

**Agenda**  
**Meeting of the Oakland Parks and Recreation Advisory Commission (PRAC)**  
**Wednesday, August 11, 4:30 PM**

When: Aug 11, 2021 04:30 PM Pacific Time (US and Canada)

Topic: Parks and Recreation Advisory Commission Meeting - August 11, 2021

Please click the link below to join the webinar:

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**2.** To comment by phone, please call on one of the above listed phone numbers. You will be prompted to “Raise Your Hand” by pressing “\*9” to speak when Open Forum is taken or after an eligible agenda item has been presented. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, re-muted. Please unmute yourself by pressing \*6.

**3.** To submit comments to the PRAC prior to the meeting, send an email to: [publiccomments2prac@oaklandca.gov](mailto:publiccomments2prac@oaklandca.gov) by 10:00 a.m. the day of the meeting. List the following information on the “subject” line of your email:

**Public Comments: PRAC meeting dd/mm/yy (date of the scheduled meeting)**

>>>Replies will not be sent from this email address<<<

If you have questions, email Diane Boyd, Executive Assistant to the Director of Oakland Parks, Recreation and Youth Development [dboyd@oaklandca.gov](mailto:dboyd@oaklandca.gov). Thank you.



CITY OF OAKLAND

**PARKS AND RECREATION ADVISORY COMMISSION - PRAC**

**Wednesday, August 11, 2021 - 4:30 P.M.**

**Agenda**

1. CALL TO ORDER:
2. ROLL CALL:  
ALLEN, DUHE, HA, KOS-READ, MOORE, REILLY, D. SMITH, K. SMITH,  
TORRES, TRAN AND WALTON
3. DISPOSITION OF MINUTES:  
July 14, 2021
4. MODIFICATION OF THE AGENDA:
5. OPEN FORUM:
6. CONSENT NEW BUSINESS:
  - A. REQUEST FROM OAKLAND EAST BAY GARDEN CENTER, INC. AND FRIENDS OF THE GARDENS AT LAKE MERRITT (FGLM) TO COLLECT FUNDS ON SITE AT THE ANNUAL AUTUMN LIGHTS FESTIVAL/FUNDRAISER AT LAKESIDE PARK GARDEN CENTER AND THE GARDENS AT LAKE MERRITT ON THURSDAY, OCTOBER 14, 2021 - SATURDAY, OCTOBER 16, 2021 FROM 6:00PM-11:00PM**
  
  - B. REQUEST FROM SOOAKLAND LLC APPROVAL TO COLLECT ON-SITE ENTRY FEES AND DONATIONS FOR SOOAKLAND DAY IN THE PARK EVENT TO BE HELD AT JOAQUIN MILLER PARK ON SUNDAY, SEPTEMBER 26, 2021, 1:00PM-7:00PM.**
  
  - C. REQUEST FROM OAKLAND LGBTQ COMMUNITY CENTER FOR APPROVAL TO COLLECT FUNDS ONSITE THROUGH VENDOR SALES OF MERCHANDISE, CRAFTS AND DONATIONS AT PRIDE IN THE PARK HELD AT LAKESIDE PARK (EDOFF MEMORIAL BANDSTAND) ON SATURDAY, SEPTEMBER 11, 2021, FROM 12:00PM-6:00PM.**

**D. REQUEST FROM DOPEONLY (DO) PERMISSION FOR APPROVAL TO COLLECT ONSITE ENTRY FEES, SALES OF ALCOHOLIC BEVERAGES, SALES OF FOODS AND MERCHANDISE AT THEIR COOL WATER EVENT TO BE HELD AT LAKESIDE PARK GARDEN CENTER ON SATURDAY, SEPTEMBER 4, 2021 FROM 2:00PM -8:00PM.**

7. NEW BUSINESS:

**A. Not Used**

**B. Not Used**

**C. REQUEST FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO RECEIVE AND PROVIDE COMMENT ON AN INFORMATIONAL REPORT AND UPDATE ON OAKLAND'S URBAN FOREST MASTER PLAN AND TREE INVENTORY.**

**D. REQUEST FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO RECEIVE AN INFORMATIONAL REPORT FROM OAKLAND-RESIDENT, MEGAN PALSA, ON THE ENVIRONMENTAL IMPACTS TO JOAQUIN MILLER PARK AS A RESULT OF THE CURRENT USE IN CONJUNCTION WITH THE ABSENCE OF ADEQUATE CITY MONITORING.**

**E. REQUEST FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO APPROVE THE CONTINUED USE OF PARK SPACE ADJACENT TO EL EMBARCADERO FOR A VENDING PILOT ON SATURDAYS AND SUNDAYS**

8. PLANNING AND CONDITIONAL USE PERMITS:

9. MEASURE Q:

- Hiring Matrix
- Deliverables Tracking
- Race and Equity Analysis
- Final Budget

10. UPDATE FROM DIRECTOR, COMMITTEES, RECREATION ADVISORY COUNCILS & ANNOUNCEMENTS:

11. CONTINUATION OF OPEN FORUM:

12. ADJOURNMENT:

**Next Meeting:**

Wednesday, September 8, 2021

Via Zoom



## **\*Oakland Parks and Recreation Advisory Commission Meeting**

### **Minutes**

**Wednesday, July 14, 2021, 4:30 P.M.  
Zoom Teleconference**

#### **Meeting Recording Link**

[http://oakland.granicus.com/MediaPlayer.php?publish\\_id=214ec17f-f22e-11eb-81b1-0050569183fa](http://oakland.granicus.com/MediaPlayer.php?publish_id=214ec17f-f22e-11eb-81b1-0050569183fa)

1. CALL TO ORDER: 4:36PM
2. ROLL CALL:  
**ALLEN, DUHE, HA, KOS-READ, MOORE, REILLY, D. SMITH, K. SMITH, TRAN, TORRES, WALTON**  
  
