide services to the entire family.

**Motion:** Commissioner Miller entertained a motion to approve the staff recommendation to allow the East Bay Agency for Children's Circle of Care to collect donations at their 7<sup>th</sup> Annual Walk to Remember at Lakeside Park on Saturday, May 14, 2016. **Moved by:** Commissioner Marshall **Second by:** Commissioner Manning

**Vote: Yes:** Commissioners Corbin, Du Bois, Kadera-Redmond, Manning, Marshall, Miller, Peterson and Wu. **Result:** Passed.

**B. REQUEST PERMISSION FROM THE PARKS AND RECREATION ADVISORY COMMISSION TO ALLOW THE SMALL PRESS DISTRIBUTION (SPD) TO HOST A SMALL LIVE AUCTION AND COLLECT FUNDS IN SUPPORT OF SPD AT THEIR BATTLE OF THE BRAINS PUB QUIZ ON MONDAY, MAY 2, 2016 AT THE LAKE MERRITT SAILBOAT HOUSE.**

Oakland Parks & Recreation received a request from Small Press Distribution to collect donations at their Battle of the Brains Pub Quiz fundraiser event at the Lake Merritt Sailboat House on Monday, May 2, 2016. The fundraising proceeds will be used to sustain the SPD operations enjoyed by their 400 publisher affiliates, authors and readers.

**Motion:** Commissioner Miller entertained a motion to approve the staff recommendation to allow the Small Press Distribution to host a fundraiser during their Battle of the Brains Pub Quiz event at the Lake Merritt Sailboat House on Monday, May 2, 2016. **Moved by:** Commissioner Peterson **Second by:** Commissioner Corbin. **Vote: Yes:** Commissioners Corbin, Du Bois, Kadera-Redmond, Manning, Marshall, Miller, Peterson and Wu. **Result:** Passed.

**C. REQUEST APPROVAL FROM THE PARKS AND RECREATION ADVISORY COMMISSION TO ALLOW THE INTERNATIONAL OCD FOUNDATION (IOCDF) TO COLLECT REGISTRATION FEES AND DONATIONS FOR THEIR 1 MILLION STEPS 4 OCD WALK AT THE LAKE MERRITT BLVD. AMPHITHEATER ON SATURDAY, JUNE 4, 2016.**

The Oakland Parks and Recreation Advisory Commission reviewed the staff report for Item 8C prepared by Zermaine Thomas. Oakland Parks and Recreation received a request from the International Obsessive Compulsive Disorder Foundation (IOCDF) to collect registration fees and donations at their 1 Million Steps 4 OCD Walk at the Lake Merritt Blvd. Amphitheater on June 4, 2016. Proceeds from the fundraiser will support OCD and related disorders awareness campaigns organized by OCD San Francisco Bay Area/Sacramento and the International OCD Foundation's global outreach mission.

The OCD organization provides free peer to peer support to persons living with the often misdiagnosed and mistreated disorder.

**Motion:** Commissioner Miller entertained a motion to approve the staff recommendation to allow the International OCD Foundation to collect registration fees and donations at their 1 Million Steps 4 OCE Walk at the Lake Merritt Blvd. Amphitheatre on Saturday, June 4, 2016. **Moved by:** Commissioner Du Bois **Second by:** Commissioner Peterson. **Vote: Yes:** Commissioners Corbin, Du Bois, Kadera-Redmond, Manning, Marshall, Miller, Peterson and Wu. **Result:** Passed.

**D. INFORMATIONAL REPORT ON THE DOWNTOWN OAKLAND SPECIFIC PLAN**

The City of Oakland's Planning and Building Division is developing a specific plan for Downtown Oakland and solicited preliminary input from the Parks & Recreation Advisory Commission (PRAC) on the Plan Alternatives Report (Report) which was developed after engaging the Oakland community in a series of workshops and stakeholder meetings during the late summer of 2015. Alicia Parker from Planning and Building presented a slide presentation to the PRAC. The Power Point presentation updated the PRAC of the current status of the plan. The presentation included an overview of the area demographics, staff outreach and community engagement efforts, parks, recreation and open spaces new and existing, vision, landscaping and sustainability. The report also contains draft scenarios, policies and design options.

**Motion:** Commissioner Miller entertained a motion to accept the Informational Report on the Downtown Oakland Specific Plan and for staff to encourage more community feedback.

**Moved by:** Commissioner Redmond-Redmond **Second by:** Commissioner Manning **Vote:**

**Yes:** Corbin, Du Bois, Kadera-Redmond, Manning, Marshall, Miller, Peterson and Wu.

**Result:** Passed.

9. CONDITIONAL USE PERMITS:

10. COMMUNICATIONS:

11. PRAC COMMITTEE REPORT:

12. ADVISORY COUNCIL REPORTS:

13. UNFINISHED BUSINESS:

The annual retreat will be scheduled after the appointment of the two incoming commissioners.

14. COUNCIL REFERRALS:

City Council accepted PRAC's Impact Fees resolution adopted on February 10, 2016. Subsequently, the Council is considering an impact fee set aside for Parks & Recreation. The items will be heard in committee on March 22, 2016.

15. OPEN FORUM:

Former OPR Director Audree V. Jones-Taylor announced her campaign for the East Bay Regional Parks (EBRPD) District Ward 2 seat in the November 2016 election. Ms. Jones-Taylor also affirmed her intention to re-establish a partnership between OPR and EBRPD.



16. DIRECTOR'S REPORT:

- New PRAC appointees, Cory Riley and Ethel Howze, will presented at the March 15, 2016 City Council meeting.
- The 63<sup>rd</sup> Annual Mother of the Year nominations are due April 1, 2016.
- Summer programming and schedules are being planned.

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*Adjournment - 6:29pm*

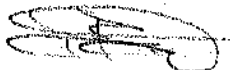
*In Memory  
of  
Former Oakland Parks & Recreation Supervisor  
Mimi Rogers*

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Respectfully submitted,



Stephanie Hom  
Secretary



Diane Boyd  
Recording Secretary

This meeting is wheelchair accessible. To request materials in alternative formats, or to request an ASL interpreter, or assistive listening device, please call **Oakland Parks & Recreation at (510) 238-7532** or TDD **(510) 615-5883** at least three working days before the meeting. Please refrain from wearing scented products to this meeting so attendees who may experience chemical sensitivities may attend. Thank you.

**Next Meeting:**

**Wednesday, April 13, 2016 4:30 p.m.**

**Lakeside Garden Center**

**666 Bellevue Ave, Oakland, CA**

CITY OF OAKLAND  
Interoffice Memorandum



**Oakland Parks and Recreation**

**TO:** Barry Miller, Chair, Parks and Recreation Advisory Commission  
**FROM:** Zermaine Thomas, Central Reservations Lead  
**DATE:** April 13, 2016  
**SUBJECT:** **REQUEST APPROVAL FROM THE PARKS AND RECREATION ADVISORY COMMISSION TO ALLOW EASTSIDE ARTS ALLIANCE TO HAVE ARTS AND CRAFT VENDORS, FOOD VENDORS AND COLLECT DONATIONS ONSITE AT THE 16<sup>TH</sup> ANNUAL MALCOLM X JAZZ FESTIVAL AT SAN ANTONIO PARK ON SATURDAY, MAY 21, 2016**

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SUMMARY

Oakland Parks and Recreation received a request from EastSide Arts Alliance (ESAA), an organization of artists, cultural workers, and community organizers of color who live and/or work in the San Antonio district of Oakland. They are committed to working in the San Antonio and other Oakland neighborhoods to support a creative environment that improves the quality of life for communities and advocate for progressive, systemic social change. ESAA is requesting to have arts and craft vendors, food vendors and to collect onsite donations; funds raised will go towards the cost of presenting the 16<sup>th</sup> Annual Malcom X Jazz Festival at San Antonio Park (i.e. stage rental, tables/chairs rental, clean-up).

FISCAL IMPACT

There is a positive fiscal impact on Oakland Parks and Recreation. Eastside Arts Alliance pays the deposit; the rental and sound fees are paid through the City of Oakland Cultural Arts and Marketing Department's Cultural Funding Program.

BACKGROUND

This is the 16th year that EastSide Arts Alliance (ESAA), has held the Malcolm X Jazz Festival at San Antonio Park. The festival is free to the community and has always been a full day of wonderful jazz, community news, and information. It is one of the few times that the San Antonio community comes out for a full day of healthy, positive interactions. Each year the festival is supported by a variety of funders including the City of Oakland Cultural Arts Department, the National Endowment for the Arts, and the William and Flora Hewlett Foundation. The festival raise about \$500 from donations solicited at the park to help cover costs. This event affords community vendors (arts/food vendors) the opportunity to sell their cultural products/food at the festival; which has been an ongoing tradition. ESSA, is expecting 20-25 art vendors and 5-7 food vendors. Vendor fees are as follows:

- \$75 for Arts and Craft Vendors
- \$125 Food Vendors

Parks and Recreation Advisory Commission  
April 13, 2016

RECOMMENDATION

Staff recommends that the Park and Recreation Advisory Commission approve the request for permission to allow Eastside Arts Alliance to have arts and craft vendors, food vendors and collect donations at the 16<sup>th</sup> Annual Malcolm X Jazz Festival at San Antonio Park on Saturday, May 21, 2016. Elena Serrano, Program Director, is aware that additional permits are required by EastSide Arts Alliance provided their request is granted.

Respectfully submitted,

Zermaine Thomas  
Central Reservations Lead

Attachments: Exhibit A – EastSide Arts Alliance Request Letter  
Exhibit B – 2015 Post Event Report  
Exhibit C – Rental Application



EASTSIDE COMMUNITY CULTURAL CENTER  
2277-2289 INT'L BLVD, OAKLAND. PH: 533-6629  
HTTP://WWW.EASTSIDEARTSALLIANCE.ORG

EastSide Arts Alliance and Cultural Center  
2277 International Blvd. Oakland  
www.eastsideartsalliance.org  
510-533-6629

Dear Members of the Committee:

I am writing on behalf of EastSide Arts Alliance. We would like permission to have arts and crafts and food vendors for our 16<sup>th</sup> annual Malcolm X Jazz Arts Festival. This annual festival has taken place in San Antonio Park, and has been consistently a successful free community event. The festival is scheduled to take place on Saturday, May 21, 2016.

We would like to be able to have community vendors selling cultural products at the festival. This has been an ongoing tradition where community residents are able to sell handcrafted arts and food that represent their respective cultures. We are expecting to have 20-25 arts vendors and 5-7 food vendors. We charge a very reasonable fee for tables (\$75 crafts and \$125 food). The funds cover the costs of presenting the festival (stage rental, clean-up, tables/chairs, etc). We also always go through the proper procedures for food sales, obtaining health permits from Alameda County.

The festival is free to the community and has always been a full day of wonderful jazz, community news, and information. It is one of the few times that the San Antonio community comes out for a full day of healthy, positive interactions. We are also requesting permission to solicit donations for the festival. The total costs to EastSide Arts Alliance for this free festival is over \$50,000. Each year the festival is supported by a variety of funders including the City of Oakland Cultural Arts Department, the National Endowment for the Arts, and the William and Flora Hewlett Foundation. We raise about \$500 from donations solicited at the park to help cover costs.

We look forward to having another very successful community event and thank you for your continuing support.

Sincerely,

Elena Serrano  
Program Director, EastSide Arts Alliance  
Office Phone: 510-533-6629  
elenas@mindspring.com

Exhibit A



# POST EVENT REPORT

Please complete and return the Post Event Report within 30 days after event date to Oakland Parks and Recreation Central Reservations Unit at 250 Frank H. Ogawa Plaza, 3<sup>rd</sup> Floor, Suite 3330, Oakland, CA 94612. If the event was held at a Recreation Center site, return the Post Event Report to the Site Supervisor at the Recreation Center.

## I. GENERAL INFORMATION

Name of Event: Malcolm X Jazz Arts Festival

Location of Event: San Antonio Park

Date/Hours of Event: May 16, 2015 Permit No. 26060

Event Contact Name: Elena Serrano Phone No. 510-508-9173

Event Contact Address: 1800 Foothill Blvd, Oakland CA

Is this a "first time" event at this location?  Yes  No If no, when was the event held previously?

1800 Foothill Blvd, Oakland CA

1. Were Facility Rental/Set-up fees waived?  Yes  No  Not Applicable
2. Check other permits required for event?
  - OPD Special Events Permit  Food Handler's Permit  Seller's Permit
  - Charitable Solicitations Permit  Certificate of Insurance  Other - Please list

## II. ATTENDANCE/COLLECTION OF FUNDS

1. Total number in attendance: 1500
2. Were registration fees, donations or other fees collected on-site?  Yes  No  Not Applicable
3. If yes, how many people registered? \_\_\_\_\_ How many people made donations? 60
4. What was the cost for registration? \_\_\_\_\_
5. How much was collected on site from registration fees? \_\_\_\_\_
6. How much was collected on site from donations? \$500
7. How much was collected on site from other fees? \_\_\_\_\_

**III. VENDOR INFORMATION**

List all Vendors who participated at the event. (Attach additional sheets, if necessary):

Were all vendors in compliance per agreement?  Yes  No

If no, why not? \_\_\_\_\_

Name of Vendor(s) (Attach additional sheets if necessary)	Non-Profit or For Profit Orgz'n?	Food (Describe)	Craft (Describe)	Seller's Permit Y/N
See Attached				


**IV. COMMENTS**

List ways in which the Applicant desires to improve the event, in the future (Attach additional sheets, if necessary): (For example: changes or additional vendors, location, change of hours, etc.)

**This was the 15th year EastSide Arts Alliance presented this festival. Each year has been very successful with great music and enthusiastic community audiences. All ages come to this festival - very mulugenerational and representing the diversity of the neighborhood. We do not anticipate any changes and will continue to work hard to support our neighborhood.**

List any problems, concerns, or other comments about your satisfaction in the way the event turned out? (Attach additional sheets, if necessary):

**The toilets every year do not have doors on the bathroom stalls, and are generally in bad condition.**

Submitted by:  Date: 5/30/15

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_  
(OPR Staff)

Comments: \_\_\_\_\_

## PRAC - POST EVENT REPORT

### VENDOR LIST

1. Achebe's Incense - for profit community vendor - incense, candles -
2. Panache - for profit community vendor - soaps
3. Melanin/Danny King - for profit community vendor - paintings
4. I Love Being Black - for profit community vendor - t-shirts
5. Malia Movement Company - non-profit dance company - t-shirts
6. One Love Works - for profit community vendor - t-shirts, candles, artwork, prints
7. Cato Creations - for profit community vendor - greeting cards, jewelry
8. AK Press/Freedom Archives - non-profit organization - books
9. Tolee Designs - for profit community vendor - jewelry
10. African Artist Alliance - non profit arts organization - paintings, posters, greeting cards
11. A Taste of Africa - for profit - African Food
12. Uncle Willie's BBQ: for profit - BBQ chicken, sausages
13. Endless Summer Sweets: for profit - desserts

ALL CRAFT VENDORS HAD SELLER'S PERMITS AND ALL FOOD VENDRS HAD REQUIRED HEALTH PERMITS.

Community Based Organizations (all non profit organizations) - just information tables - no vending:

1. Youth Together
2. PEERS/TAY Initiative
3. Ella Baker Center
4. La Clinica de la Raza
5. Critical Resistance
6. International Black Women's Society
7. Urban Services YMCA
8. BOP

Exhibit B



### Rental Application

**ATTENTION:** \_\_\_\_\_ Date of Application: 3/9/16

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

Name of Business/Organization: East Side Arts Alliance  
 Address: 2277 International Blvd. Oakland CA 94606  
Street Address City Zip Code  
 Name of Contact Person: Elena Servano  
 Phone Number: 510-508-9173 Fax Number: \_\_\_\_\_ E-mail: elenas@mindspring.com  
 Mailing Address: P.O. Box 17008 Oakland 94601  
Street Address City Zip Code  
 Facility/Park Name: San Antonio Park  
 Room(s)/Site(s): \_\_\_\_\_

**EVENT INFORMATION:**  
 Date(s) of Event: Saturday, May 18, 2013  
 Time In/Prep: 7:00am Event Time: 11am - 7pm Cleanup/Time Out: 9:00pm

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

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.)*  
MUSICAL instruments, live bands, amplifiers, sound system

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

Number of Participants (Total) 1600 Approximate # of Adults 700 # of Teens 200 # of Children/Infants 100

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

Will you require a caterer for your event? Yes  No

If yes, are you choosing a caterer from OPR's Approved Caterer's List? Yes  No

Name of Approved Caterer: \_\_\_\_\_

If not using an OPR Approved Caterer, provide name of non-approved caterer: \_\_\_\_\_

*(Note: An Opt-Out Fee is applicable to non-approved Caterers and non-Catered events. See Attached 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.)*  
 Permit Processing Fees: *(Picnic & Related Events)* A non-refundable permit processing fee of \$15 will be added to each application with 50 or more people.  
 For Park Use: *(Special Events)* A non-refundable permit processing fee of \$30 will be added to each application.

- |  |  |
|--|--|
| (1) _____ x _____ = _____<br><small>(Hourly Rate) (# of hours)</small> | (7) Alcoholic Beverage Fee = _____     |
| (2) _____ x _____ = _____<br><small>(Hourly Rate) (# of hours)</small> | (8) Administrative Service Fee = _____ |
| (3) Permit Processing Fee = _____                                      | (9) Caterer Opt Out Fee = _____        |
| (4) Deposit = _____  | (10) Sound Use Fee = _____             |
| (5) Setup/Teardown = _____   | (11) Other Charges = _____             |
| (6) Kitchen = _____  |  |

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.)*

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

**CANCELLATION FEE:** 60 days or more notice: Forfeit 1/2 Deposit 30 days to 59 days notice: Forfeit Deposit Plus 1/2 Rental Fee  
 31 to 59 day notice: Forfeit Deposit 10 days or less notice: Forfeit All Fees

APPLICANT SIGNATURE: [Signature] DATE: 3/9/16  
 Additional documents/permits may be initiated to finalize your reservation.  
Exhibit C



CITY OF OAKLAND  
Interoffice Memorandum



**Oakland Parks and Recreation**

**TO:** Barry Miller, Chair, Parks and Recreation Advisory Commission  
**FROM:** Dana Riley, Oakland Parks and Recreation  
**DATE:** April 13, 2016  
**SUBJECT:** REQUEST FOR APPROVAL TO DEDICATE A BENCH TO THE ART DECO SOCIETY OF CALIFORNIA

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SUMMARY

Parks & Recreation staff was contacted by Laurie Gordon requesting to dedicate a bench to celebrate the 35<sup>th</sup> anniversary of the Art Deco Society of California. The selected bench is located between the Bird Sanctuary and the Sailboat House in Lakeside Park and is one of the recently installed black metal benches. The dedication plaque will read:

**Dedicated to The Art Deco Society of California  
Celebrating 35 Years of Historic Preservation  
*a gift from Richard Fishman and Laurie Gordon***

FISCAL IMPACT

Laurie Gordon and Richard Fishman will make a minimum donation of \$800 to the Oakland Parks and Recreation Foundation to have a plaque purchased and installed. The plaque installation process is in accordance with the Public Works Agency construction requirements.

BACKGROUND

The Art Deco Society is a Historic Preservation Group with a mission to save and bring awareness to structures and cultural contributions of the 1920s and 1930s. The organization has been involved in the fundraising for the Necklace of Lights, Paramount Theatre, Fox Theater, Cleveland Cascade and more. The specific bench was selected because it looks out towards the donor's residence but also to the new "home" of the Art Deco Society of California which recently moved into an office at the Bellevue Club after being based in San Francisco for 25 years. To support this move to Oakland, the donors want to dedicate a bench as their gift to the Art Deco Society.

RECOMMENDATION

Staff recommends that the Parks and Recreation Advisory Commission approve the plaque language as written for dedication of a bench located between the Bird Sanctuary and the Sailboat House in Lakeside Park.

Respectfully submitted,

  
Dana Riley  
Manager of Operations

**CITY OF OAKLAND  
Oakland Parks and Recreation**



**TO: Barry Miller, Chair, Parks and Recreation Advisory Commission**  
**FROM: Council President Lynette Gibson McElhaney**  
**DATE: 4/13/2016**  
**SUBJECT: REQUEST FOR THE PARKS AND RECREATION ADVISORY  
COMMISSION TO RECOMMEND TO THE RULES AND LEGISLATION  
COMMITTEE TO NAME THE GROVE IN DEFREMERY PARK IN HONOR  
OF BOBBY HUTTON**

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**EXECUTIVE SUMMARY / OUTCOME**

Council President McElhaney requests that the Parks and Advisory Commission recommend to the Rules and Legislation Committee to name the grove in deFremery Park in honor of Bobby Hutton.

Bobby Hutton was the first member of the Black Panther party. He was also the 'first to fall' after his death during a tragic shootout near deFremery Park in 1968. His death marked a turning point in the history of Oakland and for the Black Panther Party. Each year, the local community commemorates his passing with a celebration in the park and has requested the naming of a portion of the park in Bobby Hutton's honor.

**FISCAL IMPACT**

There is no fiscal impact at this time.

Council President McElhaney will be coming forward in the near future with an additional request to the Parks and Recreation Advisory Commission as well as the Public Art Advisory Committee for the installation of signage, a ceremonial plaque or bust of Bobby Hutton.

Funding for the purchase and installation of a ceremonial plaque or bust will come from funds available to Council President McElhaney through priority project funding as well as public donations. These are one time capital expenditures that will be used for the installation of a ceremonial plaque or bust and will be authorized by council resolution. Additional art installations may be considered at a later date.

**PROJECT / PROGRAM DESCRIPTION**

A future request will include more details about signage and a commemorative plaque or bust to be installed near the grove in deFremery Park. The plaque or bust will include a short biography of Bobby Hutton and an explanation of the significance of his passing to the African American community in Oakland.

**BACKGROUND / LEGISLATIVE HISTORY**

The naming of the grove in deFremery Park officially recognizes a longstanding community tradition of referring to the deFremery Park as 'Bobby Hutton Park'. Often referred to as the 'first to fall', Bobby Hutton was the first member to join the Black Panther Party as well as the first to die.

The community commemorates his passing each year at deFremery Park and considers his death a turning point in the political history of the local African American community and of Oakland in general.

Bobby Hutton was born in Arkansas but moved to Oakland at the age of three when his family fled from the nightriders, extra-judicial mobs who perpetrated violence at night often by targeting African-Americans. In December 1966, Hutton was the first to join the newly formed Black Panther Party for Self Defense (BPP), a revolutionary Black nationalist and socialist organization founded in Oakland by Huey P. Newton and Bobby Seale. At 16, he was the youngest member, the first recruit and the Party's treasurer. He joined the Black Panther Party because he wanted to make a difference in his community and because he believed in the Black Panther Party's Ten-Point Program.

On April 6, 1968, Bobby Hutton and several other members of the Black Panther Party were driving towards deFremery Park to organize a community event in support of jailed Party leader Huey Newton. In addition, the BPP members were attempting to calm the community which was still in shock after the assassination of the Rev. Martin Luther King Jr. two days prior. Oakland police officers confronted the carload of BPP members on a side street. A shootout ensued, resulting in the death Bobby Hutton and the arrest of all others present on the scene.

The Black Panther Party was changed dramatically by what they saw as the martyrdom of Bobby Hutton and the timing of this memorial is appropriate given that this year marks the 50<sup>th</sup> anniversary of the founding of the Black Panther Party in Oakland

In addition, drawing attention to the history of a community finding strength, compassion and unity after the violent death of one of their young men remains a vital message in Oakland during a period that has seen far too many deaths recently. This memorial symbolically advocates for justice and equality under the law for all people of color.

### RECOMMENDATION

Council President McElhaney recommends the Parks and Recreation Advisory Commission recommend approval of the proposed naming of the grove at deFremery Park as the 'Bobby Hutton Grove'. The proposed naming will result in a park that honors the community's continuing dedication to the memory of Bobby Hutton.

Respectfully submitted,



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Council President Lynette Gibson McElhaney  
District 3 Representative

**CITY OF OAKLAND  
Oakland Parks and Recreation**



**TO:** Barry Miller, Chair, Parks and Recreation Advisory Commission  
**FROM:** Deborah Cooper, Estate Manager, Dunsmuir Hellman Historic Estate  
**DATE:** April 13, 2016  
**SUBJECT:** **REQUEST APPROVAL FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO ALLOW THE JACK AND JILL ORGANIZATION, BAY AREA CHAPTER, TO COLLECT FUNDS FOR CASH BAR(S) AND MEMORABILIA TABLE SATURDAY, APRIL 30, 2016 FOR THEIR 60<sup>TH</sup> ANNIVERSARY GALA, AT DUNSMUIR HELLMAN HISTORIC ESTATE.**

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**SUMMARY**

Oakland Parks and Recreation received a request from the Jack and Jill, bay area chapter to be granted permission by the Parks and Recreation Advisory Commission to collect cash and checks for their cash bar and for items sold at their memorabilia table(s), celebrating their 60<sup>th</sup> anniversary, on Saturday, April 30, 2016 at Dunsmuir Hellman Historic Estate.

Jack and Jill of America, Inc. is a membership organization of mothers with children ages 2-19, dedicated to nurturing future African-American leaders by strengthening children through leadership development, volunteer service, philanthropic giving and civic duty.

Each year the bay area chapter of Jack and Jill selects 4-5 non-profit organizations to donate profits gained from their event(s). In the past years, this chapter has given over \$700,000 to Marcus Foster, Boys and Girls Club, Mentoring in Medicine, Oakland Police Activities League, Girls Inc of Alameda County and Black Girls Code.

**FISCAL IMPACT**

The Jack and Jill, bay area chapter will pay all fees associated with the rental.

**BACKGROUND**

The late Marion Stubbs Thomas founded Jack and Jill of America, Incorporated on January 24, 1938 in Philadelphia, Pennsylvania. Twenty mothers came together to discuss creating an organization to provide social, cultural and educational opportunities for youth between the ages of two and nineteen. In 1946, ten chapters were involved in the national restructuring process. Constitution and bylaws were drawn up and the organization was incorporated under the laws of the state of Delaware.

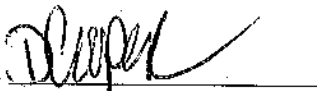
Today, Jack and Jill boast over 230 chapters nationwide, representing over 40,000 family members. Each chapter plans annual programming activities guided under a national theme. Through service projects, Jack and Jill of America create a medium of contact for children to stimulate their growth and development.

Parks and Recreation Advisory Commission  
April 13, 2016

**RECOMMENDATION**

Staff recommends that the Park and Recreation Advisory Commission approve the Jack and Jill, bay area chapter's request to collect on site cash and checks from the sale from their cash bar and items sold at memorabilia table(s) at their 60<sup>th</sup> anniversary event.