**Present:** (8) Commissioners Allen, Ha, Kos-Read, Reilly, D. Smith, K. Smith, Tran, and Walton  
**Excused:** (3) Commissioners Duhe, Moore and Torres
3. DISPOSITON OF MINUTES:
  - June 2021 Meeting Minutes  
**Motion:** Commissioner Reilly entertained a motion to recommend approval of the June 9, 2021, meeting minutes including a request to correct the Spelling of Brooke Levin's name under Measure Q. **Moved by:** Commissioner K. Smith. **Second by:** Commissioner Tran. **Vote: 7 - Yes:** Commissioners Ha, Kos-Read, Reilly, D. Smith, K. Smith, Tran and Walton. **1 - Abstain:** Commissioners Allen. **Motion:** Pass.
4. OPEN FORUM: There were 6 speakers for Open Forum.
5. MODIFICATIONS TO THE AGENDA:  
NONE
6. CONSENT NEW BUSINESS:
7. NEW BUSINESS:  
  
**A. PILOT VENDING: REQUEST FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO APPROVE THE CONTINUED USE OF PARK SPACE ADJACENT TO EL EMBARCADERO FOR A VENDING PILOT ON SATURDAYS**

## AND SUNDAYS

The Parks and Recreation Advisory Commission heard the staff report for item 7A presented by Greg Minor from the Special Permits Division in the Department of Economic and Workforce Development.

Staff requested the current Vending Pilot Program be continued on Saturdays and Sundays at its established location adjacent to El Embarcadero on the Lake Merritt Park space through November 2021. The recommendation was based on observations from the last 12 or 14 months and the City Council's continuation of funding for the Vending Pilot and Lake Merritt operations through November 2021.

Staff asserted that the Vending Pilot has offered participants a path to compliance with the City and has provided an opportunity for them to earn income which was impacted by COVID and restrictions on events and other opportunities for people. With a path to compliance, staff suggested there would be more focus on unlimited activities such as cannabis and alcohol vending. Extension of the Pilot would also facilitate trash and waste management which is included in the City's funding through November 2021.

Staff referenced outlines in the report providing alternative recommendations that the PRAC could consider and adopt such as alternative locations, duration of the program, or even the frequency of the Pilot. Staff did reassert their recommendation for approval of the existing site because it could take advantage of the street closure that is already in place at El Embarcadero between Grand and Lakeshore, which has allowed the most vendors to have a path to compliance and allow staff to focus on unpermitted vending outside of the pilot.

Reference was also made to attachments to the staff report which show vendor participation from the last three months of the program.

### PRAC Lake Merritt Vending Subcommittee Comments:

The Lake Merritt Mobile Vending Ad Hoc Committee reported that engagement with the Vending Pilot Program comes with negative challenges external to the program that effect all of Lake Merritt, The Commission was reminded that at a previous meeting, the PRAC voted to extend the Pilot and tasked the Committee with thinking about alternative sites and a feasibility study. Members of the Committee provided the following comments:

- The subcommittee held meetings with Greg Minor, other staff and Mr. Copes and the new event organizer.
- More work and strong commitment is needed to find a new location for the Pilot.
- The City is not tracking how much revenue vendors are making through the program.
- There is no small business program in place to help Pilot Vendor participants mature.
- The number of participating vendors grows each weekend at the El Embarcadero site.
- Questions how much the Pilot is helping participants

- Concerned the City has written a blank check, and that it costs hundreds of thousands of dollars to host without knowledge of how the vendors are profiting.
- There is no knowledge of how the vendors businesses are maturing and growing.
- The Committee does not know if the City is capturing revenue from the Vending Pilot.
- The Pilot Report packet presented does not show the program's longevity or that it is moving out of pilot phase into perpetuity.
- The Committee called on the Commission to have the program come to fruition or concluded by a certain date.
- The continued three-month renewal is not the way to conduct a pilot.
- While the loss of life during the Juneteenth celebration was not connected to that celebration nor to the Vending Pilot Program, concern was expressed that it was related to the challenges faced at the Lake and how those challenges are being addressed.

The Chair received confirmed from Workforce Development staff that the request before the Commission was for the use of the grass or park space under its jurisdiction for the purpose of vending. Staff further informed the Commission that extra conditions could be added to the motion related to tracking vendors, information or other requests.

Public Comments: There were 14 public comments.

#### Commission and Staff Comments

Chair Reilly announced that through the Oakland Municipal Code, PRAC has the authority to issue park use permits and that the Pilot Vending Program falls within its jurisdiction.

Staff cautioned against blaming the Vending Pilot Program with participants involved in activities outside the Pilot on Lake Merritt. These activities are considered to be a challenge Oakland has with enforcement citywide but is being pursued administratively. The Commission was reminded that without a path to compliance, all vendors would be unpermitted. Staff welcome the Commission to suggest alternatives and changes going forward.

The Commission asserted that the item was unfairly dropped in PRAC's jurisdiction, instead it should have been sent to Workforce and Economic Development. PRAC it is not an enforcement body.

The Commission sought clarification regarding the data show participating vendors in the Pilot living outside of Oakland as far away as Los Angeles.

Staff informed the Commission that the vendors participating in the program but living outside of Oakland, are former residents displaced or who otherwise have a strong connection with the City. The Commission also learned that the City is collecting tax revenue. Staff added that if PRAC chooses to deny the use of park space, or make modifications, it will have a ripple effect and impact staff resources one way or the other.

Commission and staff explored the possibility of shifting the Pilot to Splash Pad as mentioned in the staff report. Staff supported exploring the possibility of shifting to Splash Pad Park if

available on Sundays. The Program would benefit from being near the existing location and marketplace infrastructure. Staff informed the body a transition period would be needed to ensure a smooth shift. The Commission was reminded that the current three-month period expires on July 25, 2021.

The Commission requested a feasibility study or analysis of the various activities at Lake Merritt and other City parks. This would include vending and other park uses that have increased during the pandemic. Members reiterated that the Pilot was not meant to be permanent, and consideration must be given to an area that could withstand the amount of traffic generated. The Commission also urged the City Administrator's Office take a look at Splash Pad Park as an alternative location but stressed the need to communicate with Workforce Development and other City offices to address concerns. It was suggested that the body communicate with City Council, Workforce Development and others by letter or meetings to make the concerns of the Commission known and to develop a long-term solution.

Chair Reilly prepared to hear a motion on the Vending Pilot and suggested the addition of three stipulations including:

- The Vending Pilot transition to Splash Pad Park on Sundays.
- A long-term plan be included with the request of an additional extension.
- The PRAC Lake Merritt subcommittee work with staff on developing the parameters of what another renewal would look like including a long-term plan.

At the Commission's request, Chair Reilly clarified his suggested additions to the recommendations for the motion:

- That the Vending Pilot should transition one day to Splash Park not Snow Park
- Staff will recommend the transition period to Splash Pad Park to provide people time to acclimate to the change.
- If staff does not return within 3 months, the Pilot Program will end and there will be no more permitted vending around Lake Merritt. Pre-Vending Pilot conditions will resume.
- If staff should return for another renewal, they must present a long term and what it means for the future.

Commission members also suggested the recommendation include the City provide enforcement.

Commissioner Allen offered to make a motion to Chair Reilly's motion with modifications.

Move that:

- PRAC extend the Pilot Program for another three months.
- The Pilot Program be transitioned away from El Embarcadero to Splash Pad Park to take place on Sundays. And that the transition should take place immediately. Staff to determine what that transition period will be.
- PRAC be provided with a long-term plan one month out from the conclusion of the three-month extension. The PRAC would have the ability to decide if the program should come to maturity outside of pilot phase and find a permanent home for mobile vending.

- PRAC work with enforcing bodies whether Oakland Police Department, Parking Enforcement and or the Fire Department to ensure the creation of a safe space for vendors and patrons.
- Staff work with the City Administrator and City Councilmembers to ensure continued support for creating safe spaces at the park.

Chair clarifying points to Commissioner Allen’s suggested motion:

- Transition language – change “immediately” to “as soon as possible”.
- Confirmed that staff must provide a long-term plan to the PRAC one month prior to the conclusion of the three-month extension.
- Hold a meeting with representative from Oakland PD, Parking Enforcement, Councilmember Bas’ office, Councilmember Fife’s office, Lake Merritt Taskforce, the City Administrator’s office to discuss mobile vending at Lake Merritt. Stipulate that enforcement bodies must be at the table. Enforcement bodies must help execute the plan and have a more proactive presence. PRAC does not have enforcement powers.

Workforce Development staff asked the Commission to clarify:

- When the move to Splash Pad Park would take place. Staff reminded the body that the current three-month approval will expire on Sunday, July 25, 2021.
- If the move would be immediate or if there would be a transition period.
- If the Vending Pilot is to take place:
  - Only on Sundays at Splash Pad Park
  - Sundays at Splash Pad Park and Saturdays at El Embarcadero

The Commission was unable to reach an agreement on when or where the Pilot would continue. The suggestions included Saturdays at the El Embarcadero followed by Sundays at Splash Pad Park with an opposing view for only Sundays at Splash Pad Park. There was a brief discussion to considerer Snow Park as a possible location and was subsequently informed that the Black Vendors Association favored Splash Pad Park rather than Snow Park and preferred overall to stay at El Embarcadero.

Due to the impasse, the Chair suggested the Pilot be extended for 1 (one) month while the stakeholders including the Lake Merritt subcommittee, Oakland PD, Economic and Workforce Development and City Councilmembers convene a meeting to determine the recommendations moving forward, with the understanding the item would be presented again at the August PRAC meeting.

**Motion:** Commissioner Reilly entertained a motion to recommend the PRAC move to extend the Vending Pilot Program for one month as is and in its current state, at its current location and current frequency to allow staff and the Lake Merritt Taskforce and Mobile Vending Pilot Program Subcommittee to meet with the enforcing bodies as well as City representative to discuss a long-term plan whether it is until the end of November 2021 or in perpetuity. **Moved by:** Commissioner Allen. **Second by:** Commissioner K. Smith. **Vote: 6 - Yes:** Commissioners Allen, Ha, Kos-Read, Reilly, D. Smith, K. Smith, 2 -**Abstain:** Commissioners Walton and Tran. **Motion:** Pass.

**Note:** Commissioner Walton was excused after the vote on item 7A.

**B. JOAQUINE MILLER SPLIT RAIL FENCE. REQUEST FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO APPROVE A PROPOSED SPLIT RAIL FENCING PROJECT AT JOAQUIN MILLER PARK TO CONSERVE SOIL, WETLANDS, RAINBOW TROUT, AND RARE PLANTS**

The Parks and Recreation Advisory Commission heard the report for item 7B submitted by Harith Aleem from Parks and Recreation on behalf of Tim Vendlinski with Friends of Sausal Creek (FOSC).

Harith Aleem provided a brief background and introduction of Tim Vendlinski:

Mr. Vendlinski is a Life Scientist, volunteer and board member of Friends of Sausal Creek (FOSC). He served 27 years with the Environmental Protection Agency where he supervised the Wetlands Regulatory and Bay Delta programs. The purpose of the report is to receive approval for a proposed split rail fencing project at Joaquin Miller Park to conserve soil, wetlands, rainbow trout and rare plants.

Mr. Vendlinski described Joaquin Miller Park's Sausal Creek as one of the most unique urban creeks in California. He reported that the watershed encompasses approximately 2600 acres and in length and runs approximately 3 miles from the top of the Oakland hills down to the estuary. He explained that from a scientific point of view, Sausal Creek is unique because of the rare plants and animals that persist there after so many years of urbanization and alteration.

He described the relationship between the surrounding wetlands and Sausal Creek, and the dangers posed to the ecosystem due to activities in the park prior to the pandemic, but which have increased due to the upswing in park usage since the on-set of COVID-19. Mr. Vendlinski also described some of the rare species of plants found in the 3 areas of Joaquin Miller Park targeted for the proposed split-rail fencing project including (A) Fern Ravine - wetlands, (B) Chabot Pallid Manzanita – rare Manzanita species (C) Rare Plants on Serpentine Soils – Tiburon buckwheat and the Oakland star tulip.