Respectfully submitted,



Deborah F. Cooper  
Estate Manager, Dunsmuir Hellman Historic Estate

Attachments: Exhibit A - Jack and Jill request letter  
Exhibit B - Non-Profit Certificate: 501c3  
Exhibit C - Rental Agreement



*Jack and Jill*  
OF AMERICA, INCORPORATED

Please see the information regarding our event and 501c3 organization regarding our 60<sup>th</sup> Anniversary Celebration on April 30, 2016.

**About our organization:**

***MISSION: Jack and Jill of America, Inc. is a membership organization of mothers with children ages 2-19, dedicated to nurturing future African-American leaders by strengthening children through leadership development, volunteer service, philanthropic giving and civic duty.***

The late Marion Stubbs Thomas founded Jack and Jill of America, Incorporated on January 24, 1938 in Philadelphia, Pennsylvania. Twenty mothers came together to discuss creating an organization to provide social, cultural and educational opportunities for youth between the ages of two and nineteen. In 1946, ten chapters were involved in the national restructuring process. Constitution and bylaws were drawn up and the organization was incorporated under the laws of the state of Delaware.

Today, Jack and Jill boasts over 230 chapters nationwide, representing over 40,000 family members. Each chapter plans annual programming activities guided under a national theme. Through service projects, Jack and Jill of America creates a medium of contact for children to stimulate their growth and development.

*"To us as mothers, it [Jack and Jill] has become a means of furthering an inherent and natural desire ...to bestow upon our children all the opportunities possible for a normal and graceful approach to a beautiful adulthood." Marion Stubbs Thomas*

**About our event:**

We are celebrating our 60<sup>th</sup> Anniversary in the Oakland Bay Area community, providing leadership for children and African American families. Our event is titled "Diamond Edition-- Flip Flops" on April 30, 2016. Jack and Jill of America Oakland Bay Area Chapter will setup tables at the Dunsmuir House, Pavilion locale. Registration could begin as early as 5:30pm. No cash will be exchanged for ticket sales.

The reception will offer alcohol (beer & wine) cash sales, and have a few scattered high-top cocktail tables, and some chairs for the non-ambulatory, as the crowd will be mingling and socializing. Food will be catered by Red Door Catering. The Dunsmuir pavilion will host a VIP area for approximately 100 guests during the event where we will encourage guest donations, raffle

sales and potentially small online auction items. Guests can purchase beer & wine inside the Pavilion from approved bartenders who collect and keep cash paid for drinks (\$10/drink, \$3 soft drink, \$2 water). All attendees leave the Dunsmuir House Oakland event by 11pm. Approximately 1 hour for cleanup is needed after that. We have a clean-up crew that will be available.

Lighting for the Dunsmuir Pavilion and outside terrace/park area between would be arranged by Jack and Jill of America Oakland Bay Area Chapter, with power generator and lighting provided by an approved vendor. Jack and Jill Oakland Bay Area Chapter is requesting permission to have mobile cash bars (two) on site in the Dunsmuir Pavilion using catering, or other Dunsmuir park approved caterer, with the proper permits and licenses, to provide a cash bar for attendees at the event. Alcohol will also be sold at a bar inside the VIP event, although drink tickets will be included in ticket. 100% of cash sales for beer & wine are collected and kept by Catering (or park approved caterer used), and 100% of cash sales for donations back to the organization.

Jack and Jill of America Oakland Bay Area Chapter will provide staff to check IDs and use bracelets to identify those screened. Jack and Jill of America is looking at the option of selling memorabilia due to the 60<sup>th</sup> Anniversary and is requesting permission for up to two licensed/sales permit approved booth vendors that would sell t-shirts, pins, and other printed items to attendees at the event. 100% of cash collected would go to the booth vendors, of choice.

**Estimated sales:**

\$1,000-\$3,000 Beer & wine at cash bars in Dunsmuir House Pavilion  
\$1,000 In-Kind Donations (\$10/drink glass)  
\$1,000 Promotional item booths (t-shirts, pins, stickers, posters, etc)  
\$250 Valet parking tips

**Additional Permits that we have in process:**

- Oakland Police Department Special Event Permit submitted.
- Certificate of Insurance in an amount of \$1,000,000 per to be provided by Jack and Jill of American OBAC.
- ABC License for the Alcohol Beverage Control Board to be provided by Jack and Jill of American OBAC.
- Business Tax License: Red Door Catering Permit will be provided, if necessary.
- Trash Bin/Recycling Bins: Waste Management (Dunsmuir will provide)
- Restrooms- Dunsmuir House provides 2 regular and ADA accessible toilet facilities

NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

ATLANTA GA 30301-9001

In reply refer to: 0702857300  
Feb. 18, 2013 LTR 4162C 9  
51-0224656 000000 00

06020249  
30DC: TE

JACK AND JILL OF AMERICA FOUNDATION  
INC  
% LUCILLE A HADLEY EXECUTIVE DIR  
1930 17TH ST NW  
WASHINGTON DC 20009-6207



9403

Employer Identification Number: 51-0224656  
Person to Contact: 0571398  
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your Feb. 06, 2014, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(03) of the Internal Revenue Code in a determination letter issued in 101980.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website [www.irs.gov/eo](http://www.irs.gov/eo) for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.





**DUNSMUIR HELLMAN HISTORIC ESTATE**  
 2960 PERALTA OAKS COURT, OAKLAND, CA 94605 510-615-5555  
 WWW.DUNSMUIR-HELLMAN.COM

**RENTAL AGREEMENT - PART 1**

Today's Date: Feb. 19, 2016RB  
 Name of Applicant or Organization: Jack and Jill, Inc Oakland Bay Area Chapter  
 Name of Contact Person: Adimika Arthur- adimika@gmail.com  
 Phone Number: (Home/Work/Cell) 510-385-1574 Fax #: \_\_\_\_\_  
 E-mail: adimika@gmail.com Address: 6114 LaSalle boulevard, Suite #225  
 City: Oakland State: CA Zip: 94611 Date(s) Requested: Saturday, April 30th, 2016  
 Type of Event: Dinner Reception Non-Profit Estimated Attendance: 125  
 IF Wedding: Name of Bride: N/A Name of Groom: N/A  
 Set-Up Time: 5pm to 6pm Event Time: 6pm to 10:45pm Clean-Up Time: 11pm to 12am

AREA OF ESTATE REQUESTED: Pavilion  
**RENTAL FEES**

(1) Pavilion 6 hour block	\$ 3,000.00
(2) Adding 1 hour from 5pm to 6pm	\$ 100.00
(3) _____	\$ _____
(4) _____	\$ _____
(5) Adding Extra Time	\$ _____
(6) Outside Catering Fee (\$1,500)	\$ _____
(7) Security Deposit (\$700)	\$ 700.00
(8) Staff Costs (\$35/HR)	\$ _____
(9) TOTAL	\$ 3800.00
BOOKING DEPOSIT(-\$1,200) (Due at signing)	\$ 3000.00
BALANCE DUE (After Signing) TOTAL:	\$ 800.00

**DHHE PAYMENT SCHEDULE & NOTES:**

Final payment of \$800.00 will be due on May 30, 2016

Client must use our Preferred Caterer's List

Client must provide Insurance 30 days before your event

Please send us a copy of your 501c3's paperwork

\*\*\*\*If there is any open flame, stereo or propain the Fire Marshall must come out. The fee must be paid 45 days before your event.

CLIENT INITIAL(S): *AD*

**EQUIPMENT INCLUDED IN PACKAGE IS AS FOLLOWS:**

Plastic Chairs; 130 Banquet Chairs(Pavillion); 13 60" Round Tables; 1 48" Rounds; 4 8ft Tables

**CANCELLATION POLICY:** Cancellation of event must be made in writing 60 days prior to event. Dunsmuir Hellman Historic Estate (DHHE) and the City of Oakland (City), shall not, under any circumstances, be held liable to any party for anything not expressly set forth in this contract. The renter agrees to defend, indemnify and hold harmless DHHE and the City from any and all claims, demands, suits, or liabilities of any kind and character, which may result from any act of commission or omission on the part of the City and DHHE, its officers, employees, agents, volunteers in performance of this contract. In signing this Application, I certify that I have read and understood the DHHE Rules and regulations and will abide by all conditions and terms set forth in this agreement.

**FINAL PAYMENT DUE 30 DAYS PRIOR TO EVENT.**

APPLICANT SIGNATURE: *Adimika Arthur* DATE: March 1, 2016  
 STAFF CONTACT: \_\_\_\_\_ EMAIL: \_\_\_\_\_ TEL: \_\_\_\_\_

DUNSMUIR HELLMAN HISTORIC ESTATE

2960 Peralta Oaks Court, Oakland, CA 94605 | 510-615-5555

www.dunsmuir-hellman.com

RENTAL AGREEMENT - PART 2

RENTAL AGREEMENT: Rental Agreement for use of the Dunsmuir Hellman Historic Estate (DHHE) must be signed by an individual 21 years of age or older. A signed Rental Agreement and a minimum, non-refundable deposit are necessary to reserve a confirmed date. Any deviation from the provisions of this agreement must be made in writing and signed by the appropriate staff of DHHE in order to be acceptable. Conversational comments do NOT constitute contractual obligations unless committed into writing and made a part of this rental agreement. If the number of guests exceeds the number specified in this agreement, the Renter will be billed accordingly for labor, equipment and time. DHHE, the City of Oakland and its management representatives reserve the right to issue at any time any further regulations not heretofore listed.

BOOKING DEPOSIT: A NON-REFUNDABLE \$1,200 minimum deposit is required to hold the event date at the time of reservation. All reservations will be made on a first come, first served basis. A payment equaling one-half of the Balance Due must be paid SIX (6) months prior to the event. The final payment is due THIRTY (30) days prior to an event.

CANCELLATION POLICY: No refunds of any payment will be granted. Weather related conditions are not grounds for any refunds or reductions of payments.

SECURITY DEPOSIT: A refundable security deposit is due 30 days prior to the date of the event. The security deposit will be returned between 4-6 weeks after the event if the Renter abided by the procedures set forth herein and in the related contractual materials. The Renter will be charged for any damage to the property and for additional time, cleaning, or other costs. This will be deducted from the Security Deposit. The Renter is liable for all damages caused by the Renter, their guests, agents or employees and will be charged for the cost of repairs, restoration, and/or replacement of any damaged items, plus the decrease in value to the property.

CONTRACTED TIMES: Renter shall arrive at premises only at the time designated on the contracted Rental Agreement. Entry onto the property before contracted time will not be permitted. The first 2 hours shall be set aside for set up (DHHE Staff, florists, caterer, cake, musicians, deliveries, photographers, etc). The last hour is for breakdown. The event must end one (1) hour prior to the contracted time to give adequate time for breakdown.

PROPERTY USE: Use of the DHHE is not to be considered exclusive at any time unless designated in writing. It is likely that events and tours may be scheduled concurrently. The premises are rented "as is." This is a historic Estate that includes water features, animals and other things associated with a park outdoor setting. Renter should be familiar with the equipment provided and any additional equipment that they must secure at their own expense.

ADFIXTURES - No nails, screws, staples or tape or any penetrating implement may be used on or in the walls, etc. No signs, decorations, posters, etc shall be fastened to the premises, either inside or outside without the prior approval of DHHE. No confetti, silly string or rice is allowed in the buildings or on the grounds.

CLOSEOUTS: At the conclusion of the event, the Renter shall leave the premises in the condition in which it was provided. All table coverings, decorations, leftover foods, Equipment, etc from the Renter, Caterer or guests are to be removed.

NON-POLITICAL USAGE: DHHE may not be used for political purposes, sponsoring or conducting candidates meetings, ongoing voter registration activity, nor for publicity or propaganda purposes designed to support or defeated legislation pending before federal, state or local government.

OPEN FLAMES & FIRE PERMITS: No open flames, including candles, votives, or sterno is allowed or permitted without a fire permit from the City of Oakland Fire Department. The Renter or the Caterer shall procure this at least 30 days in advance of the event. There is an

additional charge for this payable to the Oakland Fire Department.

SMOKING IS PROHIBITED - in all buildings and on grounds of the Estate at any time. The Renter is responsible for informing caterers, other vendors AND guests of this prohibition. If there is associated residue from smoking, the Renter will be billed for its clean up.

SET UP/CLEAN UP/DELIVERIES: Set up and clean up are included in the contracted time. Additional set up or clean up time may be available at an hourly rate if it does not interfere with other scheduled activities. Deliveries and other visits to the property must be by appointment with the permission of the DHHE Staff. DHHE does not accept any responsibility or liability for items or goods delivered or left after an event.

VEHICLE USE: Renter will designate up to 3 cars for On Site parking in the designated area. There can be no other vehicle parking at the event site. If there are a number of physically challenged people attending the event, please discuss with DHHE staff to make arrangements.

PARKING: On street parking at the Peralta and /or Covington Gates is available Free of Charge. Off street parking may be available with prior notice, but there is no guarantee.

MANSION USE: Tours of the mansion for your event may be arranged at the time of signing the Rental Agreement for an additional fee.

CATERING: DHHE requires that Renters use a caterer from its Exclusive List. Exceptions will only be granted in the event of special religious requirements. The use of an outside caterer will require the payment of a \$1,500 fee, a catering agreement, which includes appropriate permits, licenses, and a site visit with the DHHE staff prior to the event. This materials needs to be submitted at least 3 months in advance of the date of the event.

EQUIPMENT RENTAL: DHHE has a list of preferred vendors for equipment needs that cannot be met in-house.

SECURITY: DHHE does not provide licensed or other security personnel for events. DHHE does provide gate personnel to control outside access to events. In the event of problems, the Oakland Police will be called and the subsequent bill will be passed on to the Renter and/or deducted from their security deposit.

INSURANCE: Renter shall provide DHHE a certificate of insurance 30 days before the event, naming DHHE and the City of Oakland as additional insured in the amount of \$1,000,000. This is non-negotiable.

ALCOHOL BEVERAGE POLICY: DHHE strictly adheres to the Alcohol & Beverage control rules. Applicant must fill out required OPRD Events Permit Application.

PERMITS: Renter and/or their agent shall obtain the necessary permits at least 30 days prior to the event. Be aware that this requires 30 days to process at the Oakland Police Department. The permit process is not complete until all requirements have been met.

I have read and agreed to all information included in the Rules and Regulations of Dunsmuir Hellman Historic Estate.

Signature: [Handwritten Signature]
Date: March 1, 2016

CITY OF OAKLAND  
Interoffice Memorandum



**Oakland Parks and Recreation**

**TO:** Barry Miller, Chair, Parks and Recreation Advisory Commission  
**FROM:** Zermaine Thomas, Central Reservation Lead  
**DATE:** April 13, 2016  
**SUBJECT:** **REQUEST APPROVAL FROM THE PARKS AND RECREATION ADVISORY COMMISSION TO ALLOW CRISIS SUPPORT SERVICES OF ALAMEDA COUNTY, PERMISSION TO COLLECT REGISTRATION FEES AND DONATIONS ON-SITE AT THEIR 6<sup>TH</sup> ANNUAL WALK-A-THON AT LAKESIDE PARK ON SATURDAY, JUNE 4, 2016.**

SUMMARY

Oakland Parks and Recreation has received a request from Crisis Support Services of Alameda County, a non-profit organization that would like to host its 6<sup>th</sup> Annual Suicide Prevention Walk/Run around Oakland's Lake Merritt. Crisis Support Services of Alameda is requesting permission to collect registration fees and donations on-site for their 6<sup>th</sup> Annual Walk-A-Thon at Lakeside Park on Saturday, June 4, 2016. Although this is Crisis Support Services of Alameda County 6<sup>th</sup> Annual Walk-A-Thon at Lakeside Park this is their second request to collect funds on-site at their event.

FISCAL IMPACT

There will be a positive fiscal impact to Oakland Parks and Recreation. Crisis Support Services of Alameda will pay all fees associated with the rental of the park space.

BACKGROUND

Crisis Support Services of Alameda County provides free 24-hour crisis intervention and suicide prevention services in Alameda County since 1966. As an affiliate of the National Suicide Prevention Hotline, Crisis Support Services of Alameda County answer nationwide calls originating from the Bay Area.

The 5k awareness walk/run event, Healing Heart: Walk for Suicide Prevention, hopes to raise awareness to other agency support services for youth, individuals and families dealing with depression, mental illness and suicide. The event will feature a health fair with local health care providers and non-profit agencies. This event is to raise awareness of services and other mental health programs available throughout the community.

Cash will be collected on the day of the event by registrations, or individual donations. Registrants are able to register online or on-site.

- Estimated cash to receive from registration fees: \$800
- Estimated cash to receive from individual donations: \$100

Parks and Recreation Advisory Commission  
April 13, 2016

**RECOMMENDATION**

Staff recommends the Parks and Recreation Advisory Commission approve the request for the collection of registration fees and donations on-site at Crisis Support Services of Alameda County 6<sup>th</sup> Annual Walk-A-Thon at Lakeside Park on Saturday, June 4, 2016. Crisis Support Services of Alameda County is aware that additional permits may be required for this event provided the request is granted.

Respectfully submitted,

Zermaine Thomas  
Central Reservation Lead

Attachments: Exhibit A – Crisis Support Services of Alameda County Proposal Letter  
Exhibit B – 2015 Post Event Report  
Exhibit C – Rental Application



**CRISIS SUPPORT SERVICES**  
of Alameda County

March 3, 2016

Dear Parks and Recreation Advisory Commission,

Crisis Support Services has provided free 24-hour crisis intervention and suicide prevention services in Alameda County since 1966. As an affiliate of the National Suicide Prevention Hotline, we answer nationwide calls originating from the Bay Area. We have hosted our annual mental health education event at the Lake Merritt Bandstand for the past five years and we'd like your support to approve hosting next year's event in the same location.

On Saturday June 4th, 2016, Crisis Support Services would like to host its sixth annual suicide prevention walk/run around downtown Oakland's Lake Merritt. The 5k awareness walk/run event, "Healing Hearts: Walk for Suicide Prevention," hopes to raise awareness to the agencies support services for children, youth, individuals, and families dealing with depression, mental illness and suicide. The event will feature a health fair with local health care providers and non-profit agencies. This event is an effort to raise awareness of our services and other mental health programs available throughout the community.

For those who want to participate by walking or running at the event, we ask that they pay a registration fee. We recognize our registration fees and individual donations to be one in the same. All of these proceeds go towards our suicide prevention programs. Our free mental health services go beyond education, counseling and crisis intervention to also provide support groups for suicide attempters and the survivors of suicide, as well as services to the chronically mentally ill. We truly offer a safety net to those in distress. We are accredited members of the National Suicide Prevention Network and answer all East Bay Area-based calls to the national toll-free "Lifeline," and take more than 65,000 local calls per year.

The only cash that is collected the day of the event is by registrations, or individual donations. Registrants can either register through our online website or on-site the day of the event. Through previous years we have estimated the cash that may be collected on-site:

Estimated cash to receive from registration fees:	\$800.00
Estimated cash to receive from individual donations:	\$100.00

I have included our 501c3 Non-Profit Certificate and Facility Permit receipt with this proposal. A check was issued to the City of Oakland for the deposit including rental fees. Feel free to contact me if you have any questions.

Respectfully Yours,

Peggy Lien  
Development Associate  
510.420.2482 | [plien@crisissupport.org](mailto:plien@crisissupport.org)



Crisis Support Services  
P.O. Box 8120  
Oakland, CA 94602

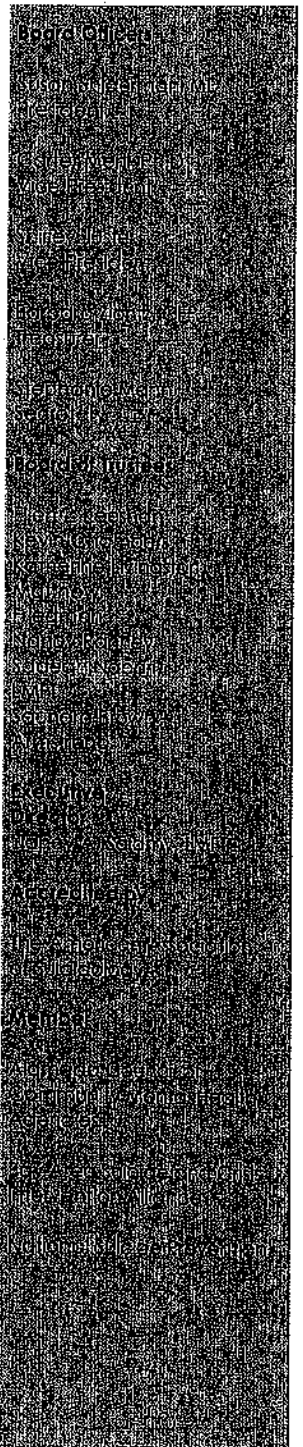


Exhibit A



# POST EVENT REPORT

Please complete and return the Post Event Report within 30 days after event date to Oakland Parks and Recreation Central Reservations Unit at 250 Frank H. Ogawa Plaza, 3<sup>rd</sup> Floor, Suite 3330, Oakland, CA 94612. If the event was held at a Recreation Center site, return the Post Event Report to the Site Supervisor at the Recreation Center.

## I. GENERAL INFORMATION

Name of Event: Healing Hearts: 5k walk/Run for Suicide Prevent  
 Location of Event: Lake Merritt Bandstand + Surrounding Area  
 Date/Hours of Event: 6/6/15 9AM-1PM Permit No. 31552  
 Event Contact Name: Sophia Skowronski Phone No. 510 420 2482  
 Event Contact Address: P.O. Box 3120, Oakland, CA 94609

Is this a "first time" event at this location?  Yes  No If no, when was the event held previously?

6/7/14, 6/1/13, 6/2/12, 6/4/11

1. Were Facility Rental/Set-up fees waived?  Yes  No  Not Applicable
2. Check other permits required for event?
 

<input type="checkbox"/> OPD Special Events Permit	<input checked="" type="checkbox"/> Food Handler's Permit	<input type="checkbox"/> Seller's Permit
<input checked="" type="checkbox"/> Charitable Solicitations Permit	<input checked="" type="checkbox"/> Certificate of Insurance	<input type="checkbox"/> Other - Please list

## II. ATTENDANCE/COLLECTION OF FUNDS

1. Total number in attendance: 290
2. Were registration fees, donations or other fees collected on-site?  Yes  No  Not Applicable
3. If yes, how many people registered? 41 How many people made donations? 2
4. What was the cost for registration? \$30 Day of (other discounts for seniors + students)
5. How much was collected on site from registration fees? \$730
6. How much was collected on site from donations? \$100
7. How much was collected on site from other fees? N/A

III. VENDOR INFORMATION

List all Vendors who participated at the event. (Attach additional sheets, if necessary):

Were all vendors in compliance per agreement?  Yes  No

If no, why not? \_\_\_\_\_

Name of Vendor(s) (Attach additional sheets if necessary)	Non-Profit or For Profit Orgz'n?	Food (Describe)	Craft (Describe)	Seller's Permit Y/N
Jamba Juice	NO	SMOOTHIES		Y

IV. COMMENTS

List ways in which the Applicant desires to improve the event, in the future (Attach additional sheets, if necessary): (For example: changes or additional vendors, location, change of hours, etc.)

N/A

List any problems, concerns, or other comments about your satisfaction in the way the event turned out? (Attach additional sheets, if necessary):

N/A

Submitted by: Sophia Skogronski Date: 8/12/15

Approved by: [Signature] (OPR Staff) Date: 8-15-15

Comments: \_\_\_\_\_



Oakland Parks and Recreation  
 250 Frank H. Ogawa Plaza, Suite 3330, Oakland, CA 94612  
 Office: 510.238-3187; Facsimile: 510.238-2397



**Rental Application**

ATTENTION: \_\_\_\_\_

Date of Application: 8/18/15

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

Name of Business/Organization: CRISIS SUPPORT SERVICES OF ALAMEDA COUNTY

Business/Organization Address: P.O. BOX 3120 OAKLAND 94609

Applicant Name: NANCY SALAMY / SOPHIA SKOWRONSKI

Applicant Mailing Address: SAME AS ABOVE

Phone Number: 510 420 2460 Fax Number: 510 420 2461 E-mail: events@crisisupport.org

Facility/Park Name: LAKESIDE PARK + SURROUNDING AREA

Room(s)/Site(s) \_\_\_\_\_

**EVENT INFORMATION:**

Date(s) of Event: 6/4/16

Time In/Prep Time 9 AM Actual Event Time 10 AM to 1 PM Cleanup/Time Out 1 PM

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

WALK/RUN AROUND LAKE MERRITT

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 60 days or more in advance of event date.

Number of Participants (Total) 290 Approximate # of Adults 260 # of Teens 20 # of Children/Infants 10

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

NONE

Will you require a caterer for your event?  Yes  No

If yes, are you choosing a caterer from OPR's Approved Caterer's List?  Yes  No N/A

Name of Approved Caterer: N/A

If not using an OPR Approved Caterer, provide name of non-approved caterer: N/A

(Note: An Opt-Out Fee is applicable to non-approved Caterers and non-Catered events. See Attached 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 (\$0+ people)  
 Building Rentals/Special Events (Parks): \$30

- |   |                                |         |
|---|--------------------------------|---------|
| (1) <u>40</u> x <u>4</u> = <u>160</u> (25% nonprofit discount)  | (7) Alcoholic Beverage Fee     | = _____ |
| (Hourly Rate) (# of hours)                                      |                                |         |
| (2) <u>130</u> x <u>2</u> = <u>260</u> (25% nonprofit discount) | (8) Administrative Service Fee | = _____ |
| (Hourly Rate) (# of hours)                                      |                                |         |
| (3) Permit Processing Fee = _____                               | (9) Caterer Opt Out Fee        | = _____ |
| (4) Deposit = _____   | (10) Sound Use Fee             | = _____ |
| (5) Setup/Teardown = _____                                      | (11) Other Charges             | = _____ |
| (6) Kitchen = _____   |                                |         |

TOTAL: ~~\$645~~ 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 1/2 Deposit 30 days to 11 days notice: Forfeit Deposit Plus 1/2 Rental Fee  
 31 to 60 days notice: Forfeit Deposit 10 days or less notice: Forfeit All Fees

APPLICANT SIGNATURE \_\_\_\_\_ DATE 8/18/15

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



CITY OF OAKLAND  
Interoffice Memorandum



**Oakland Parks and Recreation**

**TO:** Barry Miller, Chair, Parks and Recreation Advisory Commission  
**FROM:** Zermaine Thomas, Central Reservations Lead  
**DATE:** April 13, 2016  
**SUBJECT:** **REQUEST APPROVAL FROM THE PARKS AND RECREATION  
ADVISORY COMMISSION TO ALLOW THE ASIAN YOUTH PROMOTING  
ADVOCACY AND LEADERSHIP (AYPAL) TO COLLECT DONATIONS  
ON-SITE AT THE MAY ARTS CULTURAL FESTIVAL AT SAN ANTONIO  
PARK ON SATURDAY, MAY 14, 2016**

SUMMARY

Oakland Parks and Recreation has received a request from Asian Youth Promoting Advocacy and Leadership (AYPAL), an independently funded project that is fiscally sponsored by the East Bay Asian Youth Center (EBAYC), a non-profit organization. AYPAL is requesting to collect donations on-site at their May Arts Cultural Festival on Saturday, May 14, 2016. Donations from the event will directly support AYPAL's after school youth programming. This is the AYPAL's first time requesting to collect donations on-site at their event therefore there is no Post Event on file.