He explained that these areas were damaged by extreme uses of the trail system including hiking, dog walking and most especially mountain biking. Mr. Vendlinski asserted that Joaquin Miller Park has become a de facto mountain bike facility due to the unregulated activity. He cited tremendous damage to the existing trail network and attributed that damage to the biking activities. The Commission was informed that new trails were being cut into the park without planning or permission. Mr. Vendlinski reported that these activities are tearing into the fragile habitat of the park. These combined activities including the addition of the long drought, climate change and die off of trees are contributing to the loss of the parks topsoil. Overtime the continued loss of topsoil will include the loss plants, shrubs and trout.

Public Comments: There were 5 speakers.

## COMMISSION COMMENTS:

The Commission learned that the FOSC proposed to build split rail fencing in the three priority Park areas at a cost of \$19,000.00 for materials only. Volunteers will provide the labor needed for the installation. Funds for the project were generated by the FOSC and partnering organizations.

**Motion:** Commissioner Reilly entertained a motion for the Parks and Recreation Advisory Commission to recommend approval of the request submitted by the Friends of Sausal Creek for split rail fencing within three of Joaquin Millers Park's most ecologically valuable and vulnerable natural areas identified above in the enclosed map and narrative. **Moved by:** Commissioner Ha. **Second by:** Commissioner K. Smith **Vote:** **7 - Yes:** Commissioners Allen, Ha, Kos-Read, Reilly, D. Smith, K. Smith, and Tran. **1 - Excused:** Commissioner Walton. **Motion:** Pass.

## C. BELLA VISTA SKATE PARK

REQUEST FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO APPROVE THE INSTALLATION OF A SAFE, PERMANENT SKATE RAMP AND SKATE OBSTACLES AT BELLA VISTA PARK IN OAKLAND.

The Parks and Recreation Advisory Commission heard the report for item 7C submitted by Myka Hammock from Parks and Recreation on behalf of Sean O'Loughlin from Skate XP.

Sean O'Loughlin is the Founder and Executive Director of Skate XP, a local 501c3 nonprofit promoting skateboarding in the Bay Area by providing more skate places for youth and adults.

Bella Vista Skate Park fell into disrepair and was recently slated for destruction, but the community raised over 10,000 signatures to save it. Three community meetings were held to make plans and determine how to make the park safer and accommodate skateboarding. Participants in the community meetings included Parks and Recreation Director Nicholas Williams, Councilmember Bas' office, Bella Vista Elementary School officials, members from TRYBE, Friends of Bella Vista. Plans were made to remove the broken collection of ramps and replace them with four high quality rampa that would also be safe for the students at Bella Vista School for afterschool programming or other organizations. A boarder would also be installed to help define the skateboard space.

Funds for the project were raised by through the 501c3, the skateboarding community and a generous donation from a neighborhood resident.

Public Comment: There was 1 speaker.

## COMMISSION COMMENTS:

Members were supportive of the project and the skater-culture at Bella Vista Skate Park. They were informed that DeFremery Skate Park is under-resourced and is in need of investment.

Concerned about recent news of the wooden skateboard structure fires at DeFremery, the Commission learned that there would be a Phase 2 Project for Bella Vista Skate Park, presented to the PRAC. The future project would include removal of the wooden structures, approved in this request and replaced with concrete ramps designed to support the Park's landscape.

**Motion:** Commissioner Reilly entertained a motion to recommend the Parks and Recreation Advisory Commission approve the request from Skate XP to install a safe, permanent, skate ramp and skate obstacles at Bella Vista Park in Oakland. **Moved by:** Commissioner K. Smith. **Second by:** Commissioner Kos-Read. **Vote: 7 - Yes:** Commissioners Allen, Ha, Kos-Read, Reilly, D. Smith, K. Smith, and Tran. **1- Excused:** Commissioner Walton. **Motion:** Pass.

## **7D: SPONSHORSHIP**

REQUEST FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO APPROVE A REPORT ON A RESOLUTION TO BE SPONSORED BY COUNCILMEMBER NOEL GALLO ESTABLISHING AND FORMALIZING A SPONSORSHIP AND RECOGNITION POLICY THAT ENCOURAGES THE GIVING OF PHILANTHROPIC FUNDS TO INCREASE FUNDING FOR OAKLAND'S PARK FACILITIES AND PROGRAMS.

The Parks and Recreation Advisory Commission heard the report for item 7D presented by Ken Lupoff, Policy Analyst for Councilmember Noel Gallo, District 5.

The proposed resolution to accept philanthropic funds was developed in collaboration between Councilmember Gallo, Parks and Recreation Director Williams, Assistant Director Riley, Interim Executive Director of the Oakland Parks and Recreation Foundation Kadera-Redmond, and PRAC Chair Reilly.

Staff reported that OPRYD, already receives philanthropic funds used for capital improvement projects at Oakland Parks and Recreation. These funds are also used to fund youth scholarship programs and Town Camp. The resolution would formalize existing sponsorship activities and recognition policies as well as build reporting procedures. As per the proposed policy, the Parks and Recreations Advisory Commission as well as the City Council would have roles approving park projects.

Staff asserted that this was not a naming rights policy.

If approved, the resolution would move to the Life Enrichment Committee (LEC) then to the full City Council.

At the Chair's request, staff listed important point cited in the resolution:

- Philanthropic funds that are given for projects and programs of the Parks Department are not necessarily keyed in with already existing funds. They can be but is not a requirement.
- Dollar amounts of 250,000 or greater will go through PRAC for consideration and approval.
- Funds may be given directly to the City to be put into a designated fund under the control of the Parks Department or perhaps Public Works but they can also be housed within nonprofits such as the Oakland Parks and Recreation Foundation and or Eat. Learn. Play., or any other designated 501 c 3.
- There will be no renaming of parks or park fields.
- The resolution gives the Director of OPRYD wide latitude to negotiate the type of recognition that is given and always for a limited duration of time based on the amount of money given. It would not be permanent in any way.

Chair Reilly read an additional passage from the proposed resolution citing its importance:

“...will not be accepted from any philanthropic organization, corporation, or individual whose purpose runs counter to the mission and values of the City of Oakland and the Parks and Recreation and Youth Department.”

Public Comment: There were 3 speakers.

Commission Comments:

The Commission sought clarification on where philanthropic funds would be held and the prioritization of projects and the role of the Foundation.

Staff informed the Commission that the Director of Parks and Recreation would determine the project and with the philanthropic donor’s input, they would negotiate how to use those funds and where the funds rest, including any 501c3 whether it is the Parks Foundation, the Steph Curry Foundation - Eat. Learn. Play or another. The Director of Parks and Recreation and the City Administrator would decide what City account philanthropic funds would be held.

Assistant Director Dana Riley offered that the city sets the project prioritization through public intake on capital improvements, thereby going through an equity lens. This process repeats every budget cycle or every two years. The prioritized list of projects are the projects Parks and Recreation would follow unless the donor chooses a specific project.

Director Williams reiterated that philanthropic funds received by the City would be placed into a designated account held by the City Finance Manager and only used for the purpose for which it was received. These funds received by the City will not be placed in a General Fund account.

And if preferred, the donor could deposit the funds with a nonprofit organization or their own organization.

The Commission inquired about the evaluation process for affirming the donor organization's purpose does not run counter to the mission and values of the City of Oakland

Director Williams and Council staff informed the body that all proposals and funding opportunities would be heard by the Commission before funding is accepted. The Commission would have the opportunity to weigh in on the donation, the donor organization, and the benefit of the donation to the community. Each report presented to the PRAC would be pre-vetted. PRAC would vote on the item just as for other reports presented for the consideration. Proposals not in alignment with the City's values including advertisement or other actions would not be presented to the Commission.

The proposed resolution would allow Parks and Recreation to engage the private sector and build funding sources to reconstruct park amenities the City has been unable to refurbish for some time.

**Motion:** Commissioner Reilly entertained a motion to recommend that the Parks and Recreation Advisory Commission vote to endorse this resolution and forward it to the City Attorney for review and then to the City Council's Rules Committee for scheduling to the City Council's Public Works Committee and ultimately to the full City Council for ratification. **Moved by:** Commissioner Kos-Read. **Second by:** Commissioner Allen. **Vote: 7 - Yes:** Commissioners Allen, Ha, Kos-Read, Reilly, D. Smith, K. Smith, and Tran. **1 – Excused:** Commissioner Walton. **Motion:** Pass.

8. PLANNING AND CONDITIONAL USE PERMITS:

9. MEASURE Q: OVERSIGHT/UPDATES/REPORTS:

- Hiring and expenditures update
- Park facilities presentation
- Budget wrap up

Oakland Public Works Staff:

Brian Carthan: Acting Assistant Director

Sean Maher: Measure Q Staff Liaison to PRAC

Derin Minor: Facilities and Services Manager

Brian Carthan and staff from Oakland Public Works provided the Commission a brief update on the department's hiring and expenditures to date related to Measure Q and a Parks facilities presentation.

**Brian Carthan: Hiring Matrix:**

Staff reviewed the hiring matrix and informed the Commission of that monthly hiring continues. While moving forward, the matrix will show fewer numbers because positions are being filled. Assessors are being recruited to support on-going performance examinations. While job

announcements for some positions have closed, other announcements were reopened to draw in more candidates. The onboarding process for new hires will begin in August. Interviews are being scheduled for candidates who passed June examinations. Staff discussed the vacancies in each classification including one due to an internal promotion.

### **Derin Minor: Parks Facilities Presentation:**

Shared a PowerPoint overview of the Facility Services Division's (FSD) role breadth of responsibility for City facilities including funding challenges and some other information.

Staff described a wide array of services provided by FSD ranging from parks to facilities. city buildings lighting security, trails, fences, play structures, parking lots and more. The Division responds to planned and unplanned repairs and referenced a deferred maintenance backlog.

FSD staff continued work from the onset of COVID-19 Workplace modifications, building upgrades, enhanced sanitization and variety of other health and safety related measures were made through out city facilities. FSD responded to COVID cases and partnered with city departments on sanitization, space assessments and reopening protocols.

The Building Maintenance Unit will receive 6 new facility maintenance positions provided by Measure Q. However, staff discussed the challenges the Unit faces operating at 50% of its staffing capacity.

The additional of custodial positions provided by Measure Q will support FSD's increased maintenance of park restrooms. Measure Q funds will also be utilized to make renovations and repairs to park facilities.

Staff discussed the Unit's budget challenges and opportunities from FY2017-21.

Chair Reilly requested Brooke Levin Co-Chair of the Yes on Measure Q Committee make comments of the budget process.

### **Brooke Levin: Debrief on Budget Process:**

Public Works is working on its final budget and has not yet received final confirmation. Ms. Levin reported that the mayor's proposed budget was sent to the City Council where the City Council President and several Councilmembers had proposals. City Council President amended her proposal. The list of one-time Measure Q funding fluctuated due to proposal changes. Ms. Levin review the funding levels provided to OPW maintenance crews and projects around Lake Merritt including granite path repairs and a restroom replacement. Other sites and projects mentioned include restoration of fields, permanent litter receptacles for parks, paint abatement projects at Arroyo Viejo, Caldecott, San Antonio, and Bella Vista Parks. Funds allocated for signs in English, Spanish, Chinese and Vietnamese was also mentioned.

Ms. Levin informed the Commission that the Measure Q team has made a public records request regarding a provision in the budget funding a 1.2mil CIP at Union Point Park. Ms. Levin relayed that CIPs are not allowable under Measure Q. The Measure Committee is waiting for a determination from the City Attorney's Office.

Public Comments: There were 3 speakers.

Commission Comments:

The Commission requested more trash receptacles be provided throughout the parks including attention to graffiti removal.