FISCAL IMPACT

There will be a positive fiscal impact on Oakland Parks and Recreation. The organization is paying all fees associated with the rental.

BACKGROUND

AYPAL was started in 1998, in response to increasing gang activity, truancy and substance abuse issues among low-income Asian and Pacific Islander (API) youth. The project was also formed to address the marginalization of API youth voices in the burgeoning bay area youth movement.

AYPAL's long-running May Arts Festival intersects arts, activism, history, and culture for Asian Pacific Islander youth. By developing an embodied practice of ancestral cultural art forms, as well as expression that has emerged from urban settings such as hip hop and spoken word, youth are able to tell their stories, which are often silenced, and to share their resilience and creativity with their families and their community. AYPAL's goal is to bring members of the community together for a free festival celebrating Asian Americans/Pacific Islanders during API heritage month.

RECOMMENDATION

Staff recommends that the Parks and Recreation Advisory Commission approve the request from AYPAL to collect donations on-site at their May Arts Cultural Festival at San Antonio Park on Saturday, May 14, 2016.

Parks and Recreation Advisory Commission  
April 13, 2016

Respectfully submitted,

Zermaine Thomas  
Central Reservations Lead

Attachments: Exhibit A – AYPAL Request Letter  
Exhibit B – Non-Profit Certificate 501c3  
Exhibit C – Rental Application

Central Reservations Representative  
Office of Parks and Recreation  
250 Frank H. Ogawa, Suite 3330, Oakland, CA 94612

March 2, 2016

Parks and Recreation Advisory Commission Proposal Letter:

AYPAL is an independently funded project fiscally sponsored by the East Bay Asian Youth Center (EBAYC). AYPAL started in 1998 in response to increasing gang activity, truancy, and substance abuse issues among low-income Asian and Pacific Islander (API) youth. The project was also formed to address the marginalization of API youth voices in the burgeoning bay area youth movement.

AYPAL'S long-running May Arts Festival intersects arts, activism, history, and culture for Asian Pacific Islander youth. By developing an embodied practice of ancestral cultural art forms, as well as expression that has emerged from urban settings such as hip hop and spoken word, youth are able to tell their stories, which are often silenced, and to share their resilience and creatively with their families and their community. Our goal is to bring members of the community together for a free festival celebrating Asian Americans / Pacific Islanders during API heritage month on Saturday May 14<sup>th</sup> in San Antonio Park. This is a free event, we are requesting to accept donations at the event to go towards supporting AYPAL's after school youth programming.

We are excited about the possibility of working the Parks and Recreation to bring this important event to the community. This being our first application as the AYPAL project with Parks and Recreation, we are hopeful about our ability to follow the guidelines to make this event a success for everyone.

Warmly,

Joshua Fisher Lee  
Organizational Director  
AYPAL: Building API Community Power

Exhibit A



Department of the Treasury  
Internal Revenue Service

P.O. Box 2508  
Cincinnati OH 45201

In reply refer to: 0248167147  
Aug. 09, 2012 LTR 4168C EO  
94-2925799 000000 00

00020843  
BODC: TE

EAST BAY ASIAN YOUTH CENTER  
2025 E 12TH ST  
OAKLAND CA 94606-4925

Employer Identification Number: 94-2925799  
Person to Contact: Ms Wittwer  
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your July 31, 2012, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in December 1996.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website [www.irs.gov/eo](http://www.irs.gov/eo) for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

Exhibit B

0248167147  
Aug. 09, 2012 LTR 4168C EQ  
94-2925799 000000 00  
00020844

EAST BAY ASIAN YOUTH CENTER  
2025 E 12TH ST  
OAKLAND CA 94606-4925

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,

*Doris P. Kenwright*

Doris Kenwright, Operation Mgr.  
Accounts Management Operations I

Exhibit B



CITY OF OAKLAND  
 PARKS AND RECREATION

Rental Application

ATTENTION: Z THOMAS

Date of Application: 3/2/16

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

Name of Business/Organization: AYPAL: BUILDING API COMMUNITY POWER (EBAYC)

Business/Organization Address: 1230 HARRISON OAKLAND 94612

Applicant Name: JOSHUA FISHER

Applicant Mailing Address: 6740 BROWN AVE. OAKLAND 94611

Phone Number: 510.304.8035 Fax Number: \_\_\_\_\_ E-mail: JOSHUA@AYPAL.ORG

Facility/Park Name: SAN ANTONIO PARK  
 Room(s)/Site(s): 701 E 19TH ST. OAKLAND CA 94606

EVENT INFORMATION

Date(s) of Event: SATURDAY MAY 14TH 2016

Time In/Prep Time: 7:00 AM Actual Event Time: 11:30 AM to 4:00 PM Cleanup/Time Out: 7:30 PM

Type of Event/Purpose: (be specific, i.e., Wedding Reception, Meeting, Birthday Party, Banquet, Picnic, BBQ, Walk, Run, Festival, Rally, Quinceanera, Bar/Mitzvah/Batmitzva, etc.) CULTURAL FESTIVAL

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 60 days or more in advance of event date.

Number of Participants (Total) 100 Approximate # of Adults 50 # of Teens 40 # of Children/Infants 10

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

Will you require a caterer for your event?  Yes  No

If yes, are you choosing a caterer from OPR's Approved Caterer's List?  Yes  No

Name of Approved Caterer: \_\_\_\_\_

If not using an OPR Approved Caterer, provide name of non-approved caterer: \_\_\_\_\_  
 (Note: An Opt-Out Fee is applicable to non-approved caterers and non-catered events. See Attached 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 (\$0.15/people)

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

(1)  $\$40 \times 12 = \$480$   
 (Hourly Rate) (# of hours)

(2) \_\_\_\_\_  
 (Hourly Rate) (# of hours)

(3) Permit Processing Fee = \$30

(4) Deposit = \$300

(5) Setup/Teardown = \_\_\_\_\_

(6) Kitchen = \_\_\_\_\_

(7) Alcoholic Beverage Fee = \_\_\_\_\_

(8) Administrative Service Fee = \$75

(9) Caterer Opt Out Fee = \_\_\_\_\_

(10) Sound Use Fee = \$100

(11) Other Charges = \_\_\_\_\_

TOTAL: \$ 985 Less Advance Minimum Payment of \$: 160; BALANCE DUE 30 DAYS BEFORE EVENT: 825  
 (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 Master Card:   
 (See attached Authorization for Credit Card Payment Form)

CANCELLATION FEE: 61 days or more notice: Forfeit 1/2 Deposit 30 days to 60 days notice: Forfeit Deposit Plus 1/2 Rental Fee  
 31 to 60 days notice: Forfeit Deposit 10 days or less notice: Forfeit All Fees

APPLICANT SIGNATURE: \_\_\_\_\_ DATE: 3/2/16

Exhibit C

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

CITY OF OAKLAND  
Oakland Parks & Recreation



**TO:** Barry Miller, Chair, Parks and Recreation Advisory Commission  
**FROM:** Stephanie Hom, Interim Director, Oakland Parks & Recreation  
**DATE:** April 13, 2016  
**SUBJECT:** **REQUEST THE PARKS AND RECREATION ADVISORY COMMISSION MAKE A RECOMMENDATION TO CITY COUNCIL TO AMEND CHAPTER 12.64 OF THE OAKLAND MUNICIPAL CODE, PARK AND RECREATION AREA USE REGULATIONS, SECTION 12.60.070 OF THE OAKLAND MUNICIPAL CODE, BICYCLE OPERATION RULES-VIOLATIONS-PENALTY AS RELATED TO USE IN PARKS, AND SECTION 1.28.020 OF THE OAKLAND MUNICIPAL CODE VIOLATIONS AS INFRACTIONS**

**SUMMARY**

Staff recommends that the Parks and Recreation Advisory Commission (PRAC) make a recommendation to the City Council to amend Chapter 12.64 Park and Recreation Area Use Regulations of the Oakland Municipal Code (OMC), Section 12.60.070 of the OMC, Bicycle Operation Rules-Violations-Penalty, and Section 1.28.020 of the OMC, Violations as Infractions to make various changes to park rules and signage. The recommended amendments are the result of a Parks and Recreation Advisory Commission task force effort to review potential ordinance changes for park rules and signage as it relates to park noise regulations, children play areas, bikes in parks and other park rule usage. Additional minor edits to the proposed Ordinance may be made by OPR and the City Attorney's Office.

**FISCAL IMPACT**

The fiscal impact of the proposed ordinance change will be the cost to produce and install new signs with the updated OMC rules. Many park rule signs are outdated, have graffiti on them and were slated for replacement. The estimated cost to replace the signs is \$100,000 (250 signs at \$400 each). The cost of signs will be covered within the Oakland Public Works (OPW) budget in Fund 4400 – City Facilities Fund.

**BACKGROUND**

When reviewing Chapter 12.64 Park and Recreation Area Use Regulations, Oakland Parks & Recreation (OPR) realized that many of the park code language was outdated or obsolete and were in need of clarification and updating to reflect today's community needs and environmental settings. As a result of community interest, OPR provided a forum to the community to offer suggestions, recommendations, and provide feedback on appropriate language and user-friendly rules that will create a more positive experience for park users. On November 4, 2015, the Parks and Recreation Advisory Commission established a task force to review potential ordinance changes for park rules and signage as it relates to park noise regulations, children play areas, bikes in parks and other park rule usage.

### ANALYSIS AND POLICY ALTERNATIVES

The PRAC task force reviewed the many outdated and obsolete park codes, emerging issues and safety concerns within parks, update signage to provide clarity of park uses to the community, and the ability to enforce the policies by the Oakland Police Department. The task force made recommendations to update and amend Chapter 12.64 Park and Recreation Area Use Regulations of the Oakland Municipal Code and simultaneously change the park signs to a more user friendly format.

Attachment A is a chart of the recommended amendments to Chapter 12.64 of the Oakland Municipal Code, Park and Recreation Area Use Regulations, Section 12.60.070 Bicycle Operation Rules-Violation-Penalty and Section 1.28.020-Violations as Infractions.

The following is a summary of the park codes that are in particular need of clarification and updating:

#### Park Noise

Park signs at most neighborhood parks have misinformation about the prohibition of sound and musical instruments in a park without a permit. Amending Section 12.64.120 Park Noise prohibits amplified and non-amplified sound that can be heard fifty (50) or more feet away from the source or between the hours of 9 p.m. to 7 a.m., except upon the issuance of a permit. The PRAC may, in its discretion, further restrict such hours in specific parks where such operation would unreasonably disturb or damage the comfort, peace, health or safety of persons or businesses.

#### Playgrounds/Play Areas

There was no reference in the OMC for Playgrounds and Play Areas. After research of several jurisdictions on playgrounds and play areas in city parks, a rule was added to reflect today's community needs. The proposed rule prohibits persons 16 years or older in playgrounds and play areas unless the person is accompanying a child 12 years or younger.

#### Fires and Barbecues

On July 8, 2015, PRAC approved designated grilling locations, size of non-charcoal propane grills in designated area, and designated grilling hours in Lakeside Park and Pine Knoll Park. The current OMC 12.64.160-Fires is being amended to reflect the current policy for fires and barbecues in parks.

In December 2015, OPR conducted a two week call-in survey using the City Voice system regarding children's play areas, bikes in parks and park hours. There were four questions for participants to agree or disagree and a fifth question as an open ended question allowing participants to record feedback.



The below chart show the number of responses received after the two week survey:

<b>Questions 1 – 4</b>	<b>Agree</b>	<b>Disagree</b>	<b>Total Responses</b>
I live within a half mile of this park?	189	69	258
Currently children's play areas have no age restrictions. Signage and park rules should require adults be accompanied by a child to enter a tot lot.	131	102	233
Bikes are currently not allowed in parks. Do you think children under the age of 8 should be allowed to ride bikes in parks?	176	52	228
Current park hours vary by location from dawn to dusk or 6 am to 9 pm. Would you be in favor of extending hours on the weekends until 10 pm citywide?	120	107	227

On January 21, 2016, OPR staff presented a report at the Bicyclist and Pedestrian Advisory Commission (BPAC) meeting on the proposed revisions to OMC 12.60.070 Bicycle Operation Rules as it relates to park rules and signage. The BPAC is a commission under the Public Works (OPW) Transportation Planning and Funding Division. OPR requested that the BPAC provide feedback and edits to this section of the ordinance. The BPAC approved to create a BPAC sub-committee on the bicycle related municipal code changes as identified by the committee members.

**PUBLIC OUTREACH / INTEREST**

On October 21, 2015, OPR began meeting with interested community members to receive input. In addition, the topic of changes to park rules was agenzized at the November 4, 2015 PRAC meeting. PRAC approved three commission members to serve on the task force to review and provide suggestions to existing ordinances pertaining to park rules and signage. The task force continued to meet with community members, park users, and city employees and officials to review existing rules and ordinances pertaining to parks for the purpose of gathering information to make recommendations to the City Council.

**COORDINATION**

OPR met with the Oakland Police Department (OPD) and received feedback related to Section 12.64.120 Park Noise Regulation and Section 12.64.201 Park Use Permit for Special Events.

OPR met with OPW's Bureau of Engineering & Construction, Bicycle & Pedestrian Program regarding Section 12.60.070 Bicycle Operation Rules-Violations-Penalty as it relates to park rule signage and usage and received feedback and input.

The attached legislation has been reviewed by the Office of the City Attorney.

**RECOMMENDATION**

Staff recommends that the Parks and Recreation Advisory Commission approve the recommendation to City Council to amend Chapter 12.64 of the Oakland Municipal Code, Parks and Recreation Area Use Regulations; Section 12.60.070 of the Oakland Municipal Code, Bicycle Operation Rules-Violations-Penalty as related to use in parks; and Section 1.28.020 of the Oakland Municipal Code, Violations as Infractions.

Respectfully submitted,



Stephanie Hom  
Interim Director

Attachments:

- A. Chart of Recommendations for Amendments to Chapter 12.64 of the Oakland Municipal Code, Park and Recreation Area Use Regulations and Section 12.60.070 Bicycle Operation Rules-Violations-Penalty and Section 1.28.020-Violations as Infractions
- B. Ordinance Amending Chapter 12.64 Parks and Recreation Area Use Regulation, Section 12.60.070 Bicycle Operation Rules-Violations-Penalty and Section 1.28.020-Violations as Infractions



## Recommendations for Amendments to Oakland Municipal Code Chapter 12.64 Park and Recreation Area Use Regulations, Section 12.60.070 Bicycle Operation Rules-Violations-Penalty and Section 1.28.020 Violations as Infractions

Code/Current Language	Recommended New Language
<p><b>Article 1. – Generally</b></p> <p><b>12.64.010 – Definitions</b></p> <p>For the purpose of this article certain words and phrases are defined and certain provisions shall be construed as herein set out, unless it shall be apparent from the context that they have a different meaning.</p> <p>"Boats" means and includes canoes, rowboats, sailboats, hydroplanes and any and all other watercraft.</p> <p>"Improvement," when used in this article in reference to trees or shrubs, means and includes the planting, removal or maintenance of same, and any or all acts necessary thereto.</p> <p>"Maintenance" or "maintain," when used in this article in reference to trees or shrubs, means and includes clipping, spraying, fertilizing, irrigating, propping, treating for disease or injury, and any other similar acts which promote the life, growth, health or beauty of such trees or shrubs.</p> <p>"Public street" when used in this article shall include all public streets, avenues, highways, alleys, walks and lanes in the city of Oakland.</p>	<p><b>Article 1. Generally</b></p> <p><b>12.64.010 – Definitions</b></p> <p>For the purpose of this article certain words and phrases are defined and certain provisions shall be construed as herein set out, unless it shall be apparent from the context that they have a different meaning.</p> <p>"Boats" means and includes canoes, rowboats, sailboats, hydroplanes and any and all other watercraft.</p> <p>"Director" means the <u>City Administrator or the head or director of the department designated by the City Administrator to administer the provisions of this Chapter.</u></p> <p>"Improvement," when used in this article in reference to trees or shrubs, means and includes the planting, removal or maintenance of same, and any or all acts necessary thereto.</p> <p>"Maintenance" or "maintain," when used in this article in reference to trees or shrubs, means and includes clipping, spraying, fertilizing, irrigating, propping, treating for disease or injury, and any other similar acts which promote the life, growth, health or beauty of such trees or shrubs.</p> <p>"OPR" means the <u>Oakland Parks &amp; Recreation department.</u></p> <p><u>"Playground/Play Area" is defined as any portion of an area that contains</u></p>

<p><b>12.64.020 - Carrying hatchets in parks.</b> It is unlawful for any person to carry in any public park of the city any hatchet, axe, machete, brush knife or any other device other than pocketknife, capable of cutting, defacing or mutilating trees or shrubs, without permission so to do from the Board of Park Directors of the city or its duly authorized representatives.</p>	<p>playground equipment for use by children.</p> <p><u>"PRAC" means the Parks and Recreation Advisory Commission.</u></p> <p>"Public street" when used in this article shall include all public streets, avenues, highways, alleys, walks and lanes in the city of Oakland.</p> <p><u>"Vehicle" means a device, by which a person or property may be propelled, moved or drawn, excepting devices moved exclusively by human power and devices used by individuals with mobility disabilities, and shall include, but not be limited to the following: automobile, truck, motorcycle, motor-driven cycle, animal-drawn carriage, cart, electric personal assistive mobility device, and minibike or bicycle operated under engine power.</u></p>
<p><b>12.64.030 - Prohibition against littering in parks—Enforcement by citation method—Park rangers, deputy head ranger and head ranger as peace officers for purpose of enforcement.</b> A. No person shall, except in the proper receptacles where these are provided by the city, place, deposit, dump or leave or cause to be placed, deposited, dumped or left, in, on or upon the grounds of any park or the waters of any fountain, pond, lake, stream or other body of water in any park, any garbage, will, cans, bottles, papers, refuse, trash or rubbish. Where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the persons responsible for its presence and properly disposed of elsewhere.</p>	<p><b>12.64.020 - Carrying hatchets in parks.</b> It is unlawful for any person to carry in any public park of the city any hatchet, axe, machete, brush knife or any other device other than pocketknife, capable of cutting, defacing or mutilating trees or shrubs, without permission so to do so from the PRAC Board of Park Directors of the city or the City's duly authorized representatives.</p>
<p>B. No person shall bring in, place, deposit, dump or leave, or cause to be brought in, placed, deposited, dumped or left in, on or upon the grounds of any park, or the waters of any fountain, pond, lake, stream, or other body of water in any park, any carcass of any dead animal or any noisome, nauseous or offensive matter.</p> <p>C. This section may be enforced by the method provided for in Chapter</p>	<p><b>12.64.030 - Prohibition against littering in parks—Enforcement by citation method—Park rangers, deputy head ranger and head ranger as peace officers for purpose of enforcement.</b> A. No person shall, except in the proper receptacles where these are provided by the city, place, deposit, dump or leave or cause to be placed, deposited, dumped or left, in, on or upon the grounds of any park or the waters of any fountain, pond, lake, stream or other body of water in any park, any garbage, will, cans, bottles, papers, refuse, trash or rubbish. Where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the persons responsible for its presence and properly disposed of elsewhere.</p> <p>B. No person shall bring in, place, deposit, dump or leave, or cause to be brought in, placed, deposited, dumped or left in, on or upon the grounds of any park, or the waters of any fountain, pond, lake, stream, or other body of water in any park, any carcass of any dead animal or any noisome, nauseous or offensive matter.</p> <p><del>C. This section may be enforced by the method provided for in Chapter 12.4</del></p>

<p>1.24 of this code, and Sections 853.1—853.4 inclusive of the Penal Code of California.</p> <p>D. This section shall be enforced by members of the Oakland Police Department and in addition the park rangers, deputy head ranger and head ranger of the city are designated as, given the powers of, and determined to be, peace officers for the purpose of enforcing this section in the manner set forth in Chapter 1.24 of this code and Sections 853.1—853.4 inclusive of the Penal Code of California; provided, however that neither the park rangers, deputy head ranger nor head ranger shall be considered for any purpose members of the Oakland Police Department.</p>	<p>Title of this code, and Sections 853.1—853.4 inclusive of the Penal Code of California.</p> <p>D. This section shall be enforced by members of the Oakland Police Department, and in addition the park rangers, deputy head ranger and head ranger of the city are designated as, given the powers of, and determined to be peace officers for the purpose of enforcing this section in the manner set forth in Chapter 1.24 of this code and Sections 853.1—853.4 inclusive of the Penal Code of California; provided, however that neither the park rangers, deputy head ranger nor head ranger shall be considered for any purpose members of the Oakland Police Department.</p>
<p><b>12.64.040 - Destroying notices.</b></p> <p>No person shall injure, deface or destroy any notice, rules or regulations for the government of parks, posted or in any manner permanently fixed by order or permission of the Board of Park Directors, nor fix any bills or notices in said parks.</p>	<p><b>12.64.040 — Posting or Destroying notices.</b></p> <p>A. No person shall injure, deface or destroy any notice, rules or regulations for the government of parks, posted or in any manner permanently fixed by order or permission of the Board of Park Directors, PRAC or the City's duly authorized representative nor fix any bills or notices in said parks.</p> <p>B. No person shall post any notices in any public park in the city, without express permission of the PRAC.</p>
<p><b>12.64.050 - Animals.</b></p> <p>No person shall lead any horse in the limits of any public park in the city or permit any horse that is not harnessed and attached to a vehicle or mounted by an equestrian, to enter the same, and no person shall turn loose into said parks any dogs, cattle, swine, goats or other animals, or permit the same to run at large in such parks, and police officers and park employees are given authority to capture and destroy any cats found running at large within said parks.</p>	<p>NO CHANGE.</p>
<p><b>12.64.060 - Games.</b></p> <p>No person shall engage in any game of baseball, cricket, soccer, football, croquet or any other game with ball and bat, within the limits of any public park in the city, except where authorized by the Office of Parks and Recreation.</p>	<p><b>12.64.060 - Games.</b></p> <p>No person shall engage in any game of baseball, cricket, soccer, football, croquet or any other game with ball and bat, within the limits of any public park in the city, except where authorized by the Office of Parks and Recreation. <u>OPR.</u></p>
<p><b>12.64.070 - Weapons—Disturbing birds.</b></p> <p>No person shall carry firearms or discharge any firearms in any public park in the city or shoot birds or throw stones or other missiles within the boundaries of said parks or disturb the waterfowl on Lake Merritt or on any</p>	<p>NO CHANGE.</p>

<p>pond or in any way disturb any bird in any of said parks.</p>	
<p><b>12.64.080 - Selling wares, gaming, obscenity.</b></p> <p>It is unlawful for any person to sell or offer for sale any goods, wares, merchandise, foods, confections, refreshments or other article within any public park, public building or public grounds in the city, without the order or permission therefor of the commission, department or board which has jurisdiction therein. The terms "public building" and "public grounds," as used herein, shall include the Oakland-Alameda County Coliseum Complex and public parking lots adjacent thereto when completed.</p> <p>No gaming shall be allowed in said parks, buildings or grounds, nor any obscene or indecent act performed therein.</p>	<p><b>12.64.080 - Selling wares, food, or services, and collection of funds, gaming, obscenity.</b></p> <p>It is unlawful for any person to sell or offer for sale any goods, wares, merchandise, foods, confections, refreshments, services or other article, or to collect funds for registration fees, entrance fees, donations, or other collection of money within any public park, public building or public grounds in the city, without the order or permission therefor of the PRAC or the Director of the commission, department or board which has jurisdiction therein. *The terms "public building" and "public grounds," as used herein, shall include the Oakland-Alameda County Coliseum Complex and public parking lots adjacent thereto when completed.</p> <p>**No gaming shall be allowed in said parks, buildings or grounds, nor any obscene or indecent act performed therein.</p> <p>*This sentence is obsolete. Oakland Alameda County Coliseum Complex is now referenced under Chapter 8.44 - SECURITY FOR EVENTS AT THE OAKLAND-ALAMEDA COUNTY COLISEUM COMPLEX.</p> <p>**Gaming has been deleted and located under Chapter 9.24.020-Gambling and betting. Obscenity is located under Chapter 9.08.03-Obscenity.</p>
<p><b>12.64.090 - Injuring trees and other properties.</b></p> <p>It is unlawful for any person to trespass upon the grass of any public park in the city or to pick flowers from the same, or to cut, break or in anywise injure, damage or deface the trees, shrubs, turf, buildings, fences, benches, fountains, statuary or any fixtures connected therewith, or to foul any fountains or springs within said park.</p>	<p><b>12.64.090 - Injuring trees and other properties.</b></p> <p>It is unlawful for any person to trespass upon the grass of any public park in the city or to pick flowers from the same, or to cut, break or in anywise injure, damage or deface the trees, shrubs, turf, buildings, fences, benches, fountains, statuary or any fixtures connected therewith, or to foul any fountains or springs within said park.</p>
<p><b>12.64.100 - Disorderly conduct, vandalism, sleeping on benches, pilfering.</b></p> <p>Disorderly conduct, pilfering, vandalizing, or sleeping on benches or seats in any public park is strictly prohibited.</p>	<p>NO CHANGE</p>
<p><b>NEW</b></p>	<p><b>12.64.101 - Playgrounds/Play Area</b></p> <p>It shall be unlawful for any person sixteen (16) years of age or older to enter or remain in a designated playground/play area, unless the person is supervising and/or accompanying a child who is then visiting the playground/play area.</p>

	<p>The Director may designate playground areas where the equipment shall be exclusively used by children of a specific age range. Areas so designated shall be posted with one or more signs giving notice of the restricted use. Playground areas and equipment shall be used only as intended and shall be used by person of ages as designated.</p> <p>For purposes of this section, a child means a person age 12 or younger.</p> <p>Any person who violates this section shall be subject to the penalties set forth in Title 1 of this code.</p>
<p><b>12.64.110 - Hours of use of parks.</b></p> <p>The Parks and Recreation Commission may fix the hours during which the parks, or any particular park, is open to public use. No person, other than a city employee in the performance of his or her duty, shall enter or remain in any park during the time when it is not open for public use.</p>	<p><b>12.64.110 - Hours of use of parks.</b></p> <p>The Parks and Recreation Commission (PRAC) may fix the hours during which the parks, or any particular park, is open to public use. No person, other than a city employee in the performance of his or her duty, shall enter or remain in any park during the time when it is not open for public use.</p>
<p><b>12.64.120 - Park noise regulation.</b></p> <p>No person shall operate, or permit the operation of, any sound amplification system (including portable or car audio equipment) so that sound can be heard fifty (50) or more feet away from the source in any park within the city, except upon the issuance of a permit therefor by the Director of Parks, Recreation and Cultural Affairs and payment of the fee specified in the master fee schedule.</p>	<p><b>12.64.120 - Park noise, musical instrument, and sound reproduction device regulations.</b></p> <p>No person shall play, operate, or permit the operation of any sound amplification system or non-amplified sound devices including but not limited to portable or car audio equipment, musical instrument, horn, radio, tape recorder or other device for producing or cause any noise so that sound can be heard fifty (50) or more feet from the source in any park within the city or between the hours of 9 p.m. to 7 a.m. as specified in Section 8.18.020, except upon the issuance of a permit therefor by the Director of Parks, Recreation and Cultural Affairs and payment of the fee specified in the Master Fee Schedule. The PRAC may, in its discretion, further restrict such hours in specific parks where such operation would unreasonably disturb or damage the comfort, peace, health or safety of persons or businesses.</p>
<p>Permits issued for the operation of a sound amplification system shall specify the location of any bandstand and the position of each loudspeaker shall be as specified by the said Director so as to minimize, to the extent practicable, the amount of amplified sound to be audible in adjacent residential properties. No loudspeaker shall be permitted to be placed in a public park within three hundred (300) feet of any residential structure. In no event shall a permittee cause amplified sound to exceed eighty (80) decibels at any boundary of the park in which amplified sound is being produced.</p> <p>Estuary Park and Duck Pond Stage area of Lakeside Park may be exempted</p>	<p>Permits issued for the operation of a sound amplification system or non-amplified sound device shall specify the location of such system or device within the park, of any bandstand and the position of each loudspeaker shall be as specified by the said Director so as to minimize, to the extent practicable, the amount of amplified sound to be audible in adjacent residential properties. No loudspeaker shall be permitted to</p>

<p>from these requirements if and only if the following findings are made by the Director of Parks, Recreation and Cultural Affairs:</p> <p>A. The permittee has no prior history of events in parks which includes verified, unresolved complaints of excessive noise, poor security and crowd control, and/or poor parking control;</p> <p>B. The applicant has met and conferred with local residents and developed a specific event plan to meet the expressed concerns of said local residents; and</p> <p>C. The applicant has paid all required fees and deposits for the event in question, and has met all additional regulatory requirements which may apply to the event in question.</p>	<p>be placed in a public park within three hundred (300) feet of any residential structure. In no event shall a permittee cause amplified or non-amplified sound to exceed eighty (80) decibels at any boundary of the park in which amplified sound is being produced.</p> <p><i>*Estuary Park and Duck Pond Stage area of Lakeside Park may be exempted from these requirements if and only if the following findings are made by the Director of Parks, Recreation and Cultural Affairs:</i></p> <p><i>A- The permittee has no prior history of events in parks which includes verified, unresolved complaints of excessive noise, poor security and crowd control, and/or poor parking control;</i></p> <p><i>B- The applicant has met and conferred with local residents and developed a specific event plan to meet the expressed concerns of said local residents; and</i></p> <p><i>C- The applicant has paid all required fees and deposits for the event in question and has met all additional regulatory requirements which may apply to the event in question-</i></p> <p>Any person who violates this section is subject to any penalty set out in Title 1 of this code including, but not limited to, fines and penalties specified in Chapter 1.28 of this code.</p> <p><i>*The strikethrough section is either outdated or does not apply to this code:</i></p> <p><i>-First paragraph is outdated.</i></p> <p><i>-Item A was moved to Section 12.64.320-Criteria for issuance of a permit.</i></p> <p><i>-Item B is required when applying for an OPD Special Event Permit.</i></p> <p><i>-Item C is covered under 12.64.280-Permit required.</i></p>
<p><b>12.64.130 - Traffic regulations.</b></p> <p>It is unlawful for any person to drive or ride within the boundaries of any public park in the city at a rate of speed exceeding fifteen (15) miles per hour, or for any person to ride or drive within the limits of said parks upon any other than the avenues and roads provided therefor, and no wagon or vehicle of burden shall pass through the said parks except upon such road or avenue as shall be designated by the Board of Park Directors for such transportation.</p> <p>No person shall enter or leave any of said parks except by such gates,</p>	<p><b>12.64.130 - Traffic regulations.</b></p> <p>It is unlawful for any person to drive or ride within the boundaries of any public park in the city at a rate of speed exceeding fifteen (15) miles per hour, or for any person to ride or drive within the limits of said parks upon any other than the avenues and roads provided therefor, and no wagon or vehicle of burden shall pass through the said parks except upon such road or avenue as shall be designated by the <u>P</u>R<u>A</u>C <u>B</u>oard of Park Directors for such transportation.</p> <p>No person shall enter or leave any of said parks except by such gates, roads, paths or avenues as may be for such purpose provided and arranged.</p>



<p>roads, paths or avenues as may be for such purpose provided and arranged.</p> <p>No vehicle for hire shall stand upon any part of any public park in the city for the purpose of hire, except in waiting for persons taken by it into such park; except at such points as may be specially designated by the Board of Park Directors.</p>	<p>No vehicle for hire shall stand upon any part of any public park in the city for the purpose of hire, except in waiting for persons taken by it into such park, except at such points as may be specially designated by the <u>PRAC</u> Board of Park Directors.</p>
<p><b>12.64.140 - Motor vehicles in parks.</b> It is unlawful for any person to operate or drive any motorcycle or other motor vehicle in, over or upon an equestrian or pedestrian path or trail or any other portion of any public park in the city except on such roadway or parking area regularly set apart for the use of such motor and other vehicles.</p> <p><b>12.64.150 - Washing or repairing motor vehicles in parks.</b> It is unlawful for any person to wash, polish or repair any motor vehicle within any public park area in the city.</p>	<p><b>12.64.140 - Motor *Vehicles in parks.</b> It is unlawful for any person to operate or drive any <del>motorcycle or other motor vehicle</del> in, over or upon an equestrian or pedestrian path or trail or any other portion of any public park in the city except on such roadway or parking area regularly set apart for the use of such motor and other vehicles.</p> <p>NO CHANGE.</p>
<p><b>12.64.160 - Fires.</b> No person shall be permitted to make or kindle a fire of any kind within any public park in the city except at designated barbecue areas approved by the Parks and Recreation Advisory Commission.</p>	<p><b>12.64.160 -- Fires and Barbecues.</b> A. No person shall be permitted to make or kindle a fire of any kind within any public park in the city except in a device provided or designated by PRAC or the Director for such purpose and in an area at designated and barbecue areas approved by the Parks and Recreation Advisory Commission; PRAC. B. Portable non-charcoal barbecue grills of metal construction may be brought into city parks by persons for use in designated picnic areas and shall be attended at all times by a person eighteen years of age or older. At no time may barbecue grills be placed upon pathways, sport courts, parking lots and the like or otherwise impede the use of such areas for their intended purpose. Portable barbecue grills must not exceed twenty seven inches in width.</p>
<p><b>12.64.170 - Fires on red flag days.</b> No person shall be permitted to make or kindle a fire within any public park in the city on a red flag day designated by the Fire Chief (Director of Fire Services) of the Oakland Fire Department.</p>	<p>NO CHANGE.</p>
<p><b>12.64.180 - Joaquin Miller Park—Park closure on red flag days.</b> No person, other than a city employee in the performance of his or her duty, shall enter or remain in Joaquin Miller Park on a red flag day designated by</p>	<p>NO CHANGE.</p>

the Fire Chief (Director of Fire Services) of the Oakland Fire Department.

**12.64.190 - Children in boats.**

It is unlawful for any person under sixteen (16) years of age to hire a boat or other watercraft to be used upon the waters of Lake Merritt or that portion of the estuary of San Antonio or Oakland harbor which lies within the limits of the city, unless such person be accompanied by his or her parent or guardian or an adult person; or for any person to rent any boat or other watercraft to any such person under sixteen (16) years of age to be so used unless such person is accompanied by his or her parent or guardian or an adult person.

**12.64.190 - Children in boats.**

It is unlawful for any person under sixteen (16) years of age to hire a boat or other watercraft to be used upon the waters of Lake Merritt or that portion of the estuary of San Antonio or Oakland harbor which lies within the limits of the city, unless such person produces documentation from a certifying boating organization or such person is accompanied by his or her parent or guardian or an adult person; or for any person to rent any boat or other watercraft to any such person under sixteen (16) years of age to be so used unless such person produces documentation from a certifying boating organization or such person is accompanied by his or her parent or guardian or an adult person.

**12.64.200 - Boats on Lake Merritt.**

A. Boat Permit. It is unlawful for any person to launch, use, moor or store upon Lake Merritt any private boat unless there shall have first been procured for said boat a permit from the Recreation Commission for such purpose. Said Commission may, by rule, specify the conditions under which the same may be granted, suspended, or revoked.

**12.64.200 - Boats on Lake Merritt.**

A. Boat Permit. It is unlawful for any person to launch, use, moor or store upon Lake Merritt any private boat unless there shall have first been procured for said boat a permit from OPR the Recreation Commission for such purpose. The Director Said Commission may, by rule, specify the conditions under which the same may be granted, suspended, or revoked.

B. Speed of Boats. Speed of mechanically propelled boats on Lake Merritt is limited to eight miles an hour unless special permission to exceed such limit is granted by the Board of Playground Directors.

B. Speed of Boats. Speed of mechanically propelled boats on Lake Merritt is limited to eight miles an hour unless special permission to exceed such limit is granted by the Director. Board of Playground Directors.

C. Boats in Certain Areas. It is unlawful for any person between the first day of October and the last day of April next succeeding, to row, drive, propel or navigate any boat in, over, or upon any part of the following described area of Lake Merritt:

That portion of the northeastern arm of Lake Merritt that lies northeasterly of a line bearing north 38° 13' west from a point on the eastern line of Lakeshore Boulevard, distant thereon one hundred and sixty (160) feet southerly from the production of the entire line of that portion of Hanover Avenue that lies between Wayne and Newton Avenues.

That portion of the northeastern arm of Lake Merritt that lies northeasterly of a line bearing north 38° 13' west from a point on the eastern line of Lakeshore Boulevard, distant thereon one hundred and sixty (160) feet southerly from the production of the entire line of that portion of Hanover Avenue that lies between Wayne and Newton Avenues.

This subsection shall not apply to the employees of the city properly engaged in work for said city in or upon the above described area and authorized by the Board of Playground Directors or the Board of Park Directors to be thereon.

This subsection shall not apply to the employees of the city properly engaged in work for said city in or upon the above described area and authorized by the City Board of Playground Directors or the Board of Park Directors to be thereon.

D. Boats and Boat Races. No person shall be permitted to use the shores of Lake Merritt as a landing place for boats, or keep thereat boats for hire

D. Boats and Boat Races. No person shall be permitted to use the shores of Lake Merritt as a landing place for boats, or keep thereat boats for hire or floating boat

<p>or floating boat houses with pleasure boats for hire, or keep boats of any kind in Lake Merritt, except under a permit from the Recreation Commission for such purpose, and only at places designated by and under restrictions and regulations promulgated by the Board of Park Directors or the Recreation Commission; and no regattas, boat races, or other special events involving the use of Lake Merritt shall take place thereon without permission granted by the Recreation Commission.</p>	<p>houses with pleasure boats for hire, or keep boats of any kind in Lake Merritt, except under a permit from the OPR Recreation Commission for such purpose, and only at places designated by and under restrictions and regulations promulgated authorized by the Director Board of Park Directors or the Recreation Commission; and no regattas, boat races, or other special events involving the use of Lake Merritt shall take place thereon without permission granted by a permit from OPR Recreation Commission.</p>
<p><b>12.64.210 - Fishing in Lake Merritt.</b> No person shall fish in Lake Merritt without written permission from the Board of Park Directors so to do, and no person shall in any event be allowed to catch more than two bass in one day in Lake Merritt.</p>	<p><b>12.64.210 - Fishing in Lake Merritt.</b> No person shall fish in Lake Merritt without written permission from the PRAC Board of Park Directors so to do, and no person shall in any event be allowed to catch more than two bass in one day in Lake Merritt.</p>
<p><b>12.64.220 - The zoo.</b> It is unlawful for any person to tease, injure or frighten any of the birds, animals, reptiles or fish belonging to, or confined in the municipal zoo.</p>	<p>NO CHANGE.</p>
<p><b>12.64.230 - Municipal swimming pools—Not to be used in absence of attendant.</b> It is unlawful for any person to enter upon any municipal swimming pool or the dressing rooms connected therewith at any time when no employee of the Recreation Department, or other attendant authorized by said Department, is on duty at said pool.</p>	<p><b>12.64.230 - Municipal swimming pools—Not to be used in absence of attendant.</b> It is unlawful for any person to enter upon any municipal swimming pool or the dressing rooms connected therewith at any time when no employee of OPR the Recreation Department, or other attendant authorized by OPR said Department, is on duty at said pool.</p>
<p><b>12.64.240 - Golf courses.</b> A. Trespass on. It is unlawful for any person to trespass upon the Oakland Municipal Golf Course, or upon any private or public golf course in the city, except pursuant to the express consent of the person in charge of the management thereof. B. Play Upon. It is unlawful for any person to play upon the Oakland Municipal Golf Course, or upon any private or public golf course in the city, without first having obtained a ticket therefor, or except pursuant to the express consent of the person in charge of the management thereof. C. Taking of Golf Balls. It is unlawful for any person to take possession of any golf ball not belonging to him or her from any golf course, or from any land or any street adjacent thereto. D. Injury to Turf. It is unlawful for any person to willfully or maliciously injure the turf on any golf course. E. Sales on. It is unlawful for any person to sell golf balls, golf</p>	<p><b>12.64.240 - Golf courses.</b> A. Trespass on. It is unlawful for any person to trespass upon the Oakland Municipal Golf Course, or upon any private or public golf course in the city, except pursuant to the express consent of the person in charge of the management thereof. B. Play Upon. It is unlawful for any person to play upon the Oakland Municipal Golf Course, or upon any private or public golf course in the city, without first having obtained a ticket therefor, or except pursuant to the express consent of the person in charge of the management thereof. C. Taking of Golf Balls. It is unlawful for any person to take possession of any golf ball not belonging to him or her from any golf course, or from any land or any street adjacent thereto. D. Injury to Turf. It is unlawful for any person to willfully or maliciously injure the turf on any golf course. E. Sales on. It is unlawful for any person to sell golf balls, golf equipment, food, drinks, or other commodities, or provide golf lessons, on the Oakland Municipal</p>

<p>equipment, food, drinks, or other commodities, on the Oakland Municipal Golf Course, or upon any private or public golf course in the city, except pursuant to express permission of the person in charge of the management thereof.</p>	<p><del>Golf Course, or upon any private or public golf course in the city, except pursuant to express permission of the person in charge of the management thereof.</del></p>
<p><b>Article II. - Park Permits</b></p> <p><b>12.64.250 - Statement of principles.</b> All parks within the city are held in trust for the use of the public. Included within such use are public assembly, communication of thoughts between citizens and discussion of public questions. These uses of the city's parks are recognized as privileges, immunities, rights, and liberties belonging to all citizens, regardless of sex, race, religion, color, national origin, or political or philosophical persuasion. It is also recognized that the right to use the parks is not absolute, but relative, and must be exercised in subordination to the general comfort and convenience and in consonance with peace and good order.</p>	<p>NO CHANGE.</p>
<p><b>12.64.260 - Definitions.</b> The following words and phrases, whenever used in this article, shall be construed as defined in this section:</p> <p>"Director" means the Director of Parks, Recreation and Cultural Services or his or her authorized representative.</p> <p>"Musical or other entertainment" means and includes the playing of any musical instrument and the use of sound amplifying device.</p> <p>"Parks" means and includes all grounds, roadways, avenues and parks of the city or any part, portion or area thereof.</p> <p>"Permit" means a permit for use of parks as provided for and defined in this article.</p> <p>"Persons" means and includes persons, associations, partnerships, firms or corporations.</p> <p>"Private event" means any event conducted in any city park consisting of twenty-five (25) or more patrons that is not open to the public, including</p>	<p><b>12.64.260 - Definitions.</b> The following words and phrases, whenever used in this article, shall be construed as defined in this section:</p> <p>"Adult" means a person twenty-one (21) years of age or older.</p> <p>"Director" means the Director of the City Administrator or the head or director of the department designated by the City Administrator to administer the provisions of this Chapter, Parks, Recreation and Cultural Services or his or her authorized representative.</p> <p>"Musical or other entertainment" means and includes the playing of any musical instrument and/or the use of sound amplifying or non-amplifying device.</p> <p>"OPR" means the Oakland Parks &amp; Recreation department.</p> <p>"Parks" means and includes all grounds, roadways, avenues and parks of the city, or any part, portion or area thereof.</p> <p>"Permit" means a permit for use of parks as provided for and defined in this article.</p>

<p>but not limited to picnics, birthday parties, family, church and school events or related activities, and may include amplified or nonamplified sound.</p> <p>"Special event" means any event that is open to the public, including but not limited to rallies, concerts, fundraisers, fairs, exhibits or related activities, and which is more specifically defined in Title 9, Chapter 9.52 of the Oakland Municipal Code. "Special event" permit requirements shall apply to park events, so that the permit process for special events in Chapter 9.52 applies to this section and is incorporated by reference herein.</p>	<p>"Persons" means and includes persons, associations, partnerships, firms or corporations.</p> <p>"PRAC" means the Parks and Recreation Advisory Commission.</p> <p>"Private event" means any event conducted in any city park consisting of twenty-five (25) or more patrons that is not open to the public, including but not limited to picnics, birthday parties, family, church and school events or related activities, and may include amplified or non-amplified sound.</p> <p>"Special event" means any event that is open to the public, including but not limited to rallies, concerts, fundraisers, fairs, exhibits or related activities, and which is more specifically defined in Title 9, Chapter 9.52 of the Oakland Municipal Code. "Special event" permit requirements shall apply to park events, so that the permit process for special events in Chapter 9.52 applies to this section and is incorporated by reference herein.</p> <p>NO CHANGE.</p>
<p><b>12.64.270 - Compliance required.</b> No person shall enter, be or remain in any park of the city unless he or she complies with this article and other provisions of this code.</p>	<p><b>12.64.280 - Permit required.</b> No use of any park for a private or special event may be made without issuance of a permit therefor. All applications for use of any park must be accompanied by the fee prescribed in the master fee schedule, signed or co-signed by an adult, which adult shall agree to be responsible for said exclusive use. No use permit will be granted, if, prior to the time the application was filed, the city has scheduled a city-sponsored event at the same time and place as the activity proposed in the application.</p>
<p><b>12.64.290 - Private event park use application.</b> Any person applying for a private event permit hereunder shall file an application for such permit with the PRCS Central Reservations Unit not less than fifteen (15) working days nor more than eleven (11) months prior to the proposed use of said park. The Director may waive the fifteen (15) working day period if applicant waives all appeal rights.</p>	<p><b>12.64.290 - Park use permit for private events. Private event park use application.</b> Any person applying for a private event permit, hereunder shall file an application for such permit with the PRCS-OPR Central Reservations Unit not less than fifteen (15) working thirty (30) days nor more than eleven (11) months prior to the proposed use of said park. The Director may waive the fifteen (15) working thirty (30) day period if applicant waives all appeal rights.</p>

<p><b>12.64.291 - Park use permit for special events.</b></p> <p>Any person applying for a park use permit for a special event shall file an application for such permit with the PRCs Central Reservations Unit not less than ninety (90) days nor more than eleven (11) months prior to the proposed use of said park. The Director may waive the ninety (90) day period if the applicant waives all appeal rights.</p> <p>In addition to applying for a park use permit, the applicant must apply for a special event permit with the Oakland Police Department for approval by the Chief of Police or his designee pursuant to the requirements enumerated in Chapter 9.52 of Title 9 of the Oakland Municipal Code. However, the Chief of Police, in consultation with the Director of Parks, Recreation and Cultural Services or his or her authorized representative, shall retain the authority to delegate the issuance of special event permits for certain routine events in city parks not likely to result in impacts on the public safety and welfare to the PRCs Central Reservations Unit.</p> <p>Should the Chief of Police delegate the issuance of OPD special event permits to the Director of PRCs pursuant to this subsection, the Director shall cause PRCs to notify the Oakland Police Department of the issuance of any such permit at least ten (10) working days before the event commences.</p>	<p><b>12.64.291 - Park use permit for special events.</b></p> <p>Any person applying for a park use permit for a special event shall file an application for such permit with the PRCs-OPR Central Reservations Unit not less than <del>ninety (90)</del> <u>sixty (60)</u> days nor more than eleven (11) months prior to the proposed use of said park. The Director may waive the <del>ninety (90)</del> <u>sixty (60)</u> day period if the applicant waives all appeal rights.</p> <p>In addition to applying for a park use permit, the applicant must apply for a special event permit with the Oakland Police Department (OPD) for approval by the Chief of Police or his designee pursuant to the requirements enumerated in Chapter 9.52 of Title 9 of the Oakland Municipal Code. *However, the Chief of Police, in consultation with the Director of Parks, Recreation and Cultural Services or his or her authorized representative, shall retain the authority to delegate the issuance of special event permits for certain routine events in city parks not likely to result in impacts on the public safety and welfare to the PRCs Central Reservations Unit.</p> <p>Should the Chief of Police delegate the issuance of OPD special event permits to the Director of PRCs pursuant to this subsection, the Director shall cause PRCs to notify the Oakland Police Department of the issuance of any such permit at least ten (10) working days before the event commences.</p> <p><i>*This section was reviewed by OPD and does not apply to current policy.</i></p> <p><b>12.64.292. - Park use permits for musical or other entertainment.</b></p> <p>Any person applying for a park use permit for musical or other entertainment shall file an application for such permit with the OPR Central Reservation Unit no less than thirty (30) days nor more than eleven (11) months prior to the proposed use of said park and follow the guidelines as specified in Section 12.64.120 - Park noise, musical instrument and sound reproduction device regulations. The Director may waive the thirty (30) day period if the applicant waives all appeal rights.</p> <p><b>12.64.300 - Contents of park permit applications.</b></p> <p>In addition to other information required, applications for park use permits for a private or special event shall contain at the minimum the following:</p>
<p><b>NEW</b></p> <p><b>12.64.300 - Contents of park permit applications.</b></p> <p>In addition to other information required, applications for park use permits for a private or special event shall contain at the minimum the following:</p>	<p><b>12.64.300 - Contents of park permit applications.</b></p> <p>In addition to other information required, applications for park use permits for a private or special event shall contain at the minimum the following:</p>

<p>A. Name of each applicant, sponsoring organization and the person or persons who are in charge of or responsible for the proposed activity;</p> <p>B. The business and residence address and telephone numbers of each person and entity named in subsection A of this section;</p> <p>C. The park being applied for;</p> <p>D. The starting time of the proposed activity;</p> <p>E. The finishing time of the proposed activity;</p> <p>F. The number of persons expected;</p> <p>G. The nature of the proposed activity or activities including equipment and vehicles to be brought into the park, nature and duration of the use of such equipment, nature and duration of the use of any amplified sound, whether speech or music;</p> <p>H. Estimated number of parking spaces required.</p>	<p>A. Name of each applicant, sponsoring organization and the person or persons who are in charge of or responsible for the proposed activity;</p> <p>B. The business and residence address and telephone numbers of each person and entity named in subsection A of this section;</p> <p>C. The park being applied for;</p> <p>D. The starting time of the proposed activity;</p> <p>E. The finishing time of the proposed activity;</p> <p>F. The number of persons expected;</p> <p>G. The nature of the proposed activity or activities including equipment and vehicles to be brought into the park, nature and duration of the use of such equipment, nature and duration of the use of any amplified or non-amplified sound, whether speech or music;</p> <p>H. Estimated number of parking spaces required.</p>
<p><b>12.64.310 - Action on application for permit.</b></p> <p>A. Park Use Permits for Private Events. The Director of PRCS shall grant or deny applications for park use permits for private events on or before fifteen (15) calendar days after the filing of the application unless the time for such granting or denial of the permit has been waived by the applicant in writing.</p> <p>B. Applications for OPD Permits for Special Events. The Chief of Police or his designee shall grant or deny applications for special events in parks pursuant to Title 9, Chapter 9.52 of the Oakland Municipal Code.</p> <p>Nothing precludes the Chief from delegating to the Director of PRCS this authority pursuant to Section 12.64.291, in which case the Director shall approve, conditionally approve, or deny the application no later than fifteen (15) calendar days after the filing of a complete application. The applicant shall be notified of any conditions of approval at the time the action on the application is taken.</p>	<p><b>12.64.310 - Action on application for permit.</b></p> <p>A. Park Use Permits for Private Events. The Director of <u>OPR PRCS</u> shall grant or deny applications for park use permits for private events on or before fifteen (15) calendar days after the filing of the application unless the time for such granting or denial of the permit has been waived by the applicant in writing.</p> <p>B. Applications for OPD Permits for Special Events. The Chief of Police or his designee shall grant or deny applications for special events in parks pursuant to Title 9, Chapter 9.52 of the Oakland Municipal Code.</p> <p><del>Nothing precludes the Chief from delegating to the Director of PRCS this authority pursuant to Section 12.64.291, in which case the Director shall approve, conditionally approve, or deny the application no later than fifteen (15) calendar days after the filing of a complete application. The applicant shall be notified of any conditions of approval at the time the action on the application is taken.</del></p> <p>C. <u>Park Use Permits for Special Events. The Director shall grant or deny applications for park use permits for special events on or before thirty (30) days after the filing of the application unless the time for such granting or denial of the permit has been waived by the applicant in writing.</u></p> <p>D. <u>Park Use Permits for Musical or Other Entertainment. The Director shall grant or deny applications for park use permits for musical or other entertainment on or before thirty (30) days after the filing of the</u></p>