#### 10. UPDATE FROM THE DIRECTOR, COMMITTEES, RECREATION ADVISORY COUNCILS, & ANNOUNCEMENTS:

Director's Report:

- Director Williams to provide the Commission with department's weekly report.

Committees:

- Commissioner Allen:
  - Meets every 3<sup>rd</sup> Thursday with the Measure Q Subcommittee
  - Attended a Lake Merritt Taskforce meeting on 6/30 with Greg Minor, other staff, Jim MacIlvaine, Mr. Copes and Event Coordinator, Aris. Discussed the report with Mr. Copes. Working to hear all viewpoints.
- Commissioner Ha:
  - Tree Committee – OPW will present the Urban Forest Report at the August meeting.
  - OPW is working an outside consultant to start public engagement.
  - Rules Committee met on 6/18 – discussed language in rules and drafted potential changes. Plans to engage the Cultural Affairs Commission.
- Chair Reilly
  - Draft rules will return to the PRAC for review within a few months.

Recreation Advisory Councils (RAC):

- Commissioner Allen:
  - Mosswood is the only park of the five in her portfolio with a RAC. The RAC is currently on vacation.
  - Met with Ira Jenkins, EOSC and DeFremery and Mosswood on 7/2. All are in Town Camp.
  - Request for repairs at Ira Jenkins
  - Mosswood Park reporting issue with unhoued blocking road off Webster including dumping. Would like to invite member from the Homeless Encampment team to a meeting.
  - DeFremery – Staff wants to reactivate RAC. Discussed needed repairs. Dogs off leash and parking on lawn are issues. Staff concerned about Juneteenth issue at Lake Merritt spilling over to DeFremery Parks. Need to work with Resource Officer and Commission on Homeless. Other issues of concerns at park.
  - Council President Bas and Councilmember Fife will host a town hall in August to address Park Ambassadors.

Announcements:

- Chair Reilly introduced newly seated Commissioner Daral Smith.
  - Commissioner Smith thanked the Commission and shared that he worked with Parks and Recreation for 12 years and looks forward to giving back to the community.

11. OPEN FORUM CONTINUED:

There were 3 speakers.

12. ADJOURNMENT: 8:54pm

13. *Next Meeting:*

*Wednesday, August 11, 2021*

*Zoom Teleconference*

Respectfully submitted,

/s/ J. Nicholas Williams

J. Nicholas Williams  
Secretary

/s/ Diane Boyd

Diane Boyd  
Acting Recording Secretary



**CITY OF OAKLAND**  
**Oakland Parks, Recreation & Youth Development**

**TO:** Coire Reilly, Chair, Parks and Recreation Advisory Commission  
**FROM:** Zermaine Thomas, Acting Facility Manager, Central Reservations  
**DATE:** August 5, 2021  
**SUBJECT:** **Request From Oakland East Bay Garden Center, Inc. And Friends of the Gardens at Lake Merritt (FGLM) To Collect Funds On Site At The Annual Autumn Lights Festival/Fundraiser At Lakeside Park Garden Center And The Gardens At Lake Merritt On Thursday, October 14, 2021 – Saturday, October 16, 2021, From 6:00pm-11:00pm**

**SUMMARY**

Oakland Parks, Recreation & Youth Development received a request from Oakland East Bay Garden Center, Inc., (OEBGCI), the umbrella nonprofit for Friends of the Gardens at Lake Merritt (FGLM), to collect funds onsite for their 10<sup>th</sup> Annual Autumn Lights Festival/Fundraiser. The funds collected from this event will benefit improvements to the Gardens at Lake Merritt and Lakeside Park Garden Center. This event has been successful each year. Approval from the Parks and Recreation Advisory Commission is required per O.M.C. section 12.64.080.

**FISCAL IMPACT**

OEBGCI is responsible for this event, including its costs and impacts. OEBGCI has pledged: 1) This event will have minimal impact on OPRYD facilities, 2) To indemnify OPRYD and the City for this event, 3) To be responsible for all costs.

OEBGCI and FGLM have successfully managed events such as this in cooperation with OPRYD and Oakland Public Works (OPW) over the past years what benefits may be funded by the proceeds.

**PROJECT / PROGRAM DESCRIPTION**

The event, entitled “Autumn Lights Festival” will comprise of decorating the Gardens with various styles of artist-produced illuminating art pieces that enhance the existing gardens, food trucks and vendors, in addition to various sound environments and musical performances consistent with contemplation of the Gardens lit up by artist illuminations.

**Admission**

- \$20.00 for general admission in advance
- \$25.00 at the door
- \$7.00 per child (ages 6 and older) in advance
- \$10:00 at the door
- Ages five and under are admitted free of admission

The primary sources of revenue will be ticket sales, food vendor fees, beer and wine sales, OEBGCI and FGLM-branded merchandise, donations, and sponsorships. Proceeds will be accounted for by OEBGCI and reported to OPRYD. Net receipts will go entirely towards benefitting The Gardens at Lake Merritt and to extend the reach of the Gardens throughout Oakland and the East Bay.

Autumn Lights Festival tickets will be sold in advance, with ticket sales at the door should any tickets remain available after pre-sales. Food and beverage sales in addition to sales of art by local artisans will be sold at Autumn Lights Festival. OEBGCI and FGLM will solicit donations in support of the event and their respective community-based organizations.

OEBGCI and FGLM will solicit, curate and install lighted exhibits and other art displays, primarily produced by Oakland and East Bay artists. Oakland-based Heart of the Town Events will manage music production, publicity and event logistics.

The primary patron experience will be an opportunity to see the Gardens at their best, illuminated at night by innovative art installations and surrounded by other works from similarly-minded garden enthusiasts. Food trucks and local food vendors, as well as musical performances, will provide additional avenues of enjoyment at the event

### **BACKGROUND / LEGISLATIVE HISTORY**

OPRYD and OPW, in addition to other City departments, have worked closely with FGLM for years, and its parent organization, OEBGCI, since the early 1950s. Over the years, both organizations have provided considerable financial, volunteer, and other resources in support of the Gardens.