<p><b>12.64.320 - Criteria for issuance of permit.</b> An application for a park use permit for a private or special event should be granted unless any one or more of the following conditions apply:</p> <p>A. That a permit has been granted for the same park and on the same day and time for which the application in question pertains;</p> <p>B. That the applicant has made no provision for temporary toilet facilities as required in this article;</p> <p>C. That the applicant has made no provision for crowd control monitors as required in this article;</p> <p>D. That the applicant has made no provision for cleanup services as required in this article;</p> <p>E. That the applicant has refused to agree in writing to comply with the regulations for the use of parks as provided for in this code or has failed to provide a reasonable means of informing all persons participating in the proposed activity of the regulations;</p> <p>F. That the applicant has refused to execute the indemnification agreement provided for in this article;</p> <p>G. That the application was not filed in time, unless the Director waives the time requirement and applicant waives his or her right of appeal;</p> <p>H. That the applicant has not secured a charitable solicitation permit as provided for in Chapter 5.18 of this code, if such permit is required thereby for the proposed activity;</p> <p>I. That the proposed activity involves the sale of goods, wares, merchandise, foods, confections, refreshments, or other articles, and the permission of the Director has not been secured, as required by Section 12.64.080;</p> <p>J. That the applicant has not secured a certificate of insurance as provided for in this article if insurance is required for the proposed activity.</p> <p>K. For a park use permit for special event. That the applicant has not filed an application with the Police Department for a special event permit as defined in Title 9, Chapter 9.52</p>	<p>application unless the time for such granting or denial of the permit has been waived by the applicant in writing.</p> <p><b>12.64.320 - Criteria for issuance of permit.</b> An application for a park use permit for a private or special event or for musical or other entertainment should be granted unless any one or more of the following conditions apply:</p> <p>A. That a permit has been granted for the same park and on the same day and time for which the application in question pertains;</p> <p>B. That the applicant has made no provision for temporary toilet facilities as required in this article;</p> <p>C. That the applicant has made no provision for crowd control monitors as required in this article;</p> <p>D. That the applicant has made no provision for cleanup services as required in this article;</p> <p>E. That the applicant has refused to agree in writing to comply with the regulations for the use of parks as provided for in this code or has failed to provide a reasonable means of informing all persons participating in the proposed activity of the regulations;</p> <p>F. That the applicant has refused to execute the indemnification agreement provided for in this article;</p> <p>G. That the application was not filed in time, unless the Director waives the time requirement and applicant waives his or her right of appeal;</p> <p>H. That the applicant has not secured a charitable solicitation permit as provided for in Chapter 5.18 of this code, if such permit is required thereby for the proposed activity;</p> <p>I. That the proposed activity involves the sale of goods, wares, merchandise, foods, confections, refreshments, or other articles, and the permission of the Director has not been secured, as required by Section 12.64.080</p> <p>J. That the applicant has not secured a certificate of insurance as provided for in this article if insurance is required for the proposed activity.</p> <p>K. For a park use permit for special event. That the applicant has not filed an application with the Police Department for a special event permit as defined in Title 9, Chapter 9.52.</p>
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	<p>*L. The appellant has a prior history of events in parks which include verified, unresolved complaints of excessive noise, or poor security and crowd control and/or poor parking control.</p> <p><i>*Item L was moved from Section 12.64.120 because it is more pertinent to this section.</i></p>
<p><b>12.64.330 - Right of appeal.</b></p> <p>For a permit application to hold a special event in a park, the reconsideration process as provided for in Title 9, Article 9.52.90 shall apply, whether the decision from which the appeal is taken is made by the Chief or by the Director of PRCS pursuant to Section 12.64.291.</p> <p>An applicant whose application for a park use permit for a private event has been denied or any person claiming to be adversely affected by the issuance of a park use permit for a private event may appeal the decision within five working days of the decision. The appeal shall be heard before the Parks and Recreation Advisory Commission (PRAC) pursuant to the hearing and appeals process adopted by that body. The decision of the PRAC shall be final.</p> <p>Upon receipt of such appeal, the Director shall set the appeal at the next available Park and Recreation Advisory Commission meeting. The Director shall give notice to the appellant and any known adverse parties, or their representatives, of the time and place of the hearing.</p> <p>The appellant shall pay the fee established by the current city of Oakland master fee schedule.</p>	<p><b>12.64.330 - Right of appeal.</b></p> <p>For a permit application to hold a special event in a park, the reconsideration process as provided for in Title 9, Article 9.52.90 shall apply, whether the decision from which the appeal is taken is made by the Chief or by the Director of PRCS pursuant to Section 12.64.291.</p> <p>An applicant whose application for a park use permit for a private event or musical or other entertainment has been denied or any person claiming to be adversely affected by the issuance of a park use permit for a private event or musical or other entertainment may appeal the decision within five working days of the decision. The appeal shall be heard before the Parks and Recreation Advisory Commission (PRAC) pursuant to the hearing and appeals process adopted by that body. The decision of the PRAC shall be final.</p> <p>Upon receipt of such appeal, the Director shall set the appeal at the next available Park and Recreation Advisory Commission meeting. The Director shall give notice to the appellant and any known adverse parties, or their representatives, of the time and place of the hearing.</p> <p>The appellant shall pay the fee established by the current city of Oakland Master Fee Schedule.</p>
<p><b>12.64.340 - Crowd control monitors.</b></p> <p>The Director may impose a requirement of one crowd control monitor per hundred (100) persons expected to attend the proposed activity. The applicant shall, within two days of the receipt of the Director's decision, supply to the Director a list of the proposed crowd control monitors, including their names, addresses and telephone numbers. The applicant may, at his or her option, provide police reserve personnel or duly licensed private patrol officers instead of crowd control monitors in the numbers approved by the Director. Crowd control monitors shall wear armbands and</p>	<p><b>NO CHANGE.</b></p>

<p>such other identification as the Director may require to prominently identify them as monitors.</p> <p><b>12.64.350 - Cleanup.</b></p> <p>Provision shall be made by the permittee for cleaning up and disposal outside the park of all litter, debris, bottles, cans, paper, or other such matter remaining after use of the park, pursuant to the permit. The Director of Parks and Recreation may require a monetary deposit to insure compliance with this section. Said deposit shall be refunded within five days after use of the park if it appears to the satisfaction of the Director that there has been compliance with this section.</p>	<p>NO CHANGE.</p>
<p><b>12.64.360 - Temporary toilet facilities.</b></p> <p>Provision shall be made for temporary or portable toilets at the ratio of one per every five hundred (500) persons over and above the number of toilets permanently located at the site. Such temporary or portable toilets shall be removed from the park within twenty-four (24) hours after the event for which the permit was granted.</p> <p><b>12.64.370 - Indemnification agreement.</b></p> <p>All persons to whom a use permit has been granted must agree in writing to indemnify and hold the city harmless for injury or damage caused by the activity sponsored by the permittee, and said permittee shall be liable to the city for any and all damage to parks, facilities and buildings owned by the city, which results from the activity of the permittee or is caused by any participant in said activity.</p>	<p><b>12.64.360 - Temporary toilet facilities.</b></p> <p>Provision shall be made by the permittee for temporary or portable toilets, at the ratio of one per every five hundred (500) persons over and above the number of toilets permanently located at the site. The required number of temporary or portable toilets shall be determined by OPR based upon the type of event, how many hours the event will last, number of expected attendees, other events occurring in the park and availability of permanent toilets located at the site. Such temporary or portable toilets shall be removed from the park within twenty-four (24) hours after the event for which the permit was granted.</p> <p>NO CHANGE.</p>
<p><b>12.64.380 - Certificate of insurance.</b></p> <p>A certificate of insurance naming the city, its council, agents and employees as additional insured may be required for private events when the proposed activity is likely to have an impact on park and/or city services and resources. If required, the certificate of insurance must be submitted to the PRQS Central Reservations Unit at least three weeks before date of the proposed activity.</p> <p><b>12.64.390 - Misrepresentation of event.</b></p>	<p><b>12.64.380 - Certificate of insurance.</b></p> <p>A certificate of insurance naming the city, its council, agents and employees as additional insured is required for all special events and may be required for private events and musical or other entertainment when the proposed activity is likely to have an impact on park and/or city services and resources. If required, the certificate of insurance must be submitted to the PRQSOPR Central Reservations Unit at least three weeks before date of the proposed activity.</p> <p>NO CHANGE.</p>

<p>Any misrepresentation involved in renting facilities or parks will result in immediate cancellation of the event and/or forfeiture of all fees paid.</p> <p><b>12.64.400 - Public parks as drug free zones.</b></p> <p>Pursuant to California Health and Safety Code Section 11380.5(e), the City Council of the city of Oakland, California does designate as drug free zones, all public parks within its geographical boundaries.</p> <p><b>12.64.410 - Penalties for violation of park permit requirements.</b></p> <p>A. Any violation of this chapter may be charged as a civil penalty or an infraction, as provided for in Title I of the Oakland Municipal Code, except as specified in B of this section. Enforcement action specifically authorized by this section may be utilized in conjunction with, or in addition to, any other statutory, code, administrative or regulatory procedure applicable to this chapter. In addition, nothing in this section shall be interpreted to preclude or limit the city from seeking injunctive or other judicial relief.</p> <p>B. It shall be a misdemeanor for the event sponsor or his or her designee to refuse to terminate an event for violation of event conditions, or for holding an event without benefit of permit.</p>	<p><b>12.64.400 - Public parks as drug free zones.</b></p> <p><del>Pursuant to California Health and Safety Code Section 11380.5(e), the City Council of the City of Oakland, California does designate as drug free zones, all public parks within its geographical boundaries.</del></p> <p>NO CHANGE.</p>
<p><b>NEW</b></p>	<p><b>Article III - Miscellaneous</b></p> <p><b>12.64.410 - Administrative Regulations</b></p> <p><u>The City Administrator is hereby authorized to adopt rules and regulations consistent with this chapter as needed to implement this chapter, subject to the review and approval of the Office of the City Attorney, and to develop all related forms and/or other materials and take other steps as needed to implement this chapter, and make such interpretations of this chapter as he or she may consider necessary to achieve the purposes of this chapter.</u></p>
<p><b>12.60.070 - Bicycle operation rules—Violation—Penalty.</b></p> <p>It is unlawful to operate a bicycle on any trail within the city in an unsafe, reckless, dangerous or negligent manner. No person shall operate a bicycle in excess of fifteen (15) miles per hour, nor in excess of five miles</p>	<p><b>12.60.070 - Bicycle operation rules—Violation—Penalty.</b></p> <p>It is unlawful to operate a bicycle <del>on any trail</del> within the city in an unsafe, reckless, dangerous or negligent manner. No person shall operate a bicycle in a City park in excess of fifteen (15) miles per hour, <del>nor in excess of five miles per hour when</del></p>

per hour when passing pedestrians or equestrians or when approaching and negotiating a blind turn, nor at a greater speed than is reasonable or prudent. Within city parks, bicyclists can ride on named trails only and are prohibited from operating bicycles off-trail. Bicyclists must obey all posted signs and rules. Bicyclists must call out when passing pedestrians, or other bicyclists and then must pass to the left. Bicyclists must yield to equestrians by calling out and requesting instructions to pass. The City Manager, or his or her designees, shall determine trail accessibility for bicyclists. Any person who violates this section shall be guilty of an infraction punishable as provided in Chapter 1.28 of this code.

~~passing pedestrians or equestrians or when approaching and negotiating a blind turn, nor at a greater speed than is reasonable or prudent. Within city parks, bicyclists can ride on named designated paths and trails only and are prohibited from operating bicycles off-trail. Bicyclists must obey all posted signs and rules. Bicyclists must yield and call out by voice or bell when passing pedestrians, or other bicyclists and must keep right except to pass and then must pass to the left if practicable. Bicyclists must yield to equestrians by calling out by voice and requesting instructions to pass. The City Manager/Administrator, or his or her designees, shall determine path and trail accessibility for bicyclists. Any person who violates this section shall be guilty of an infraction punishable as provided in Chapter 1.28 of this code.~~

**1.28.020 - Violations as infraction.**

A. Any person violating any of the provisions or failing to comply with any of the regulatory requirements of the following code sections shall be guilty of an infraction:

1. Public Safety

- a. Chapter 15.32. Dangerous Structures
  - b. Chapters 5.62, 8.36; Sections 8.40.120—8.40.170, 12.64.190. Accident Prevention
  - c. Section 15.04.780. Grading, Excavations and Fills
  - d. Chapter 15.64. Bedroom Window Security Bar and Smoke Detector Permit Requirements
  - e. Chapter 8.44.040. Activities prohibited within the parking facility
2. Public Welfare, Morals and Policy
- a. Chapter 8.18. Public Nuisances
  - b. Chapter 5.18. Charities and Relief
  - c. Sections 9.04.030—9.04.060, 9.08.210. Fraud and Deceit: Section 9.04.050: Defacing Notices. Violations of other provisions of Sections 9.04.030—9.04.060, 9.08.210 shall be a misdemeanor.
  - d. Chapters 6.04, 6.08. The Animal Control Ordinance, with the exception of Sections 6.08.120, 6.08.130, 6.08.150—6.08.180, and 6.08.200, vicious dogs, the violation of which shall be a misdemeanor.
  - e. Sections 9.04.070, 9.04.080, 9.08.220—9.08.240.

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- a. Chapter 15.32. Dangerous Structures
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  - d. Chapter 15.64. Bedroom Window Security Bar and Smoke Detector Permit Requirements
  - e. Chapter 8.44.040. Activities prohibited within the parking facility
2. Public Welfare, Morals and Policy
- a. Chapter 8.18. Public Nuisances
  - b. Chapter 5.18. Charities and Relief
  - c. Sections 9.04.030—9.04.060, 9.08.210. Fraud and Deceit: Section 9.04.050: Defacing Notices. Violations of other provisions of Sections 9.04.030—9.04.060, 9.08.210 shall be a misdemeanor.
  - d. Chapters 6.04, 6.08. The Animal Control Ordinance, with the exception of Sections 6.08.120, 6.08.130, 6.08.150—6.08.180, and 6.08.200, vicious dogs, the violation of which shall be a misdemeanor.
  - e. Sections 9.04.070, 9.04.080, 9.08.220—9.08.240. Miscellaneous
  - f. Sections 8.04.080—8.04.150. Theft Provision: Title 10. Vehicles and Safety.
  - g. Section 9.08.250; Chapter 9.32. Trespass. Notwithstanding the

<p>Miscellaneous</p> <p>f. Sections 8.04.080—8.04.150. Theft Provision: Title 10, Vehicles and Safety.</p> <p>g. Section 9.08.250; Chapter 9.32. Trespass. Notwithstanding the provisions of Section 1.28.010A of this code, a person shall be guilty of a separate violation of Section 9.08.250 for loitering, prowling, wandering or being present without lawful business on the property of the Housing Authority of the city of Oakland for each and every instance of failure to leave upon request of a peace officer or authorized agent of the Housing Authority of the city of Oakland or for each return to the property of the Housing Authority of the city of Oakland within seventy-two (72) hours after being asked to leave by a peace officer or authorized agent of the Housing Authority of the city of Oakland.</p> <p>h. Chapter 5.40. Mechanical or Electronic Games</p> <p>i. Chapter 5.10. Bingo Games with exception of Section 5.10.370, which shall remain a misdemeanor punishable by a ten thousand dollar (\$10,000.00) fine.</p> <p>j. Chapter 8.26. Abatement of Illegal Scrapyards and Recyclable Materials Held Illegally in Open Storage.</p>	<p>provisions of Section 1.28.010A of this code, a person shall be guilty of a separate violation of Section 9.08.250 for loitering, prowling, wandering or being present without lawful business on the property of the Housing Authority of the city of Oakland for each and every instance of failure to leave upon request of a peace officer or authorized agent of the Housing Authority of the city of Oakland or for each return to the property of the Housing Authority of the city of Oakland within seventy-two (72) hours after being asked to leave by a peace officer or authorized agent of the Housing Authority of the city of Oakland.</p> <p>h. Chapter 5.40. Mechanical or Electronic Games</p> <p>i. Chapter 5.10. Bingo Games with exception of Section 5.10.370, which shall remain a misdemeanor punishable by a ten thousand dollar (\$10,000.00) fine.</p> <p>j. Chapter 8.26. Abatement of Illegal Scrapyards and Recyclable Materials Held Illegally in Open Storage.</p> <p>k. <u>Section 12.64.101. Playground/Play Areas.</u></p> <p>l. <u>Section 12.64.120. Park noise, musical instrument, and sound reproduction device regulations.</u></p>
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**OAKLAND CITY COUNCIL**  
**ORDINANCE No. \_\_\_\_\_ C.M.S.**

**ORDINANCE AMENDING CHAPTER 12.64 OF THE OAKLAND MUNICIPAL CODE, PARK AND RECREATION AREA USE REGULATIONS, SECTION 12.60.070 OF THE OAKLAND MUNICIPAL CODE, BICYCLE OPERATION RULES-VIOLATIONS-PENALTY, AND SECTION 1.28.020 OF THE OAKLAND MUNICIPAL CODE, VIOLATIONS AS INFRACTIONS, TO MAKE VARIOUS CHANGES TO PARK RULES AND SIGNAGE AND ADOPTING CEQA EXEMPTIONS**

**WHEREAS**, persons, businesses, community, social, fraternal, charitable groups and other entities use City parks for enjoyment, leisure, special events, and other uses; and

**WHEREAS**, the Oakland Municipal Code currently contains park rule information under Title 12, Chapter 12.64 Park and Recreation Area Use Regulations and Section 12.60.070 Bicycle Operation Rules-Violation-Penalty that are outdated; and

**WHEREAS**, some of the Oakland Municipal Code sections are antiquated and require updating and clarification for users and visitors of City parks; and

**WHEREAS**, the Parks and Recreation Advisory Commission approved a task force to review Oakland Municipal Code Chapter 12.64, Parks and Recreation Area Use Regulations, for potential changes to park rules and signage as they relate to park noise regulation, park hours, bicycling, grilling, children play areas, park pathways and other park usage; and

**WHEREAS**, the task force met with community members, park users, city employees and officials to review existing rules and ordinances pertaining to the parks; and

**WHEREAS**, the Parks and Recreation Advisory Commission, in their meeting of \_\_\_\_\_ 2016, approved recommendations to amend Oakland Municipal Code Title 12, Section 12.60.070 Bicycle Operations Rules-Violations-Penalty, Chapter 12.64 Park and Recreation Area Use Regulations, and Section 1.28.020 Violations as infractions;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLAND DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1.** The City Council finds and determines the foregoing recitals to be true and correct and hereby adopts and incorporates them into this Ordinance.

**Section 2.** Oakland Municipal Code Chapter 12.64 – Park and Recreation Area Use Regulations is hereby amended to add, delete or modify sections as set forth below; additions are indicated by

underscoring and deletions are indicated by strike-through type; portions of the Chapter not included in this Ordinance, or not shown in underscoring or strike-through type are not changed.

## Chapter 12.64 Parks and Recreation Area Use Regulations

### Article I – Generally

#### 12.64.010 – Definitions

For the purpose of this article certain words and phrases are defined and certain provisions shall be construed as herein set out, unless it shall be apparent from the context that they have a different meaning.

"Boats" means and includes canoes, rowboats, sailboats, hydroplanes and any and all other watercraft.

"Director" means the City Administrator or the head or director of the department designated by the City Administrator to administer the provisions of this Chapter.

"Improvement," when used in this article in reference to trees or shrubs, means and includes the planting, removal or maintenance of same, and any or all acts necessary thereto.

"Maintenance" or "maintain," when used in this article in reference to trees or shrubs, means and includes clipping, spraying, fertilizing, irrigating, propping, treating for disease or injury, and any other similar acts which promote the life, growth, health or beauty of such trees or shrubs.

"OPR" means the Oakland Parks & Recreation Department.

"Playground/Play Area" is defined as any portion of an area that contains playground equipment for use by children.

"PRAC" means the Parks and Recreation Advisory Commission.

"Public street" when used in this article shall include all public streets, avenues, highways, alleys, walks and lanes in the city of Oakland.

"Vehicle" means a device by which a person or property may be propelled, moved or drawn, excepting devices moved exclusively by human power and devices used by individuals with mobility disabilities, and shall include, but not be limited to the following: automobile, truck, motorcycle, motor-driven cycle, animal-drawn carriage, cart, electric personal assistive mobility device, and minibike or bicycle operated under engine power.

#### 12.64.020 - Carrying hatchets in parks.

It is unlawful for any person to carry in any public park of the city any hatchet, axe, machete, brush knife or any other device other than pocketknife, capable of cutting, defacing or mutilating trees or shrubs, without permission so to do so from the Board of Park Directors of the city PRAC or its the City's duly authorized representatives.

~~12.64.030 - Prohibition against littering in parks—Enforcement by citation method—Park rangers, deputy head-ranger and head-ranger as peace-officers for purpose of enforcement.~~

~~A. No person shall, except in the proper receptacles where these are provided by the city, place, deposit, dump or leave or cause to be placed, deposited, dumped or left, in, on or upon the grounds of any park or the waters of any fountain, pond, lake, stream or other body of water in any park, any garbage, swill, cans, bottles, papers, refuse, trash or rubbish. Where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the persons responsible for its presence and properly disposed of elsewhere.~~

~~B. No person shall bring in, place, deposit, dump or leave, or cause to be brought in, placed, deposited, dumped or left in, on or upon the grounds of any park, or the waters of any fountain, pond, lake, stream, or other body of water in any park, any carcass of any dead animal or any noisome, nauseous or offensive matter.~~

~~C. This section may be enforced by the method provided for in Chapter 1.24 of this code, and Sections 853.1—853.4 inclusive of the Penal Code of California.~~

~~D. This section shall be enforced by members of the Oakland Police Department and in addition the park rangers, deputy head-ranger and head-ranger of the city are designated as, given the powers of, and determined to be, peace-officers for the purpose of enforcing this section in the manner set forth in Chapter 1.24 of this code and Sections 853.1—853.4 inclusive of the Penal Code of California.; provided, however that neither the park rangers, deputy head-ranger nor head-ranger shall be considered for any purpose members of the Oakland Police Department.~~

**12.64.040 – Posting or Destroying notices.**

A. No person shall injure, deface or destroy any notice, rules or regulations for the government of parks, posted or in any manner permanently fixed by order or permission of the Board of Park Directors, PRAC or the City's duly authorized representative nor fix any bills or notices in said parks.

B. No person shall post any notices in any public park in the city, without express permission of the PRAC.

**12.64.060 - Games.**

No person shall engage in any game of baseball, cricket, soccer, football, croquet or any other game with ball and bat, within the limits of any public park in the city, except where authorized by the Office of Parks and Recreation OPR.

**12.64.080 - Selling wares, food, or services, and collection of funds gaming, obscenity.**

It is unlawful for any person to sell or offer for sale any goods, wares, merchandise, foods, confections, refreshments, services or other article, or to collect funds for registration fees, entrance fees, donations, or other collection of money within any public park, public building or public grounds in the city, without the order or permission therefor of the PRAC or the Director commission, department or board which has jurisdiction therein.

The terms "public building" and "public grounds," as used herein, shall include the Oakland-Alameda County Coliseum Complex and public parking lots adjacent thereto when completed.

No gaming shall be allowed in said parks, building or grounds, nor any obscene or indecent act performed therein.



**12.64.090 - Injuring trees and other properties.**

It is unlawful for any person to trespass upon the grass of any public park in the city or to pick flowers from the same, or to cut, break or in anywise anyway injure, damage or deface the trees, shrubs, turf, buildings, fences, benches, fountains, statuary or any fixtures connected therewith, or to foul any fountains or springs within said park.

**12.64.101 - Playgrounds/Play Areas**

It shall be unlawful for any person sixteen (16) years of age or older to enter or remain in a designated playground/play area, unless the person is supervising and/or accompanying a child who is then visiting the playground/play area.

The Director may designate playground areas where the equipment shall be exclusively used by children of a specific age range. Areas so designated shall be posted with one or more signs giving notice of the restricted use. Playground areas and equipment shall be used only as intended and shall be used by person of ages as designated.

For purposes of this section, a child means a person age twelve (12) or younger.

Any person who violates this section shall be subject to the penalties set forth in Title 1 of this code.

**12.64.110 - Hours of use of parks.**

The ~~Parks and Recreation Advisory Commission~~ PRAC may fix the hours during which the parks, or any particular park, is open to public use. No person, other than a city employee in the performance of his or her duty, shall enter or remain in any park during the time when it is not open for public use.

**12.64.120 - Park noise, musical instrument, and sound reproduction device regulations.**

No person shall play, operate, or permit the operation of, any sound amplification system or non-amplified sound devices including but not limited to portable or car audio equipment, musical instrument, horn, radio, tape recorder or other device for producing or causing any noise so that sound can be heard fifty (50) or more feet away from the source in any park within the city or between the hours of 9 p.m. to 7 a.m. as specified in Section 8.18.020, except upon the issuance of a permit therefor by the Director of ~~Parks, Recreation and Cultural Affairs~~ and payment of the fee specified in the ~~Master Fee Schedule~~. The PRAC may, in its discretion, further restrict such hours in specific parks where such operation would unreasonably disturb or damage the comfort, peace, health or safety of persons or businesses.

Permits issued for the operation of a sound amplification system or non-amplified sound device shall specify the location of such system or device within the park of any bandstand and the position of each loudspeaker shall be as specified by the ~~said~~ Director so as to minimize, to the extent practicable, the amount of amplified sound to be audible in adjacent residential properties. No loudspeaker shall be permitted to be placed in a public park within three hundred (300) feet of any residential structure. In no event shall a permittee cause amplified or non-amplified sound

to exceed eighty (80) decibels at any boundary of the park in which amplified-sound is being produced.

Estuary Park and Duck Pond Stage area of Lakeside Park may be exempted from these requirements if and only if the following findings are made by the Director of Parks, Recreation and Cultural Affairs:

- A. ~~The permittee has no prior history of events in parks which includes verified, unresolved complaints of excessive noise, poor security and crowd control, and/or poor parking control;~~
- B. ~~The applicant has met and conferred with local residents and developed a specific event plan to meet the expressed concerns of said local residents; and~~
- C. ~~The applicant has paid all required fees and deposits for the event in question, and has met all additional regulatory requirements which may apply to the event in question.~~

Any person who violates this section is subject to any penalty set out in Title 1 of this code including, but not limited to, fines and penalties specified in Chapter 1.28 of this code.

#### **12.64.130 - Traffic regulations.**

It is unlawful for any person to drive or ride within the boundaries of any public park in the city at a rate of speed exceeding fifteen (15) miles per hour, or for any person to ride or drive within the limits of said parks upon any other than the avenues and roads provided therefor, and no wagon or vehicle of burden shall pass through the said parks except upon such road or avenue as shall be designated by the PRAC Board of Park Directors for such transportation.

No person shall enter or leave any of said parks except by such gates, roads, paths or avenues as may be for such purpose provided and arranged.

No vehicle for hire shall stand upon any part of any public park in the city for the purpose of hire, except in waiting for persons taken by it into such park, except at such points as may be specially designated by the PRAC Board of Park Directors.

#### **12.64.140 - Motor Vehicles in parks.**

It is unlawful for any person to operate or drive any ~~motorcycle or other motor~~ vehicle in, over or upon an equestrian or pedestrian path or trail or any other portion of any public park in the city except on such roadway or parking area regularly set apart for the use of such motor and other vehicles.

#### **12.64.160 - Fires and Barbecues.**

A. No person shall be permitted to make or kindle a fire of any kind within any public park in the city except in a device provided or designated by PRAC or the Director for such purpose and in an area at designated and barbecue areas approved by the Parks and Recreation Advisory Commission PRAC.

B. Portable non-charcoal barbecue grills of metal construction may be brought into city parks by persons for use in designated picnic areas and shall be attended at all times by a person eighteen years of age or older. At no time may barbecue grills be placed upon pathways, sport courts, parking lots and the like or otherwise impede the use of such areas for their intended purpose. Portable barbecue grills may not exceed twenty seven inches in width.

**12.64.190 - Children in boats.**

It is unlawful for any person under sixteen (16) years of age to hire a boat or other watercraft to be used upon the waters of Lake Merritt or that portion of the estuary of San Antonio or Oakland harbor which lies within the limits of the city, unless such person produces documentation from a certifying boating organization or such person is accompanied by his or her parent or guardian or an adult person; or for any person to rent any boat or other watercraft to any such person under sixteen (16) years of age ~~to be so used unless~~ such person produces documentation from a certifying boating organization or such person is accompanied by his or her parent or guardian or an adult person.

**12.64.200 - Boats on Lake Merritt.**

A. Boat Permit. It is unlawful for any person to launch, use, moor or store upon Lake Merritt any private boat unless there shall have first been procured for said boat a permit from OPR ~~the Recreation Commission~~ for such purpose. The Director ~~Said Commission~~ may, by rule, specify the conditions under which the same may be granted, suspended, or revoked.

B. Speed of Boats. Speed of mechanically propelled boats on Lake Merritt is limited to eight miles an hour unless special permission to exceed such limit is granted by the Director ~~Board of Playground Directors~~.

C. Boats in Certain Areas. It is unlawful for any person between the first day of October and the last day of April next succeeding, to row, drive, propel or navigate any boat in, over, or upon any part of the following described area of Lake Merritt:

That portion of the northeastern arm of Lake Merritt that lies northeasterly of a line bearing north 38° 13' west from a point on the eastern line of Lakeshore Boulevard, distant thereon one hundred and sixty (160) feet southerly from the production of the entire line of that portion of Hanover Avenue that lies between Wayne and Newton Avenues.

This subsection shall not apply to the employees of the city properly engaged in work for said city in or upon the above described area and authorized by the City ~~the Board of Playground Directors or the Board of Park Directors to be thereon.~~

D. Boats and Boat Races. No person shall be permitted to use the shores of Lake Merritt as a landing place for boats, or keep ~~thereat~~ boats for hire or ~~floating boat houses with pleasure boats for hire, or~~ keep boats of any kind in Lake Merritt, except under a permit from the OPR ~~Recreation Commission for such purpose~~, and only at places designated by and under restrictions and regulations ~~promulgated~~ authorized by the Director ~~Board of Park Directors or the Recreation Commission~~; and no regattas, boat races, or other special events involving the use of Lake Merritt shall take place thereon without permission granted by a permit from OPR ~~the PRAC Recreation Commission.~~

**12.64.210 - Fishing in Lake Merritt.**

No person shall fish in Lake Merritt without written permission from the ~~Board of Park Directors~~ PRAC ~~so to do so~~, and no person shall in any event be allowed to catch more than two bass in one day in Lake Merritt.

**12.64.230 - Municipal swimming pools—Not to be used in absence of attendant.**

It is unlawful for any person to enter upon any municipal swimming pool or the dressing rooms connected therewith at any time when no employee of OPR ~~the Recreation Department~~, or other attendant authorized by OPR ~~said Department~~, is on duty at said pool.

A. Trespass on. It is unlawful for any person to trespass upon ~~the Oakland Municipal Golf Course, or upon~~ any private or public golf course in the city, except pursuant to the express consent of the person in charge of the management thereof.

B. Play Upon. It is unlawful for any person to play upon ~~the Oakland Municipal Golf Course, or upon~~ any private or public golf course in the city, without first having obtained a ticket therefor, or except pursuant to the express consent of the person in charge of the management thereof.

C. Taking of Golf Balls. It is unlawful for any person to take possession of any golf ball not belonging to him or her from any golf course, or from any land or any street adjacent thereto.

D. Injury to Turf. It is unlawful for any person to ~~wilfully~~ willfully or maliciously injure the turf on any golf course.

E. Sales on. It is unlawful for any person to sell golf balls, golf equipment, food, drinks, or other commodities, or provide golf lessons on the Oakland Municipal Golf Course, or upon any private or public golf course in the city, except pursuant to express permission of the person in charge of the management thereof.

## Article II – Park Permits

### 12.64.260 - Definitions.

The following words and phrases, whenever used in this article, shall be construed as defined in this section:

“Adult” means a person twenty-one (21) years of age or older.

“Director” means the City Administrator or the head or director of the department designated by the City Administrator to administer the provisions of this Chapter ~~Director of the Parks, Recreation and Cultural Services or his or her authorized representative.~~

“Musical or other entertainment” means and includes the playing of any musical instrument and/or the use of sound amplifying or non-amplifying device.

“OPR” means the Oakland Parks & Recreation Department.

“Parks” means and includes all grounds, roadways, avenues and parks of the city, or any part, portion or area thereof.

“Permit” means a permit for use of parks as provided for and defined in this article.

“Persons” means and includes persons, associations, partnerships, firms or corporations.

“PRAC” means the Parks and Recreation Advisory Commission.

“Private event” means any event conducted in any city park consisting of twenty-five (25) or more patrons that is not open to the public, including but not limited to picnics, birthday parties, family, church and school events or related activities, and may include amplified or non-amplified sound.

“Special event” means any event that is open to the public, including but not limited to rallies, concerts, fundraisers, fairs, exhibits or related activities, and which is more specifically

defined in Title 9, Chapter 9.52 of the Oakland Municipal Code. "Special event" permit requirements shall apply to park events, so that the permit process for special events in Chapter 9.52 applies to this section and is incorporated by reference herein.

**12.64.280 - Permit required.**

No use of any park for a private or special event may be made without issuance of a permit therefor. All applications for use of any park must be accompanied by the fee prescribed in the ~~m~~Master ~~f~~Fee ~~s~~Schedule, signed or co-signed by an adult, which adult shall agree to be responsible for said exclusive use. No use permit will be granted, if, prior to the time the application was filed, the city has scheduled a city-sponsored event at the same time and place as the activity proposed in the application.

**12.64.290 – Park use permit for private events. Private event park use application.**

Any person applying for a private event permit, hereunder shall file an application for such permit with the ~~PRCS~~ OPR Central Reservations Unit not less than ~~fifteen (15) working~~ thirty (30) days nor more than eleven (11) months prior to the proposed use of said park. The Director may waive the ~~fifteen (15) working~~ thirty (30) day period if applicant waives all appeal rights.

**12.64.291 - Park use permit for special events.**

Any person applying for a park use permit for a special event shall file an application for such permit with the ~~PRCS~~ OPR Central Reservations Unit not less than ~~ninety (90) sixty (60)~~ days nor more than eleven (11) months prior to the proposed use of said park. The Director may waive the ~~ninety (90) sixty (60)~~ day period if the applicant waives all appeal rights.

In addition to applying for a park use permit, the applicant must apply for a special event permit with the Oakland Police Department for approval by the Chief of Police or his designee pursuant to the requirements enumerated in Chapter 9.52 of Title 9 of the Oakland Municipal Code. ~~However, the Chief of Police, in consultation with the Director of Parks, Recreation and Cultural Services or his or her authorized representative, shall retain the authority to delegate the issuance of special event permits for certain routine events in city parks not likely to result in impacts on the public safety and welfare to the PRCS Central Reservations Unit.~~

~~Should the Chief of Police delegate the issuance of OPD special event permits to the Director of PRCS pursuant to this subsection, the Director shall cause PRCS to notify the Oakland Police Department of the issuance of any such permit at least ten (10) working days before the event commences.~~

**12.64.292. Park use permits for musical or other entertainment.**

Any person applying for a park use permit for musical or other entertainment shall file an application for such permit with the OPR Central Reservation Unit not less than thirty (30) days nor more than eleven (11) months prior to the proposed use of said park and follow the guidelines as specified in Section 12.64.120 – Park noise, musical instrument and sound reproduction device regulations. The Director may waive the thirty (30) day period if the applicant waives all appeal rights.

#### 12.64.300 - Contents of park permit applications.

In addition to other information required, applications for park use permits for a private or special event or for musical or other entertainment shall contain at the minimum the following:

- A. Name of each applicant, sponsoring organization and the person or persons who are in charge of or responsible for the proposed activity;
- B. The business and residence address and telephone numbers of each person and entity named in subsection A of this section;
- C. The park being applied for;
- D. The starting time of the proposed activity;
- E. The finishing time of the proposed activity;
- F. The number of persons expected;
- G. The nature of the proposed activity or activities including equipment and vehicles to be brought into the park, nature and duration of the use of such equipment, nature and duration of the use of any amplified or non-amplified sound, whether speech or music;
- H. ~~Estimated number of parking spaces required.~~

#### 12.64.310 - Action on application for permit.

- A. Park Use Permits for Private Events. The Director of OPR PRCS shall grant or deny applications for park use permits for private events on or before fifteen (15) calendar days after the filing of the application unless the time for such granting or denial of the permit has been waived by the applicant in writing.
- B. Applications for OPD Permits for Special Events. The Chief of Police or his designee shall grant or deny applications for special events in parks pursuant to Title 9, Chapter 9.52 of the Oakland Municipal Code. ~~Nothing precludes the Chief of Police from delegating to the Director of PRCS this authority pursuant to Section 12.64.291, in which case the Director shall approve, conditionally approve, or deny the application no later than fifteen (15) calendar days after the filing of a complete application. The applicant shall be notified of any conditions of approval at the time the action on the application is taken.~~
- C. Park Use Permits for Special Events. The Director shall grant or deny applications for park use permits for special events on or before thirty (30) days after the filing of the application unless the time for such granting or denial of the permit has been waived by the applicant in writing.
- D. Park Use Permits for Musical or Other Entertainment. The Director shall grant or deny applications for park use permits for musical or other entertainment on or before thirty (30) days after the filing of the application unless the time for such granting or denial of the permit has been waived by the applicant in writing.

#### 12.64.320 - Criteria for issuance of permit.

An application for a park use permit for a private or special event or for musical or other entertainment should be granted unless any one or more of the following conditions apply:

- A. That a permit has been granted for the same park and on the same day and time for which the application in question pertains;
- B. That the applicant has made no provision for temporary toilet facilities as required in this article;
- C. That the applicant has made no provision for crowd control monitors as required in this article;

- D. That the applicant has made no provision for cleanup services as required in this article;
- E. That the applicant has refused to agree in writing to comply with the regulations for the use of parks as provided for in this code or has failed to provide a reasonable means of informing all persons participating in the proposed activity of the regulations;
- F. That the applicant has refused to execute the indemnification agreement provided for in this article;
- G. That the application was not filed in time, unless the Director waives the time requirement and applicant waives his or her right of appeal;
- H. That the applicant has not secured a charitable solicitation permit as provided for in Chapter 5.18 of this code, if such permit is required thereby for the proposed activity;
- I. That the proposed activity involves the sale of goods, wares, merchandise, foods, confections, refreshments, or other articles, and the permission of the Director has not been secured, as required by Section 12.64.080
- J. That the applicant has not secured a certificate of insurance as provided for in this article if insurance is required for the proposed activity.
- K. For a park use permit for special event. That the applicant has not filed an application with the Police Department for a special event permit as defined in Title 9, Chapter 9.52.
- L. The applicant has a prior history of events in parks which include verified, unresolved complaints of excessive noise, or poor security and crowd control and/or poor parking control.

#### **12.64.330 - Right of appeal.**

For a permit application to hold a special event in a park, the reconsideration process as provided for in Title 9, Article 9.52.90 shall apply, whether the decision from which the appeal is taken is made by the Chief or by the Director of PRCS pursuant to Section 12.64.291.

An applicant whose application for a park use permit for a private event or musical or other entertainment has been denied or any person claiming to be adversely affected by the issuance of a park use permit for a private event or musical or other entertainment may appeal the decision within five working days of the decision. The appeal shall be heard before the ~~Parks and Recreation Advisory Commission~~ (PRAC) pursuant to the hearing and appeals process adopted by that body. The decision of the PRAC shall be final.

Upon receipt of such appeal, the Director shall set the appeal at the next available ~~Park and Recreation Advisory Commission~~ PRAC meeting. The Director shall give notice to the appellant and any known adverse parties, or their representatives, of the time and place of the hearing.

The appellant shall pay the fee established by the current ~~e~~City of Oakland ~~M~~master ~~F~~fee ~~S~~schedule.

#### **12.64.360 - Temporary toilet facilities.**

Provision shall be made by the permittee for temporary or portable toilets ~~at the ratio of one per every five hundred (500) persons over and above the number of toilets permanently located at the site.~~ The required number of temporary or portable toilets shall be determined by OPR based upon the type of event, how many hours the event will last, number of expected attendees, other events occurring in the park and availability of permanent toilets located at the site. Such temporary or portable toilets shall be removed from the park within twenty-four (24) hours after the event for which the permit was granted.

#### **12.64.380 - Certificate of insurance.**

A certificate of insurance naming the city, its council, agents and employees as additional insured is required for all special events and may be required for private special events and musical or other entertainment when the proposed activity is likely to have an impact on park and/or city services and resources. If required, the certificate of insurance must be submitted to the PRCS OPR Central Reservations Unit at least three weeks before date of the proposed activity.

#### **12.64.400 - Public parks as drug free zones.**

Pursuant to California Health and Safety Code Section 11380.5(e), ~~the~~ The City Council of the City of Oakland, California does designate as drug free zones, all public parks within its geographical boundaries.

### **Article III – Miscellaneous**

#### **12.64.410 – Administrative Regulations**

The City Administrator is hereby authorized to adopt rules and regulations consistent with this chapter as needed to implement this chapter, subject to the review and approval of the Office of the City Attorney, and to develop all related forms and/or other materials and take other steps as needed to implement this chapter, and make such interpretations of this chapter as he or she may consider necessary to achieve the purposes of this chapter.

**Section 3.** The Oakland Municipal Code Section 12.60.070 – Bicycle operation rules-Violation-Penalty is hereby amended to add, delete or modify sections as set forth below; additions are indicated by underscoring and deletions are indicated by ~~strike-through type~~; portions of the Section not cited or not shown in underscoring or strike-through type are not changed

#### **12.60.070 Bicycle Operation Rules-Violation-Penalty**

It is unlawful to operate a bicycle ~~on any trail~~ within the city in an unsafe, reckless, dangerous or negligent manner. No person shall operate a bicycle in a City park in excess of fifteen (15) miles per hour, ~~nor in excess of five miles per hour when passing pedestrians or equestrians or when approaching and negotiating a blind turn,~~ nor at a greater speed ~~than~~ than is reasonable or prudent. Within city parks, bicyclists can ride on ~~named~~ designated paths and trails only and are prohibited from operating bicycles off-trail. Bicyclists must obey all posted signs and rules. Bicyclists must yield and call out by voice or bell when passing pedestrians or other bicyclists, and must keep right except to pass and then must pass to the left if practicable. Bicyclists must yield to equestrians by calling out by voice and requesting instructions to pass. The City ~~Manager~~ Administrator, or his or her designees, shall determine path and trail accessibility for bicyclists. Any person who violates this section shall be guilty of an infraction punishable as provided in Chapter 1.28 of this code.

**Section 4.** The Oakland Municipal Code Section 1.28.020 is hereby amended to add, delete or modify sections as set forth below; additions are indicated by underscoring and deletions are indicated by ~~strike-through type~~; portions of the Section not cited or not shown in underscoring or strike-through type are not changed.



**1.28.020 – Violations as infraction.**

A. Any person violating any of the provisions or failing to comply with any of the regulatory requirements of the following code sections shall be guilty of an infraction:

1. Public Safety
  - a. Chapter 15.32. Dangerous Structures
  - b. Chapters 5.62, 8.36; Sections 8.40.120 – 8.40.170, 12.64.190. Accident Prevention
  - c. Section 15.04.780. Grading, Excavations and Fills
  - d. Chapter 15.64 Bedroom Window Security Bar and Smoke Detector Permit Requirements
  - e. Chapter 8.44.040. Activities prohibited within the parking facility
2. Public Welfare, Morals and Policy
  - a. Chapter 8.18. Public Nuisances
  - b. Chapter 5.18. Charities and Relief
  - c. Sections 9.04.030—9.04.060, 9.08.210. Fraud and Deceit: Section 9.04.050: Defacing Notices. Violations of other provisions of Sections 9.04.030—9.04.060, 9.08.210 shall be a misdemeanor.
  - d. Chapters 6.04, 6.08. The Animal Control Ordinance, with the exception of Sections 6.08.120, 6.08.130, 6.08.150—6.08.180, and 6.08.200, vicious dogs, the violation of which shall be a misdemeanor.
  - e. Sections 9.04.070, 9.04.080, 9.08.220—9.08.240. Miscellaneous
  - f. Sections 8.04.080—8.04.150. Theft Provision: Title 10. Vehicles and Safety.
  - g. Section 9.08.250; Chapter 9.32. Trespass. Notwithstanding the provisions of Section 1.28.010A of this code, a person shall be guilty of a separate violation of Section 9.08.250 for loitering, prowling, wandering or being present without lawful business on the property of the Housing Authority of the city of Oakland for each and every instance of failure to leave upon request of a peace officer or authorized agent of the Housing Authority of the city of Oakland or for each return to the property of the Housing Authority of the city of Oakland within seventy-two (72) hours after being asked to leave by a peace officer or authorized agent of the Housing Authority of the city of Oakland.
  - h. Chapter 5.40. Mechanical or Electronic Games
  - i. Chapter 5.10. Bingo Games with exception of Section 5.10.370, which shall remain a misdemeanor punishable by a ten thousand dollar (\$10,000.00) fine.
  - j. Chapter 8.26. Abatement of Illegal Scrapyards and Recyclable Materials Held Illegally in Open Storage.
  - k. Section 12.64.101, Playground/Play Areas.
  - l. Section 12.64.120, Park noise, musical instrument, and sound reproduction device regulations.

**Section 5.** California Environmental Quality Act. The City Council independently finds and determines that this action is exempt from CEQA pursuant to CEQA Guidelines sections 15061(b)(3) (general rule) and 15183 (projects consistent with a community plan, general plan, or zoning), each as a separate and independent basis.

**Section 6.** Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Ordinance and each section,

subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.

**Section 7.** Effective Date. This Ordinance shall become effective immediately upon final adoption if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption.

**Section 8.** The City Council hereby authorizes the City Administrator or designee to make non-substantive, technical conforming changes (essentially correction of typographical and clerical errors), including omnibus cross-referencing conforming changes throughout the Oakland Municipal and Planning Codes, prior to formal publication of these amendments in the Oakland Municipal Code.

**Section 9.** Nothing in this Ordinance shall be interpreted or applied so as to create any requirement, power, or duty in conflict with any federal or state law.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND PRESIDENT  
GIBSON MCELHANEY

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

NOTICE AND DIGEST

**ORDINANCE AMENDING CHAPTER 12.64 OF THE OAKLAND MUNICIPAL CODE, PARK AND RECREATION AREA USE REGULATIONS, SECTION 12.60.070 OF THE OAKLAND MUNICIPAL CODE, BICYCLE OPERATION RULES-VIOLATIONS-PENALTY, AND SECTION 1.28.020 OF THE OAKLAND MUNICIPAL CODE, VIOLATIONS AS INFRACTIONS, TO MAKE VARIOUS CHANGES TO PARK RULES AND SIGNAGE AND ADOPTING CEQA EXEMPTIONS**

This Ordinance would amend Oakland Municipal Code Chapter 12.64 Parks and Recreation Area Use Regulations, Section 12.60.070 Bicycle Operation Rules as it relates to park use and Section 1.28.020 Violations as Infraction.

**CITY OF OAKLAND**  
Interoffice Memorandum

**Office of Parks and Recreation**

**TO:** Barry Miller, Chair, Parks and Recreation Advisory Commission  
**FROM:** Erin Burton, Recreation Center Director  
**DATE:** April 13, 2016  
**SUBJECT:** **REQUEST FOR PARKS AND RECREATION ADVISORY COMMISSION APPROVAL OF ORGANIZER'S COLLECTION OF VENDOR REGISTRATION FEES AND VENDOR SOLICITATION OF FEES FOR FOOD CONCESSIONS AND SALES OF GOODS AND WARES FOR JUNE 4, 2016 OAKLAND CARNIVAL AT MOSSWOOD PARK.**

SUMMARY

This proposal is for Oakland Carnival, an annual free community festival held at Mosswood Park. Oakland Carnival is a free, family friendly event for the public featuring Oakland artisans celebrating African, Caribbean, and Latin American Cultures. Oakland Carnival attracts many Oakland residents for this one day event held at Mosswood Park. Organizers are requesting permission to collect registration fees from onsite vendors to create an African Marketplace and for approval of vendors to sell goods and food items. The merchandise sold will include clothing, soaps, beauty products and art. Food sales will also highlight culturally diverse cuisines. Individual vendors only, will benefit from sale of items.

FISCAL IMPACT

Mosswood will provide 2 staff to help monitor and supervise this event for a total fiscal impact of \$430. Mosswood will collect approximately \$1600 in revenue from rental usage fees which benefit Mosswood Recreation s' self-sustaining programs. Carnival organizers will complete a post event report including revenues from festival.

PROJECT DESCRIPTION

Oakland Carnival promotes art, culture, wellness, and fitness through festival activities such as music, drumming, movement, and dance. This event brings Oakland residents together at park spaces, creating an atmosphere of comradery, celebration, and community wellness. The event is to be held on June 4, 2016, one week after Memorial Day weekend. Organizers are working with the community and its institutions to increase support and engagement.

## BACKGROUND

Oakland Carnival Festival is presented by Theo Williams, produced by CaribelinQ OmniMedia LLC in partnership with Dimensions Dance Theater serving as fiscal sponsor. In its third official year, the festival has brought enthusiastic audiences to enjoy some of Oakland's top performing companies in a beautiful public space. Oakland based performers were presented at the Mosswood Park Amphitheater and featured music and dance from African, Caribbean, and Latin American Cultures. Over the past two years, Oakland Carnival has come to be known as a cultural destination and a "way of shifting openly accessible public spaces into spaces filled with activities that contribute to the holistic development & collective healing of our communities."

## RECOMMENDATION

Staff recommends that the Park and Recreation Advisory Commission approve 'Oakland Carnival Festival' to solicit fees for vendor registration, and food, concessions and sales of goods and wares by vendors for the 2016 event. Providing that this event meets the requirements of OPD and outstanding documents and payments have been submitted to OPR.

Staff also recommends that Oakland Carnival organizers continue to present to the Oakland Parks and Recreation Advisory Council every year until 3 consecutive successful events have occurred in accordance with OPR and Oakland Parks and Recreation Advisory Commission requirements.

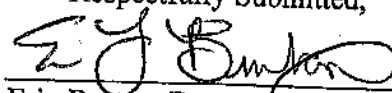
Staff recommends that Oakland Carnival producers provide at least 3 portable restrooms, one of which is ADA accessible, and 2 handwashing stations, one of which is ADA accessible.

Below is a list of outstanding requirements needed to complete OPR paperwork. Information to OPR should be submitted no later than May 4, 2016, by 5pm in order to complete facility permit.

### Required Documents by OPR:

1. Oakland Police Department Special Events Permit
2. Fees paid in full
3. Temporary Food Handler's Permit
4. Certificate of Insurance ( in the amount required by the City of Oakland)
5. Charitable Solicitation Permit
6. Proof of Trash Bin/Recycling Bins
7. Proof of (2) reserved Portable Restrooms and handwashing stations; 1 Portable restroom must be ADA Accessible.

Respectfully Submitted,



Erin Burton, Recreation Center Director  
Mosswood Recreation Center

Any questions please call Erin Burton at 510-597-5038 or Maribel Corral at 510-615-5755.

### Attachments:

- Exhibit A- Proposal Letter
- Exhibit B- Application/Facility Request

PRAC - April 13, 2016

Item 8G

**TO:** Oakland Parks and Recreation Advisory Commission  
**FROM:** Theo Williams  
**DATE:** April 13, 2016

### **Oakland Carnival Proposal**

To: Oakland Parks and Recreations Advisory Commission

#### Overview

Oakland Carnival turns public spaces into welcoming community environments. Our goal is to bring African centered communities of culture together in the name of art, culture, wellness and fitness. Oakland Carnival is celebrated throughout South America, North America and the Caribbean, including Oakland. We feel Carnival is a prime catalyst to bring Oakland residents into the park spaces. This is done through the use of music, drumming, movement and dance. Oakland is a cultural community festival which features Oakland artisans and attracts residents who love to celebrate African, Caribbean and Latin American Cultures.

Oakland Carnival is in its third year. Oakland Carnival produced by CaribelinQ Omnimedia in partnership with Dimensions Dance Theater who serves as the fiscal sponsor.

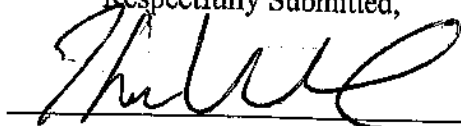
In the last two years Oakland Carnival has continued to grow and become recognized as a cultural destination during the Memorial day weekend. Oakland Carnival has showcased some of Oakland's top performing companies including Sisters with Style, Caribbean Vibrations, SambaFunk! Carnival Explosion, Juan Escovedo, BATALA, and others.

Over the past two years, audiences have enjoyed the comradery and use of Oakland's public space. Each year, we work to accommodate more people and increase the support from funding institutions. This year Oakland Carnival will be changing the date to Saturday, June 4<sup>th</sup> to allow recovery time for the many artists that participate in the San Francisco Carnival the week prior. We are seeking authorization for our vendors and request the ability to collect registration fees and sale of goods for vendor's site. Fund are being collected from vendors to support covering the costs of the event. Our goal is to have an African Marketplace.

We plan to have approximately 10-15 vendors. Each vendor will pay \$100 to sell goods at the Marketplace, totaling \$1000-\$1500 collected in vendor fees. Vendors will sell goods priced between \$5 and \$100 to attendees.

Oakland Carnival is a free family friendly event and open to the public.