Fundraising and publicity provided by OEBGCI and FGLM have resulted in many benefits to the Gardens and the people of Oakland. Among the thousands of hours of volunteering facilitating the improvements at the Gardens, the redevelopment of the Sensory Garden, the Mediterranean Garden, the Japanese Garden, Bonsai Garden, and several newer editions. Many less obvious but critical additions of soil, compost, path materials, signage and plants have been funded by or facilitated via OEBGCI and FGLM.

A significant portion of garden maintenance has also been accomplished by teams of volunteers that FGLM has encouraged and managed. These teams have included those drawn by important dates such as Martin Luther King, Jr. Day and Earth Day, as well as by the regularly scheduled bi-monthly volunteer opportunities.

### **RECOMMENDATION**

Staff recommends that the Park and Recreation Advisory Commission approve the request Oakland East Bay Garden Center, Inc. and Oakland Public Works to collect funds onsite at their 10<sup>th</sup> Annual Autumn Lights Festival to be held at Lakeside Park Garden Center and Gardens at Lake Merritt on Thursday, October 14, 2021 to Saturday, October 16, 2021.

Respectfully submitted,

/s/ Zermaine Thomas

Prepared by:

Zermaine Thomas

Acting Facility Manager

/s/ Nicholas Williams

Approved by:

Nicholas Williams

OPRYD Director

Attachments: Exhibit A – OEBGCI Request Letter  
Exhibit B - Post Event Report 2019

**Oakland East Bay Garden Center, Inc.**  
**666 Bellevue Avenue**  
**Oakland, CA 94610**

May 25, 2021

Parks and Recreation Advisory Commission  
Office of Parks and Recreation  
250 Frank H. Ogawa Plaza, Suite 3330  
Oakland, CA 94612

Dear Commissioners:

Oakland East Bay Garden Center, Inc. (OEBGCI) and Friends of the Gardens at Lake Merritt (FGLM) hereby submit this request for approval to collect funds on site for the **10<sup>th</sup> Anniversary Autumn Lights Festival, taking place October 14-16, 2021 in the Gardens at Lake Merritt and adjacent Lake Merritt Garden Center.**

This letter of request provides the following information, per the PRAC requirements:

- Brief history of Autumn Lights Festival
- Overview of the event
- Review of key funds to be collected on site
- Reason for on-site fund collection
- Organization and program benefitting from collected funds

**Brief History of the Autumn Lights Festival**

Since 2012, the Autumn Lights Festival community fundraiser has been successfully staged in the Gardens at Lake Merritt and adjacent Lake Merritt Garden Center. All of the net proceeds from the event are invested in to the Gardens.

FGLM has worked closely with OPRYD and Oakland Public Works on various projects in the Gardens for over ten years – and its parent organization, OEBGCI, since the early 1950s. Over the years, the two organizations have provided considerable financial, volunteer, and other resources in support of the Gardens.

Fundraising and publicity provided by OEBGCI and FGLM have resulted in many benefits to the Gardens and the people of Oakland. Among the thousands of hours of volunteering facilitating the improvements at the Gardens, the redevelopment of the Sensory Garden, the new Rock garden, Pollinator gardens, the Japanese Garden, Bonsai Garden, and several more new editions; such as The New Entry Garden, the installation of the New Garden Gates, and new fencing surrounding the garden. Many less obvious but critical additions of soil, compost, path materials, signage and plants have been funded by or facilitated via OEBGCI and FGLM.

A significant portion of garden maintenance has also been accomplished by teams of volunteers that FGLM has encouraged and managed. These teams have included those drawn by important dates such as Martin Luther King, Jr. Day and Earth Day, as well as by the regularly scheduled weekly volunteer opportunities.

All net proceeds from Autumn Lights are re-invested in to the many community projects OEBGCI and FGLM carry out at the Gardens at Lake Merritt year-round.

Exhibit A  
Item 6A

## Overview of the Event

The 10th Anniversary Autumn Lights Festival will again comprise of decorating the Gardens with various styles of artist-produced illuminating art pieces that enhance the existing gardens, food trucks and vendors, in addition to various sound environments and musical performances consistent with contemplation and appreciation of the Gardens. Artist commissions are underway and a spectacular display is anticipated again this year.

## Funds to Be Collected On-Site:

The event plans to collect the following on-site funds:

- Food Vendors/Sales – As in past years, plans are underway to have food vendors and trucks. Food prices are likely to range from \$5 to \$15 depending on the item(s) being sold. OEBGCI/FGLM will charge each food vendor/truck a fee to participate.
- Beverage Sales – Beer, wine and soft drinks will be sold by OEBGCI/FGLM. Estimated beer and wine prices will be in the \$7 - \$9 range. Estimated price for soft drinks is \$2-\$3.
- Donations – OEBGCI and FGLM will solicit donations in support of the event and their respective community-based organizations.
- Tickets – Tickets to the event will be sold both in advance and on site. 2020 ticket prices are as follows: \$20 for general admission in advance; \$25 at the door, \$7 per child (ages 6 and older) in advance; \$10 at the door. Ages five and under are admitted free of admission.
- Art Market Sales – Several local artists and artisans, most of whom will also be displaying art in the Gardens, will participate in a central art market in the Ebell Room of the Garden Center. The artists and artisan will be selling their art on site. Prices vary depending on the type of art being sold. The artists/artisans will pay OEBGCI \$30 each to participate in the market.

## Reason for On-Site Fund Collection

The event is a community fundraiser. All net proceeds from the event are re-invested in to capital projects and other ongoing enhancements at the Gardens.

## Organization/Program Benefitting from Collected Funds

Proceeds from any fees will be applied to event-related expenses, including permits, operations, production, security, transportation, marketing, etc. The estimated overall operating budget for the 2020 Autumn Lights Festival is approximately \$120,000. 2019 ticket sales totaled \$182,691.11. We anticipate similar results for ticket sales again this year.

Both OEBGCI and the event producers, Heart of the Town Events, are (501c3) nonprofit organizations. OEBGCI is the umbrella organization for FGLM.