Respectfully Submitted,



Theo Williams



CITY OF OAKLAND  
OAKLAND PARKS AND RECREATION

### Rental Application

ATTENTION: \_\_\_\_\_

Date of Application: 3/29/16

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

Name of Business/Organization: Oakland Carnival

Business/Organization Address: Samborombon! 1429 Alice St #601 Oakland CA 94612  
Street Address City Zip Code

Applicant Name: Theo A. Williams

Applicant Mailing Address: Same as Business  
Street Address City Zip Code

Phone Number: 510-451-6100 Fax Number: \_\_\_\_\_ E-mail: theowaytchan@gmail.com

Facility/Park Name: Mosswood Park  
Room(s)/Site(s): Park & Amphitheater

#### EVENT INFORMATION:

Date(s) of Event: Saturday June 4th, 2016 8pm (TW)

Time In/Prep Time 7am Actual Event Time noon to 7pm Cleanup/Time Out 6pm

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

Cultural Festival

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.)  
Profession instruments Live Band, mics, Amps. (2-7pm)

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

Number of Participants (Total) 320 Approximate # of Adults 250 # of Teens 50 # of Children/Infants 20

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

Drop off of portable bathrooms & trash bin on Friday June 3rd.

Will you require a caterer for your event?  Yes  No

If yes, are you choosing a caterer from OPR's Approved Caterer's List?  Yes  No

Name of Approved Caterer: N/A

If not using an OPR Approved Caterer, provide name of non-approved caterer: \_\_\_\_\_  
(Note: An Opt-Out Fee is applicable to non-approved Caterers and non-Catered events. See Attached 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)  
Building Rentals/Special Events (Parks): \$30

(1)  $\$05 \times 18 = 13$  845 (P)

(2)  $\$130 \times 5 = 650$  (P)

(3) Permit Processing Fee = \$30.00

(4) Deposit  $500 \times 2 = 1000.00$

(5) Setup/Teardown = \$30 x 3 = 90 (P)

(6) Kitchen 2625 (P)

- (7) Alcoholic Beverage Fee = \_\_\_\_\_
- (8) Administrative Service Fee = \_\_\_\_\_
- (9) Caterer Opt Out Fee = \_\_\_\_\_
- (10) Sound Use Fee = \$100.00
- (11) Other Charges = \_\_\_\_\_

TOTAL: \$1025 Less Advance Minimum Payment of \$ 2545 - ; BALANCE DUE 30 DAYS BEFORE EVENT: \$ 80 (P)  
(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 #: 1104 Type of Credit Card: Visa or MasterCard: \_\_\_\_\_  
(See attached Authorization for Credit Card Payment Form)

CANCELLATION FEE: 61 days or more notice: Forfeit 1/2 Deposit  
31 to 60 days notice: Forfeit Deposit  
30 days to 11 days notice: Forfeit Deposit Plus 1/2 Rental Fee  
10 days or less notice: Forfeit All Fees

APPLICANT SIGNATURE: Theo Williams DATE: 3/28/16

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

# Mosswood Recreation Center

3612 Webster Street  
Oakland, CA 94609

(510) 597-5038

CaribelinQ Oakland Carnival  
1428 Alice Street  
601  
Oakland, CA 94612

## Facility Permit

Status: Approved

Customer Type: .Private

Authorized Agent: Theo Williams

Home: (510) 221-7173

DATE/USER	PERMIT NUMBER	CHARGES	DISCOUNT	TAXES	REFUNDS & CREDITS	PAYMENTS	NEXT PAYMENT DUE	BALANCE DUE
03/29/2016 Margarita Rodriguez	35829	\$2805.00	\$0.00	\$0.00	-\$180.00	\$2725.00	05/05/2016	\$80.00

### RESERVATIONS

EVENT NAME	FACILITY	CENTER
<b>Oakland Carnival</b> Attendance: 320 Type: Celebration	<b>Mosswood Park / Broadway Side</b>	Mosswood Recreation Center 3612 Webster Street Oakland, CA 94609
<b>DATES RESERVED</b>		<b>HRS</b>
Saturday - 6/4/2016	07:00 AM to 08:00 PM	13
Total Number of Dates: 1		Total Number of Hours: 13

**NOTES:** Portable bathrooms (3; 1 ADA Accessible), handwashing stations (2), dumpster (1) and trash cans will be dropped off on June 3rd in accordance with Mosswood staff instructions.  
Live band and music will play.  
Customer will provide details for custom setup.

EVENT NAME	FACILITY	CENTER
<b>Oakland Carnival</b> Type: Celebration	<b>Mosswood Amphitheater</b>	Mosswood Recreation Center 3612 Webster Street Oakland, CA 94609
<b>DATES RESERVED</b>		<b>HRS</b>
Saturday - 6/4/2016	02:00 PM to 07:00 PM	5
Total Number of Dates: 1		Total Number of Hours: 5

**NOTES:** Portable bathrooms (3; 1 ADA accessible), handwashing stations (2); dumpster, and trash cans will be dropped off on June 3rd in accordance with Mosswood staff instructions.  
Live band and music will play.  
Customer will provide details for custom setup.  
Customer will provide details for custom setup.



## CHARGES

CHARGE DESCRIPTION	FACILITY/EVENT	UNIT FEE	QTY	TAX	TOTAL CHARGED	DISCOUNTED/PAID	BALANCE DUE
CRU Permit Processing Fee	Mosswood Park / Broadway Side - Oakland Carnival	\$30.00	1.00	\$0.00	\$30.00	\$30.00	\$0.00
Deposit (Parks)	Mosswood Park / Broadway Side - Oakland Carnival	\$1000.00	1.00	\$0.00	\$1000.00	\$1000.00	\$0.00
Mosswood Park Rental Fee	Mosswood Park / Broadway Side - Oakland Carnival	\$65.00	13.00	\$0.00	\$845.00	\$845.00	\$0.00
Mosswood Set-up and Tear Down Fee	Mosswood Park / Broadway Side - Oakland Carnival	\$30.00	6.00	\$0.00	\$180.00	\$180.00	\$0.00
Mosswood Sound Amplification Fee	Mosswood Amphitheater - Oakland Carnival	\$100.00	1.00	\$0.00	\$100.00	\$100.00	\$0.00
Mosswood Amphitheater/Bandstand	Mosswood Amphitheater - Oakland Carnival	\$130.00	5.00	\$0.00	\$650.00	\$570.00	\$80.00

## PAYMENTS AND REFUNDS

RECEIPT NUMBER	DATE	CHARGE DESCRIPTION	FACILITY/EVENT	AMOUNT
1008040.024	03/29/2016	Mosswood Park Rental Fee	Mosswood Park / Broadway Side - Oakland Carnival	\$715.00
1008040.024	03/29/2016	CRU Permit Processing Fee	Mosswood Park / Broadway Side - Oakland Carnival	\$30.00
1008040.024	03/29/2016	Deposit (Parks)	Mosswood Park / Broadway Side - Oakland Carnival	\$1000.00
1008040.024	03/29/2016	Mosswood Set-up and Tear Down Fee	Mosswood Park / Broadway Side - Oakland Carnival	\$180.00
1008040.024	03/29/2016	Mosswood Sound Amplification Fee	Mosswood Amphitheater - Oakland Carnival	\$100.00
1008040.024	03/29/2016	Mosswood Amphitheater/Bandstand	Mosswood Amphitheater - Oakland Carnival	\$520.00
2000405.024	03/31/2016	Mosswood Set-up and Tear Down Fee	Mosswood Park / Broadway Side - Credit for	-\$180.00
1008042.024	03/31/2016	Mosswood Park Rental Fee	Mosswood Park / Broadway Side - Oakland Carnival	\$130.00
1008042.024	03/31/2016	Mosswood Amphitheater/Bandstand	Mosswood Amphitheater - Oakland Carnival	\$50.00

## DISCLAIMERS

### CANCELLATION POLICY: (REV-050114)

A cancellation fee will be assessed according to the current City of Oakland Master Fee Schedule.

### CANCELLATION FEES:

- 61 days or more notice Forfeit ½ deposit, per event/per date
- 60 to 31 days notice Forfeit deposit, per event/per date
- 30 days to 11 days notice Forfeit deposit, plus ½ rental fee, per event/per date
- 10 days or less notice Forfeit all fees

I am aware of and understand the cancellation policy and fees.  (Initial)

REV: 05-2014

APPLICANT IS RESPONSIBLE AND WILL BE CHARGED AND BILLED for the following:

- a) damages to floors, walls furnishings and landscaping,
- b) excessive cleanup of the facilities inside and outside beyond routine facility maintenance,
- c) any other unusual janitorial or facility expense incurred by the Oakland Parks and Recreation;
- d) extension beyond contracted hours,
- e) service charges, i.e., Administrative Service Fee, staffing costs, etc.,
- e) failure to remove and dispose of all personal items brought in for event prior to end of contracted hours,
- f) EXTRA POLICE COSTS if the Oakland Police Department (OPD) is called for excessive noise levels, residential complaints, disorderly conduct, illegal use of drugs, profanity and drunkenness (i.e., altercations, over capacity, misrepresentation of event) and requests to shut the event down.

**\*\*NOTE\*\*** All groups shall provide any other equipment required for the event. All groups are required to clean up after the event and properly dispose of all trash and other debris generated by the event.

I am aware of and understand the Damages and Cleanup Policy.  (Initials)

OPD SPECIAL PERMIT REQUIRED: (REV: 050114)

All events with attendance of 50 people or more require an Oakland Police Department (OPD) Special Event Permit.

I am aware of and understand an Oakland Police Department (OPD) Special Event Permit is required.  (Initial)

PARK USE PERMIT (REV: 050114)

SOUND AMPLIFICATION-OMC 12:64.120: No loudspeaker shall be permitted to be placed in a public park within three hundred feet (300') of any residential

structure. In no event shall the applicant cause amplified sound to exceed eighty decibels (80 dB) at any boundary of the park in which amplified sound is being produced.

Please be aware of residents living nearby. Should there be a complaint(s) regarding the sound level, applicant will be expected to lower the volume as instructed by the Oakland Police Department (OPD), Oakland Parks and Recreation (OPR) or authorized CITY representative. Failure to turn the sound level down or off by the designated time may result in closure of the event by the OPD, OPR or authorized CITY representative and forfeiture of deposit paid.

If an event requires collections of funds onsite (i.e., fundraising, donations, registration fees, sponsorships, ticket sales, and entrance fees or vendor sales, alcoholic beverage sales), requests must be approved by the Parks and Recreation Advisory Commission.

**SELLING WARES, GAMING, OBSCENITY-OMC 12.64.080:** It is unlawful for any person to sell or offer for sale any goods, wares, merchandise, foods, confections, refreshments or other article within any public park, public building or public grounds in the city. No gaming shall be allowed in said parks, buildings or grounds, nor any obscene or indecent act performed therein.

- 1) Permits are issued and authorized by the Central Reservations Unit.
- 2) The permit holder is responsible and will be charged for any damages, including, but not limited to:
  - a) damages to landscaping;
  - b) failure by the group to clean up after the event and properly dispose of all trash and other debris generated by the event;
  - c) any other unusual repairs or cleanup expense incurred by Oakland Parks and Recreation beyond routine park maintenance. In the event that damages are incurred, the deposit will be held and/or the permit holder shall reimburse the City of Oakland for necessary repairs and excessive cleanup.
  - d) damages occasioned by the activity whether on or to public or private property.
- 3) Events must start and end on time. Staying beyond the contracted time will result in the deposit being withheld and/or additional fees being charged to the applicant.
- 4) Illegal use of drugs, profanity, fighting, or gambling are prohibited at any OPR Facilities, Recreation Center or Parks.
- 5) Alcohol consumption is prohibited unless approval is obtained and specific fees are paid.
- 6) Charging admission or registration fees, selling tickets or soliciting money in any way is prohibited.
- 7) Any complaints due to violation of the facility permit or sound amplification rules will result in forfeiture of deposit.

Violation of the above rules or 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 and may also result in denial of future permit requests and/or legal action. Claims exceeding amount of security deposit is payable upon receipt of notification. Failure to pay will lead to collections-impacting your credit.

Permit Authorized by: (name) Marganta Rodriguez  
(Title) recreation leader II ppt Date 3/31/16

**PARKS AND RECREATION ADVISORY COMMISSION (PRAC)**

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

Please contact a Central Reservations Representative or Recreation Center Site Supervisor/Director for the Parks and Recreation Advisory Commission Guidelines. No advertisements of an event should occur prior to PRAC approval.

REV: 050114

**SOUND AMPLIFICATION POLICY REQUIREMENT:**

- 1) Sound amplification of music or voice must be confined primarily to the immediate facility or area. 2) When ventilation requires doors and windows to be open, sound must be regulated to project no further than 100 feet from the building, and/or so that sound does not conflict with other events scheduled in other areas of the facility.
- 3) In outdoor park areas, sound amplification is to be kept within the confines of the area reserved.
- 4) No loudspeaker shall be permitted to be placed in a public park within 300 feet of any residential structure.
- 5) In no event shall a permittee cause amplified sound to exceed eighty decibels (80dba) at any boundary of the park in which amplified sound is being produced.

Sound Amplification: Yes  No  Non-Amplified: Yes  No

If yes, what type of Sound or Non-Amplified Sound: Live Band

In submitting this Special Event Permit Request, I certify that I have read and understand the "Rental Rules and Regulations" pertaining to the rental and use of the above requested facility, and agree to abide by all applicable City, State and Federal laws, ordinances regulations and requirements. I certify that the intended use, as stated above, is in compliance with said rules and regulations, applicable instructions and any special use regulations. Facility usage is subject to advance payment of all fees, including deposits, service fees and other charges as set forth herein and/or in accordance with City of Oakland Master Fee Schedule.

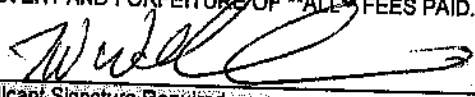
It is understood that the City of Oakland reserves the right to cancel this permit at any time and without stated cause therefore. That upon any such cancellation the applicant agrees to, upon notice thereof and upon return of rental fees paid in advance, vacate and surrender the possession of said premises, and the applicant does hereby waive any and every right to damages, and to any other right or cause of action, of whatsoever kind, that may accrue to the applicant by reason of any such cancellation.

I certify that I have read and understand the "DISCLAIMERS" pertaining to the rental and use of the requested facility, and agree to abide by all applicable City, State and Federal laws, ordinances, regulations and requirements. I certify that the intended use, as stated above, is in compliance with said rules and regulations, application instructions and any special use regulations. Facility usage is subject to advance payment of all fees, including deposits, service fees and other charges as set forth herein and/or in accordance with City of Oakland Master Fee Schedule.

It is understood that the City of Oakland reserves the right to cancel this permit at any time and without stated cause therefore. That upon any such cancellation the applicant agrees to, upon notice thereof and upon return of rental fees paid in advance, vacate and surrender the possession of said premises, and the applicant does hereby waive any and every right to damages, and to any other right or cause of action, of whatsoever kind, that may accrue to the applicant by reason of such cancellation.

Applicant agrees to hold Oakland Parks and Recreation and the City of Oakland and its employees free from any liability or claim for damages or suit for or by reason of any injuries or loss to any person or property of any kind whatsoever from any cause arising out of the use and occupation of the premises used by the applicant; applicant hereby covenants and agrees to indemnify and save harmless Oakland Parks and Recreation, the City of Oakland and its employees from all liability or damage on account or by reason of any such injuries or damages.

ANY MISREPRESENTATION RELATED TO THE RENTAL OF THE FACILITY AND/OR PARK WILL RESULT IN THE IMMEDIATE CANCELLATION OF THE EVENT AND FORFEITURE OF \*\*ALL\*\* FEES PAID.

X   
Applicant Signature Required

This facility permit requires Sponsor to install a minimum of one (1) temporary or portable toilet for every 500 patrons at the event. The unit(s) must be visible to the public. If a food booth is set up or food is served, the unit(s) must be placed at least 200 feet away from the nearest food booth area. In compliance with the Americans with Disabilities Act of 1990, at least one (1) of the units must be accessible to disabled persons.

The temporary or portable toilet(s) must be removed from the park within 24 hours after the event. (Ref: OMC Title 12.64.360)

CITY OF OAKLAND  
Interoffice Memorandum

**Oakland Parks and Recreation**

**TO:** Barry Miller, Chair, Parks and Recreation Advisory Commission  
**FROM:** Erin Burton, Recreation Center Director  
**DATE:** April 13, 2016  
**SUBJECT:** **REQUEST FOR PARKS AND RECREATION ADVISORY COMMISSION APPROVAL OF ORGANIZER'S NONPROFIT PARTNERS' SALE OF AND COLLECTION OF FEES FROM ALCOHOL, FOOD, AND MERCHANDISE SALES FOR AUGUST 19, 2016 NEW BELGIUM CLIPS BEER & FILM TOUR AT MOSSWOOD PARK.**

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SUMMARY

This proposal is for New Belgium Clips Beer & Film Tour, a free community event held at Mosswood Park benefiting Bike East Bay. This event celebrates creative expression of brewing and film while encouraging sustainable initiatives and fostering positive relationships with local communities where New Belgium products are sold. The event will feature film shorts created by fans of New Belgium products and a "green tour" through composting and recycling all event by-products.

FISCAL IMPACT

Mosswood will provide 2 staff to help monitor this event for a total fiscal impact of \$515. Mosswood will collect approximately \$2347 in revenue from rental usage fees which benefit Mosswood Recreation s' self-sustaining programs. Event organizers will complete a post event report including revenues.

PROJECT DESCRIPTION

New Belgium Clips Beer & Film Tour will travel to 21 cities in 2016, all cities that have shown an appreciation for creativity, sustainability, and local advocacy. Funds raised from these events benefit local philanthropic programs; the event at Mosswood Park will benefit Bike East Bay, an organization recognized for promoting alternative transportation in the community.

BACKGROUND

New Belgium Clips Beer and Film Tour began in 2010 and has grown from a fourteen city tour to a twenty one city tour in 2015. This will be Oakland's first year participating in this nationwide tour. New Belgium Brewing Company hosts these events in cities where their products are sold and that

have shown a commitment to sustainable living and alternative transportation.

The Clips Beer and Film Tour features a film made up of film shorts created by New Belgium product fans, a series of small batch beers available only on the tour, and public outreach opportunities for environmental, cycling, and social nonprofit organizations. Local food vendors will be invited to sell food, and partnering nonprofits will collect funds from the sales of New Belgium beer and merchandise.

### RECOMMENDATION

Staff recommends that the Park and Recreation Advisory Commission approve '2016 New Belgium Clips Beer & Film Festival' to solicit fees for alcohol and merchandise sales, and food sales by vendors for the August 19, 2016 event. Providing that this event meets the requirements of OPD and outstanding documents and payments have been submitted to OPR.

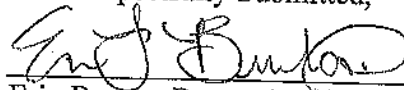
Staff recommends that New Belgium Clips Beer & Film producers provide at least 3 portable restrooms, one of which is ADA accessible, and 2 handwashing stations, one of which is ADA accessible.

Below is a list of outstanding requirements needed to complete OPR paperwork. Information to OPR should be submitted no later than July 19, 2016, by 5pm in order to complete facility permit.

#### Required Documents by OPR:

1. Oakland Police Department Special Events Permit
2. Fees paid in full
3. Temporary Food Handler's Permit
4. Certificate of Insurance ( in the amount required by the City of Oakland)
5. Proof of Security
6. Proof of reserved Portable Restrooms and handwashing stations; 2 Portable restrooms must be ADA Accessible.

Respectfully Submitted,



Erin Burton, Recreation Center Director  
Mosswood Recreation Center

Any questions please call Erin Burton at 510-597-5038 or Maribel Corral at 510-615-5755.  
Attachments:

- 
- Exhibit A- Proposal Letter
  - Exhibit B- Application/Facility Request



Company, Incorporated  
500 Linden • Fort Collins, Colorado 80524 USA  
(970) 221-0524 • Fax (970) 221-0535  
[www.newbelgium.com](http://www.newbelgium.com)

April 13<sup>th</sup>, 2016

To: Oakland Parks and Recreation Advisory Commission;

I am writing this letter as an introduction of our traveling festival "*New Belgium's Clips Beer & Film Tour*," to your department, and to express our interest in hosting our event this year in Oakland. *Clips* is a touring celebration of the creative expressions of both brewing and film. In addition, the tour will raise monies for sustainability-based non-profit groups in each town we host an event. In Oakland, we are working with Bike East Bay. We are seeking authorization for Bike East Bay to collect fees from sales alcohol and merchandise. Revenues collected support the nonprofits and their missions. We are also seeking authorization for food vendors to collect all fees from food sales.

In 2016, we will visit 16 other cities in the U.S. promoting the same message in each town, and attempting to rally people to celebrate the creativity in all of us. These cities include Madison, Kansas City, Asheville, Atlanta, Seattle, and more! As a city that appreciates creativity, sustainability, and local advocacy, we see Oakland as having tremendous potential for our message and our event. This year we would be grateful for an opportunity to collaborate with the city of Oakland and produce a great event that we can enjoy for years to come. Once we find a city that works for us, our goal is to establish a long lasting relationship that allows for years of successful and mutually beneficial community events. This is the sixth year of the Clips Beer and Film Tour, and we envision that it will continue to grow to become an important philanthropic film event across the United States into the future.

I have attached a copy of a detailed description of our event. More information can be found at [www.newbelgiumclips.com](http://www.newbelgiumclips.com). Please feel free to reach me at any time with questions, concerns, or comments. I'll gladly get you any other information that you feel might be helpful.

Have a wonderful day,

Christie Catania  
New Belgium Brewing Co.  
500 Linden St  
Ft Collins CO, 80524  
Cell (970)219-3439  
email: [ccatania@newbelgium.com](mailto:ccatania@newbelgium.com)



Company, Incorporated  
500 Linden • Fort Collins, Colorado 80524 USA  
(970) 221-0524 • Fax (970) 221-0535  
[www.newbelgium.com](http://www.newbelgium.com)

### Proposal for the 2016 New Belgium Clips Beer & Film Tour

**City:** -----Oakland  
**Benefiting Organization:** -----Bike East Bay  
**Proposed Event Date:** -----Friday, August 19th  
**Proposed Event Setup:**-----8 am- 6:30 PM Friday, August 19<sup>th</sup>, 2016  
**Proposed Event Teardown:** -----11:00 PM August 19<sup>th</sup> – 11 am August 19<sup>th</sup>, 2016 (we will remove all of our equipment and may have some vendor pick- ups in the morning)  
**Event Location:** ----- Mosswood Park  
**Event Hours:** -----6:30 PM-11:00 PM  
**Expected Attendance:** -----1000-1500

**Contact information:**

Fort Collins: Christie Catania w/New Belgium Brewing Company

**Cell:** (970)219-3439

**E-mail:** [ccatania@newbelgium.com](mailto:ccatania@newbelgium.com)

Thank you for taking the time to read about the Clips Beer and Film Tour. Below you will find the details of each piece of the event. Should you have any questions regarding this event, please feel free to call/email me with questions or concerns.

#### **Background of Clips & New Belgium Philanthropy Efforts**

Between 2010 and 2015, the Clips Beer and Film Tour has grown from a fourteen city tour raising \$31,000 for local organizations to a twenty-one city tour that has raised over \$800,000 for local philanthropic programs nationwide and gathered a total of 70,000 attendees.

The "Clips Beer and Film Tour" is inspired by New Belgium's love of both creative beer making and a longtime love of amateur filmmaking. We've hosted a Bike-In Cinema at the brewery in Fort Collins, CO for the last nine years, and in 2010 we took that fundamental idea on the road, and invited our fans to create the content that we share with our guests. In the winter and spring we host an on line film competition and the cream of that crop will be compiled into an hour and a half (ish) long film that we would love to bring to your town. Last year it was made up of nineteen amateur film shorts. New Belgium Brewing's Clips Beer and Film series will reflect community standards of decency in accordance with the MPAA's film rating system. Gratuitous violence, sex and nudity will not be eligible for screening. Filmmaker submissions must secure rights to all theatrical performances, music and locations.

To complement the film, we craft a series of hard to get, small batch beers that we are particularly proud of, some of which will only be available on the Clips Beer and Film Tour! We will highlight the aforementioned beers and some our long time favorites as a sampling for an hour and a half prior to the film.

In addition to Clips, New Belgium Brewing started a Local Grants Program in 1995 when it was established that for every barrel of beer produced, one dollar would be given to non-profit organizations in the communities where we sell our beers. Since its inception, New Belgium Brewing has donated more than \$6 million through our grant programs. The purpose of New Belgium's Local Grants Program is to serve and connect with the local communities where we sell our beers. We want to cultivate relationships and support those making an impact. Our goal is to improve the health of the natural environment and inspire others to joyously embrace sustainable choices.

### **Clips Mission**

Our goal is to plan with local communities a fun, green, and enlightening event that assembles and celebrates the multiple facets and subcultures of our collective creative, while earning revenue for Non-Profits who are focused on environmentally sound and sustainable initiatives.

### ***To Accomplish our Mission we:***

- Help event attendees discover the history and industry of craft brewing.
- Encourage alternative transportation and provide everyday life alternative commuting solutions for event attendees.
- Foster authentic relationships within the local communities where NBB distributes its product.
- Provide free public outreach opportunities for environmental, cycling, and social non-profit organizations.
- Offer creative fun for our consumers based around the joys of beer and film.
- Collaborate with our distributors in order to maximize our brand's potential.
- Operate a green tour by composting/recycling all event by-products and continue to investigate ways to improve the event footprint.



## **Components of Clips Events**

### **Food**

We plan to invite local food vendors to sell food the day of the event. Two to five vendors will be the limit depending upon city. All vendors must obtain the appropriate permits through the health department in order to sell food at the event. We place an emphasis on finding local vendors with a commitment to a locally grown, organic, sustainable menu.

### **Beer**

Beer is sold at each Clips event. All beer is the product of New Belgium Brewing Company—unless otherwise required. The brands of beer to be sold are a variety of rare offerings from our portfolio. We will offer beer for sale in three or twelve ounce portions and we will limit the amount of beer that an individual can consume by only selling our guests 12 ounces of beer per trip to the bar. Our goal is to highlight the quality, not the quantity. We TIPS train (or the locally relevant responsible serving training) key volunteers to help us manage all the serving areas. Our local wholesale distribution company will provide beer delivery, and all dispensing equipment. All beer is sold to the primary non-profit who then sells the beer to event attendees. The primary non-profit retains all proceeds from beer sales. This is the primary source of income for our non-profit partners.

### **Amplification**

During the first hour and a half of the evening, we'll have amplified music playing in the background of the event. For the last hour and a half, the film will be amplified. Any amplification will be limited to local sound regulations.

### **Merchandise/Sponsorships**

A variety of New Belgium Brewing Company and Clips merchandise (t-shirts, hats, etc.) will be sold at the event. We invite the non-profit organization to sell our merchandise and retain 50% of all sales (all profits). We also encourage them to sell their memberships and merchandise. Aside from this booth and the beer tent, we do not sell vendor spaces, nor do we sell additional sponsorships.

### **Education**

We encourage our non-profit partners to set-up information booths about their organization, local events, and initiatives in each town we visit. The invited non-profits are of environmental, cycling, artistic, and social origin. The event attendee will learn about the history and future of cycling globally and locally, as well as the different issues facing their city.

### **Non-profit Opportunities**

New Belgium does not directly profit from each event. Our non-profits will sell the beer and retain 100% of the beer proceeds. To do so, they are also responsible for attaining state and city liquor permits, ID checking, wrist-banding attendees, and responsible service. New Belgium makes great efforts to ensure they are educated and prepared to safely manage alcohol sales. In addition, the non-profit will sell New Belgium merchandise and retain fifty percent of gross sales.

### **Security**

New Belgium hires either off duty police officers or private security at each event. Security specifications are dependent upon the requirements of the state and local government in each city. Over twenty one event attendees are identified by showing valid ID and are marked with wristbands to signify beer-drinking privileges. Beer is not sold to anyone showing visual signs of intoxication. Security is present at the identification and beer ticket sales booths as well as inside the beer-garden. New Belgium Brewing Company and the associating non-profit organizations will meet all required security considerations. **Safety is our number one concern! We understand that the future of our tour lies in our ability to safely promote and conduct all Clips activities.**

### **Insurance**

New Belgium Brewing Company insures all participating parties involved in Clips. New Belgium will provide certificate of insurance matching requirements made by that of the city or other participating organizations.

### **Marketing Clips**

Media partners include local newspapers and Non-Profit radio. Clips ads are placed in local alternative newspapers to run the 3 weeks prior each event. We usually work with public/non-profit radio stations and work out a cross-promotion between our organizations. Clips posters and flyers will be available two months prior to the event and are distributed in bike shops, through other non-profit organizations, community boards, grocery stores, coffee shops, and establishments where New Belgium products are sold.

### **Rental equipment/Sound**

Tents, tables, chairs, portable toilets, and barricades, are rented for each Clips event. Tables do not exceed fifty and tents erected do not exceed 10'x10' feet. Typically, 25 10'x10' tents are erected at each event. We provide our own sound system/projection and screen. The screen is a 45 ft x 30 ft. inflatable, which will be secured with stakes, water barrels, or other available ballast. Our Projector is a 12,000 lumen system, and sound is six, 1000 watt speakers.

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### **Planning, Permitting, Site-planning**

All event planning is in conjunction with a professional event planner from New Belgium Brewing Company as well as the lead person of the associating non-profit. All state and city permits are obtained by New Belgium, with the exception of alcohol permits, which are obtained by the associated non-profit organization. Permits include the state and city alcohol permit, venue permit, sound and structure permits when needed. After the venue

permit has been established a site plan is created and submitted to the necessary parties for approval. Any and all permits/restrictions will be adhered to in order to ensure compliance and seamless operations by New Belgium with the City.

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### Rental Application

ATTENTION: \_\_\_\_\_

Date of Application: 10/22/2015

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

Name of Business/Organization: New Belgium Brewing Company

Business/Organization Address: 500 Linden Street Fort Collins, CO 80524  
Street Address City Zip Code

Applicant Name: Christie Catania

Applicant Mailing Address: 500 Linden Street Fort Collins, CO 80524  
Street Address City Zip Code

Phone Number: 970-219-3439 Fax Number: 970-414-4180 Email: ccatania@newbelgium.com

Facility/Park Name: Mosswood Park

Room(s)/Site(s) Southside

#### EVENT INFORMATION:

Date(s) of Event: 8/19/2016

Time In/Prep Time 8 am Actual Event Time 6 PM to 11 PM Cleanup/Time Out 2AM 8/20-PJ's &

Type of Event/Purpose: *(be specific, i.e., Wedding Reception, Meeting, Birthday Party, Banquet, Picnic, BBQ, Walk, Run, Festival, Rally, Conference, Bar/Mitzvah/Bat/Mitzvah, etc.)*  
Clips Beer + Film Tour Gem picked up by 9am

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.)*  
Speakers/Amp/Soundboard

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

Number of Participants (Total) 1500 approximate # of Adults 1400 # of Teens 50 # of Children/Infants 50

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, are you choosing a caterer from OPR's Approved Caterer's List?  Yes  No

Name of Approved Caterer: \_\_\_\_\_

If not using an OPR Approved Caterer, provide name of non-approved caterer: \_\_\_\_\_

*(Note: An Opt-Out Fee is applicable to non-approved Caterers and non-Catered events. See Attached 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

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

(1) 153 x 14 = 2,142  
(Hourly Rate) (# of hours)

(2) \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_  
(Hourly Rate) (# of hours)

(3) Permit Processing Fee = 30

(4) Deposit = 1000

(5) Setup/Teardown = \_\_\_\_\_

(6) Kitchen = \_\_\_\_\_

(7) Alcoholic Beverage Fee = 125

(8) Administrative Service Fee = \_\_\_\_\_

(9) Caterer Opt Out Fee = \_\_\_\_\_

(10) Sound Use Fee = 50

(11) Other Charges = \_\_\_\_\_

TOTAL: \$ 3347 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 1/2 Deposit 30 days to 11 days notice: Forfeit Deposit Plus 1/2 Rental Fee  
31 to 60 days notice: Forfeit Deposit 10 days or less notice: Forfeit All Fees

APPLICANT SIGNATURE Christie Catania DATE 10/22/2015

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



Oakland Parks and Recreation  
 250 Frank H. Ogawa Plaza, Suite 3330, Oakland, CA 94612  
 Office: 510.238-3187; Facsimile: 510.238-2397  
 Hours of Operation: 9:00 am - 4:00 pm, Monday through Friday



Attention: \_\_\_\_\_

Date: 10/22/2015

### CREDIT CARD PAYMENT AUTHORIZATION

I authorize the Office of Parks and Recreation (OPR) to charge my:

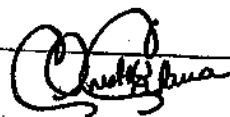
- VISA \_\_\_\_\_ Expiration Date: \_\_\_\_\_
- Master Card 5567-0800-1290-4419 Expiration Date: 07/17
- Driver's License or State Identification Card \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Amount to Be Charged: \$ \_\_\_\_\_

Facility/Park Name: Mosswood Park Event Date: 8/19/2016 Event Time: 6 PM-11PM

#### Credit Card Holder's Information:

Name (As it appears on Credit Card): Christie Catania  
 Address: 500 Linden Street City: Fort Collins State: CO Zip Code: 80521  
 Home Phone: 970-219-3439 Work Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email Address: Ccatania@newbelgium.com

Authorized Signature: 

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*Provide a Legible Copy of Driver's License or State Identification Card*



OAKLAND POLICE DEPARTMENT  
Special Events Permit Application  
TF-807-3 (Jul 10)

APPLICANT INFORMATION

Applicant Name <b>Christie Catania</b>	Date of Birth <b>2/2/76</b>	Contact No. <b>970-219-3439</b>	Alternate Contact No. <b>Tyler-209-814-2653</b>
Applicant's Address <b>500 Linden St. Fort Collins, CO 80524</b>		City <input checked="" type="checkbox"/> Oakland	Zip Code

EVENT INFORMATION

Date of Application <b>10/22/2016</b>	Type of Event Select one <b>Fundraising Beer and Film Event</b>	Other Event (Describe)
Location/ Address of Event <b>Mosswood park</b>	Date of Event <b>August 19th, 2016</b>	Time/ Start-End <b>6 PM-11PM</b>
No. Persons Expected <b>1000-2000</b>	Persons Allowed Select one <b>FD Recommendation</b>	Ticket Sales Select One <b>Free Event</b>
No. of Monitors/ Security <b>6</b>	Security Company <b>TBD</b>	Telephone No. <b>TBD</b>
Type of Music Select one <b>Light</b>	Other Music (Describe)	Will food/drink be sold <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

PERMIT INFORMATION

HAVE YOU EVER BEEN DENIED A PERMIT?  Yes  No

Applicant agrees to abide by Oakland Municipal Code Dance Hall Regulations, Section 5-4.03

HOLD HARMLESS AGREEMENT

The Special Event applicant or president of designee of the sponsoring organization(s) (hereafter called "permittee") agrees to reimburse the City of Oakland (hereafter called "City") for all losses incurred by it in repairing or replacing damage to City Property proximately caused by the permittee, its officers, employees, agents, monitors, or any other persons or forming the special event, who were, or should have been, under the permittee's control. Persons who merely attend or join in a special event are not considered by that reason alone to be "under the control" of the permittee.

The permittee further agrees to defend without costs, indemnify, and hold harmless the City, its officers, agents, and employees from any liability to any persons, damages, losses, or injuries arising out of or alleged to arise out of the permitted special events, which was proximately caused by the actions of the permittee, its officers, employees, agents, including monitors, or any other persons attending or joining in the special event who were, or reasonably should have been under the control of the permittee. Persons who merely attend or join in a special event are not considered by that reason alone to be "under the control" of the permittee.

I have read and I understand the Hold Harmless Agreement and I declare under penalty of perjury that the information provided in this application is true and correct.

Permittee's Signature  Date **10/22/2015**

Police Overtime cost Attached:  Yes  No      Application Fees Paid:  Yes  No

ABC Endorsement:  Approved  Denied      Verified By: \_\_\_\_\_  
Special Events Personnel      Serial No. \_\_\_\_\_

Pursuant to OMC §9.52.080, a Special Events Permit is conditionally approved in order for the applicant to obtain additional required documentation.

Signature of Special Events Coordinator \_\_\_\_\_ Serial No. \_\_\_\_\_ Date Signed \_\_\_\_\_

A Permit is Hereby  Approved  Denied - Pursuant to OMC Section 9.52.090 Subsection (Select Appropriate Subsection)

Signature of Chief of Police Designee \_\_\_\_\_ Serial No. \_\_\_\_\_ Date Signed \_\_\_\_\_

# Mosswood Recreation Center

3612 Webster Street  
Oakland, CA 94609

(510) 597-5038

New Belgium Brewing Company  
500 Linden St  
Fort Collins, CO 80524

## Reservation Request

Status: In-Process

Customer Type: Private

Authorized Agent: Christie Catania

Work: (970) 219-3439 Home:

DATE/USER	REQUEST NUMBER	CHARGES	DISCOUNT	TAXES	REFUNDS & CREDITS	PAYMENTS	REQUEST EXPIRES	BALANCE DUE
10/22/2015 Jeanette Driskell	9005359	\$3959.00	\$0.00	\$0.00	\$0.00	\$1817.00	09/16/2016	\$2142.00

### RESERVATIONS

EVENT NAME	FACILITY	CENTER
<b>Clips, Beer &amp; Film Tour</b> Attendance: 1000 /pe: Park Special Event	<b>Mosswood Park / Broadway Side</b>	Mosswood Recreation Center 3612 Webster Street Oakland, CA 94609

DATES RESERVED	HRS
8/19/2016 @ 08:00 AM to 8/20/2016 @ 02:00 AM	18

Total Number of Dates: 2

Total Number of Hours: 18

NOTES: customer will have a stage, a projector, screen, and will provide fencing and security.

### CHARGES

CHARGE DESCRIPTION	FACILITY/EVENT	UNIT FEE	QTY	TAX	TOTAL CHARGED	DISCOUNTED/PAID	BALANCE DUE
CRU Alcohol Permit (Beer & Wine)	Mosswood Park / Broadway Side - Clips, Beer & Film Tour	\$125.00	1.00	\$0.00	\$125.00	\$125.00	\$0.00
CRU Permit Processing Fee	Mosswood Park / Broadway Side - Clips, Beer & Film Tour	\$30.00	1.00	\$0.00	\$30.00	\$30.00	\$0.00
Deposit (Parks)	Mosswood Park / Broadway Side - Clips, Beer & Film Tour	\$1000.00	1.00	\$0.00	\$1000.00	\$1000.00	\$0.00
Mosswood Park Rental Fee	Mosswood Park / Broadway Side - Clips, Beer & Film Tour	\$153.00	18.00	\$0.00	\$2754.00	\$612.00	\$2142.00
Mosswood Sound Amplification Fee	Mosswood Park / Broadway Side - Clips, Beer & Film Tour	\$50.00	1.00	\$0.00	\$50.00	\$50.00	\$0.00

### PAYMENTS AND REFUNDS

RECEIPT NUMBER	DATE	CHARGE DESCRIPTION	FACILITY/EVENT	AMOUNT
1007809.024	10/22/2015	Deposit (Parks)	Mosswood Park / Broadway Side - Clips, Beer &	\$1000.00
1007809.024	10/22/2015	CRU Alcohol Permit (Beer & Wine)	Mosswood Park / Broadway Side - Clips, Beer &	\$125.00
1007809.024	10/22/2015	CRU Permit Processing Fee	Mosswood Park / Broadway Side - Clips, Beer &	\$30.00
1007809.024	10/22/2015	Mosswood Park Rental Fee	Mosswood Park / Broadway Side - Clips, Beer &	\$612.00
1007809.024	10/22/2015	Mosswood Sound Amplification Fee	Mosswood Park / Broadway Side - Clips, Beer &	\$50.00

**DISCLAIMERS**

**ALCOHOLIC BEVERAGES-REV043014**

Alcoholic beverages may be served at events upon approval and when specific fees are paid.

- \* Amounts are to be carefully supervised so that event attendees are not intoxicated.
- \* The premises are to be left clean and all bottles must be removed.
- \* **SELLING** alcoholic beverages is **NOT ALLOWED** unless approval is granted from the Parks and Recreation Advisory Commission.

The applicant will hold Oakland Parks and Recreation, its employees, agents and volunteers free from liability or claim for damages or suit by reason of any injury 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. An Alcoholic Beverage Control License is required for sales of any alcoholic beverages. (See Parks and Recreation Advisory Commission Requirements)

This permit allows applicant to serve the following alcoholic beverage(s):

-Wine, beer and champagne CC (Initials)

-Distilled spirits \_\_\_\_\_ (Initials)

I certify that alcoholic beverages will not be served at \_\_\_\_\_ (Initials)

[Signature] (Signature)

10/22/2015 date

**CANCELLATION POLICY: (REV-050114)**

A cancellation fee will be assessed according to the City of Oakland Master Fee Schedule.

**CANCELLATION FEES:**

- 61 days or more notice Forfeit 1/2 deposit, per event
- 30 to 31 days notice Forfeit deposit, per event
- 15 to 29 days notice Forfeit deposit, plus \$100 fee, per event/per date
- 10 days or less notice Forfeit all fees

I am aware of and understand the cancellation policy. CC (Initial)

**CERTIFICATE OF INSURANCE REQUIRED (REV: 05-2014)**  
A comprehensive general liability coverage naming The City of Oakland as an additional insured with a limit of liability not less than \$1,000,000 combined single limit prior to the event will result in cancellation of this permit.

Applicant, at Applicant's expense, is required to provide a Certificate of Insurance for Oakland, its Council, officers, employees, agents and volunteers as additional insured with a limit of liability not less than \$1,000,000 combined single limit prior to the event will result in cancellation of this permit.

**REV: 05-2014**

**APPLICANT IS RESPONSIBLE AND WILL BE CHARGED AND BILLED for the following:**

- a) damages to floors, walls furnishings and landscaping
- b) excessive cleanup of the facilities inside and outside
- c) any other unusual janitorial or facility expense
- d) extension beyond contracted hours, including overtime costs, etc.,
- e) service charges, i.e., Administrative Service Fees
- f) failure to remove and dispose of all personal items
- g) EXTRA POLICE COSTS if the Oakland Police Department is called for excessive noise levels, residential complaints, disorderly conduct, illegal use of drugs, profanity and drunkenness (i.e., alcohol consumption)

**\*\*NOTE\*\*** All groups shall provide any other equipment, including chairs, tables, etc., and properly dispose of all trash and other debris generated by the event.

I am aware of and understand the Damages and Charges. CC (Initials)

**EXTENSION BEYOND PERMIT HOURS: (Rev-050114)**

In the event the applicant stays longer than the contracted hours, the applicant will be charged additional hourly rental fees plus an Administrative Service Fee. There are no options to pay onsite.

Violation of the above Disclaimer may result in forfeiture of applicant's security deposit. Claims exceeding amount of security deposit is payable upon receipt of notification. Failure to pay will lead to collection of amount owed.

I am aware of and understand the Extensions Beyond Contracted Hours. CC (Initials)

**FORCE MAJEURE ("greater force")**



Any prevention, delay, performance failure or stoppage governmental controls, unreasonable delay in the action, civil commotion, fire or other casualty, and performance, delay or stoppage, except the obligation

natural causes or other acts of God, strikes, lockouts, labor disputes, governmental regulations, any permit by the City of Oakland or any governmental agency, enemy or hostile governmental and reasonable control of the City of Oakland obligated to perform shall excuse the licensee with regard to permit fees and other charges to be paid by Licensee pursuant to this Permit.

Examples of prevention, delay, performance failure (disruptions in PGE service/telephone service), etc.

events or events that would be beyond the City of Oakland's control include power outages, riots, wars, riots or other major upheaval acts.

I am aware of and understand the Force Majeure Clause. OPD SPECIAL PERMIT REQUIRED: (REV: 050114) All events with attendance of 50 people or more require

(initials) Oakland Police Department (OPD) Special Event Permit.

I am aware of and understand an Oakland Police Department

(OPD) Special Event Permit is required (initials)

PARK USE PERMIT (REV: 050114) SOUND AMPLIFICATION-OMC 12.64.120: No amplified sound structure. In no event shall the applicant cause sound to be produced.

not be permitted to be placed in a public park within three hundred feet (300') of any residential boundary exceeding eighty decibels (80 dB) at any boundary of the park in which amplified sound is

Please be aware of residents living nearby. Should you be instructed by the Oakland Police Department (OPD) to shut down or off by the designated time may result in

complaint(s) regarding the sound level, applicant will be expected to lower the volume as directed by the OPD, OPR or authorized CITY representative. Failure to turn the sound level down or off by the designated time may result in

If an event requires collections of funds onsite (i.e., alcoholic beverage sales), requests must be approved by the

Reservations, registration fees, sponsorships, ticket sales, and entrance fees or vendor sales, and Parks and Recreation Advisory Commission.

SELLING WARES, GAMING, OBSCENITY-OMC 12.64.120: No sale of confections, refreshments or other article within public buildings or grounds, nor any obscene or indecent

is unlawful for any person to sell or offer for sale any goods, wares, merchandise, foods, or other articles in any public building or public grounds in the city. No gaming shall be allowed in said parks, grounds, or grounds.

- 1) Permits are issued and authorized by the City of Oakland.
- 2) The permit holder is responsible and will be charged for:
  - a) damages to landscaping;
  - b) failure by the group to clean up after the event;
  - c) any other unusual repairs or cleanup expenses incurred, the deposit will be held and/or the permit holder will be responsible for the cost of damages occasioned by the activity whether or not the permit holder is responsible for the damage.
- 3) Events must start and end on time. Staying past the designated time will result in the deposit being withheld and/or additional fees being charged to the permit holder.
- 4) Illegal use of drugs, profanity, fighting, or gambling is prohibited.
- 5) Alcohol consumption is prohibited unless approved by the City of Oakland.
- 6) Charging admission or registration fees, selling alcoholic beverages, or other items is prohibited.
- 7) Any complaints due to violation of the facility policies will result in the forfeiture of the deposit.

damages, including, but not limited to:

- the cost of all trash and other debris generated by the event;
- the cost of repairs to any OPR Facilities, Recreation Center or Parks.
- the cost of any specific fees are paid.
- the cost of any money in any way is prohibited.
- the cost of any violation rules will result in forfeiture of deposit.

At the time of the event, the number of attendees expected, contact or payment information or any other information regarding the event and forfeiture of fees paid and may also result in denial of future permit if the deposit is payable upon receipt of notification. Failure to pay will lead to

Violation of the above rules or misrepresentation or falsification of permit documents will result in the denial of the permit and/or legal action. Claims exceeding \$1000.00 will be referred to collections-impacting your credit.

Permit Authorized by: (name) Leanne He Distell  
(Title) Rec. leader Date 10/22/15

PARKS AND RECREATION ADVISORY COMMISSION  
If an event requires collections of on-site funds (i.e., alcoholic beverage sales), requests must be approved by the Parks and Recreation Advisory Commission on the second Wednesday of each month, except for

Reservations, registration fees, sponsorships, ticket sales, entrance fees and/or vendors sales), and Parks and Recreation Advisory Commission. All requests should be submitted 60 days or more in advance. PRAC meets

Please contact a Central Reservations Representative for more information and guidelines. No advertisements of an event shall be placed in any public area without the approval of the

Center Site Supervisor/Director for the Parks and Recreation Advisory Commission for approval.

SECURITY DEPOSIT  
The Security Deposit will be returned within 6-8 business days after the event. Conditions for deposit being withheld:  
-Deposit refund may be withheld to compensate for the cost of:  
-Tearing up of tape, nails, hooks, or tacks, screws, etc.  
-Spilling of rice, birdseed, confetti or flower petals.  
-Failure to remove and dispose of all personal items.  
-Extra Police Costs: Applicant will be billed for any extra police costs incurred due to excessive noise, conduct, illegal use of drugs, profanity and disruptive behavior.

at the time of the event, the number of attendees expected, contact or payment information or any other information regarding the event and forfeiture of fees paid and may also result in denial of future permit if the deposit is payable upon receipt of notification. Failure to pay will lead to

Violation of any of the above requirements for notification. Failure to pay will lead to collection.

Uniformed security guards are required along with two weeks prior to the event will result in cancellation.

REV: 050114

**SOUND AMPLIFICATION POLICY REQUIREMENTS**

- 1) Sound amplification of music or voice must be kept at a low level. When doors and windows are open, sound must be regulated to project no further than the immediate facility or area.
- 2) When ventilation requires doors and windows to be open in the building, and/or so that sound does not conflict with other events scheduled in other areas of the facility.
- 3) In outdoor park areas, sound amplification is prohibited.
- 4) No loudspeaker shall be permitted to be placed in any area of the park.
- 5) In no event shall a permittee cause amplified sound to be produced.

Sound Amplification: Yes CC No     

Yes CC No     

If yes, what type of Sound or Non-Amplified Sound?

movie

In submitting this Special Event Permit Request for the above requested facility, and agree to abide by the intended use, as stated above, is in compliance with all applicable City, State and Federal laws, ordinances, regulations, applicable instructions and any special use regulations. Facility usage is subject to advance payment of all fees, including deposits, service fees and other charges as set forth herein and/or in accordance with City of Oakland Master Fee Schedule.

It is understood that the City of Oakland reserves the right to cancel this permit at any time and without stated cause therefore. That upon any such cancellation the applicant agrees to, upon notice, return of rental fees paid in advance, vacate and surrender the possession of said premises, and the applicant does hereby waive the right to any damages, and to any other right or cause of action, of whatsoever kind, that may accrue to the applicant by reason of any such cancellation.

REV: 050114

I certify that I have read and understand the "Rental Rules and Regulations" pertaining to the rental and use of the requested facility, and agree to abide by all applicable City, State and Federal laws, ordinances, regulations, applicable instructions and any special use regulations. Facility usage is subject to advance payment of all fees, including deposits, service fees and other charges as set forth herein and/or in accordance with City of Oakland Master Fee Schedule.

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Applicant agrees to hold Oakland Parks and Recreation Department and its employees free from any liability or claim for damages or suit for or by reason of any injuries or loss to any person or property arising out of the use and occupation of the premises used by the applicant; applicant hereby covenants and warrants that the use and occupation of the premises used by the applicant shall be harmless to and save harmless Oakland Parks and Recreation, the City of Oakland and its employees from all liability or damage on account or by reason of the use and occupation of the premises used by the applicant.

**ANY MISREPRESENTATION RELATED TO THE EVENT AND FORFEITURE OF ALL FEES**

X       
Applicant Signature Required

This facility permit requires Sponsor to install a temporary or portable toilet for every 500 patrons at the event. The unit(s) must be visible to the public. If a food booth is set up or food is sold, a temporary or portable toilet must be placed at least 200 feet away from the nearest food booth area. In compliance with the Americans with Disabilities Act of 1990, all temporary or portable toilet(s) must be accessible to disabled persons.

The temporary or portable toilet(s) must be removed within 24 hours after the event. (Ref. OMC Title 12.64.360)

I certify that I have read and understand the "Rental Rules and Regulations" pertaining to the rental and use of the requested facility, and agree to abide by all applicable City, State and Federal laws, ordinances, regulations, applicable instructions and any special use regulations. Facility usage is subject to advance payment of all fees, including deposits, service fees and other charges as set forth herein and/or in accordance with City of Oakland Master Fee Schedule.

It is understood that the City of Oakland reserves the right to cancel this permit at any time and without stated cause therefore. That upon any such cancellation the applicant agrees to, upon notice, return of rental fees paid in advance, vacate and surrender the possession of said premises, and the applicant does hereby waive the right to any damages, and to any other right or cause of action, of whatsoever kind, that may accrue to the applicant by reason of any such cancellation.

I certify that I have read and understand the "Rental Rules and Regulations" pertaining to the rental and use of the requested facility, and agree to abide by all applicable City, State and Federal laws, ordinances, regulations, applicable instructions and any special use regulations. Facility usage is subject to advance payment of all fees, including deposits, service fees and other charges as set forth herein and/or in accordance with City of Oakland Master Fee Schedule.

It is understood that the City of Oakland reserves the right to cancel this permit at any time and without stated cause therefore. That upon any such cancellation the applicant agrees to, upon notice, return of rental fees paid in advance, vacate and surrender the possession of said premises, and the applicant does hereby waive the right to any damages, and to any other right or cause of action, of whatsoever kind, that may accrue to the applicant by reason of any such cancellation.

Applicant agrees to hold Oakland Parks and Recreation Department and its employees free from any liability or claim for damages or suit for or by reason of any injuries or loss to any person or property arising out of the use and occupation of the premises used by the applicant; applicant hereby covenants and warrants that the use and occupation of the premises used by the applicant shall be harmless to and save harmless Oakland Parks and Recreation, the City of Oakland and its employees from all liability or damage on account or by reason of the use and occupation of the premises used by the applicant.

**ANY MISREPRESENTATION RELATED TO THE EVENT AND FORFEITURE OF ALL FEES**

X       
Applicant Signature Required

This facility permit requires Sponsor to install a temporary or portable toilet for every 500 patrons at the event. The unit(s) must be visible to the public. If a food booth is set up or food is sold, a temporary or portable toilet must be placed at least 200 feet away from the nearest food booth area. In compliance with the Americans with Disabilities Act of 1990, all temporary or portable toilet(s) must be accessible to disabled persons.

The temporary or portable toilet(s) must be removed within 24 hours after the event. (Ref. OMC Title 12.64.360)