Respectfully submitted,

Carole Levenson and Tora Rocha  
Co-Presidents

Oakland East Bay Garden Center, Inc. /Friends of the Gardens at Lake Merritt

Exhibit A  
Item 6A



## 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: **8<sup>th</sup> Annual Autumn Lights Festival**

Location of Event: The Gardens at Lake Merritt; Lake Merritt Garden Center

Date/Hours of Event: October 17-19, 2019, 6:00 p.m. – 11:00 p.m. each evening

Permit No. on file

Contact Person: Tora Rocha, Friends of the Gardens at Lake Merritt

Phone No. 925-522-1381

Contact Person Address: PO Box 10895, Oakland, CA 94610

Is this a first time event at this location?  Yes  No If no, when was the event held previously? **The event is annual and began in 2012.**

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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 – Fire, ABC

### II. ATTENDANCE/COLLECTION OF FUNDS

- Total number in attendance: **9,613 (not including volunteers + staff)**
- Were registration or donation fees collected on-site for the event?  Yes  No  
 Not Applicable
- If yes, how many people registered? **10,295 people purchased tickets to the event.**  
How many people made donations? **0**
- What was the cost for registration? **Tickets were \$25.00 at the door; \$7.00 per child (ages 6 and older) in advance; \$20.00 at the door. Children ages five and under were admitted free of admission.**

POST EVENT REPORT (Continued)

Page 2

5. How much money was collected on site for registration fees? **\$38,515 in on-site / at-the-door ticket sales.**
6. How much money was collected on site for donations? **\$50**

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

Of 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
Cool Neon Wire	N	N	Participating artist	Y
Propagation Garden Group	Y	N	Plant Sales	Y
Misc. local artists that were part of the art show – most were displaying in the gardens as well.	Artisans	N	Various types of art – paintings, sculpture, artifacts, etc.	Y
Misc. food vendors – including Bombzies BBQ, Company Confections, Halal Bites of Chicago, Javi's Cooking, Cassave Taqueria, Antonik's, (included vegetarian and vegan options).	N	Burritos, Tacos, Asian, BBQ, Indian, vegan, etc.	Food	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.)

The event has been very successful, with large, happy crowds each year. We plan to build on the significant improvements initiated in 2016 with respect to ticketing and in 2017-2019 with the improved and expanded food court and improvements made to enhance accessibility for attendees with special needs. This year, OEBGCI will again work with City/OPR staff on ways to further enhance the City-run parking operation.

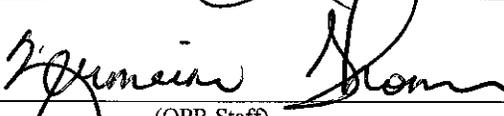
POST EVENT REPORT (Continued)

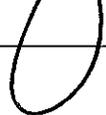
Page 3

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

See above.

Submitted by:  Date: 7-2021

Approved by:  (OPR Staff) Date: 7-2021

Comments: 



**CITY OF OAKLAND**  
**Oakland Parks, Recreation & Youth Development**

**TO:** Coire Reilly, Chair, Parks and Recreation Advisory Commission  
**FROM:** Zermaine Thomas, Acting Facility Manager, Central Reservations  
**DATE:** August 5, 2021  
**SUBJECT:** Request From SoOakland LLC Approval To Collect On-Site Entry Fees And Donations For SoOakland Day In The Park Event To Be Held At Joaquin Miller Park On Sunday, September 26, 2021, 1:00pm-7:00pm.

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**SUMMARY**

Oakland Parks, Recreation & Youth Development received a request from SoOakland LLC a non-profit organization created for natives and people of color to have a place to unapologetically celebrate who they are without criticism or scrutiny. SoOakland LLC is requesting approval to collect on-site entry fees and donations at the annual SoOakland Day in the Park to be held at Joaquin Miller Park on Sunday, September 26, 2021. Approval from the Parks and Recreation Advisory Commission is required per O.M.C. section 12.64.080.

**FISCAL IMPACT**

SoOakland is paying all fees associated with the event estimated at \$1845.00.

**PROJECT / PROGRAM DESCRIPTION**

SoOakland Day in the Park is a fun-filled bbq picnic in the park for Adults Only with live music the event includes games, tug-of-war, musical chairs, water balloons toss and more. This event is about the whine down of the summer to relax and enjoy.

The following funds are being requested to collect on site:

- Entry Fee – Day of Event \$15
- Donations – All Increments Accepted

The estimated attendance is 450.

A portion of the proceeds after expenses will go to the SoOakland Scholarship Fund.

**BACKGROUND / LEGISLATIVE HISTORY RECOMMENDATION**

Shayla Jamerson an Oakland Indie Award Nominee for Social Change is an Oakland Native who has created a positive movement to bring the Oakland she grew up in, into the future. Shayla is a visionary and an activist. She created SoOakland for like-minded people who live in “*The Town*” and love Oakland. The events are for young professionals, artists, activists, taste makers, and the fashion conscious to congregate and experience positive community.

**RECOMMENDATION**

Staff recommends that the Park and Recreation Advisory Commission approve SoOakland LLC request to collect an on-site entry fees and donation at SoOakland Day in the Park to be hosted at Joaquin Miller Park on Sunday, September 26, 2019, 1:00PM-7:00PM.

Respectfully submitted,

/s/ Zermaine Thomas

Prepared by:

Zermaine Thomas

Acting Facility Manager

/s/ Nicholas Williams

Approved by:

Nicholas Williams

OPRYD Director

Attachments: Exhibit A – SoOakland Proposal Letter



July 20, 2021

To: Parks and Recreation- Advisory Commission

Proposal: SoOakland Day in the Park @Joaquin Miller Park, Sunday, September 26, 2021

**About: SoOakland LLC:**

SoOakland LLC is a non-profit community event organization, focused on preserving the culture of Oakland, through small cultural events/experiences, activations, as well as a yearly city-wide festival since 2017.

SoOakland has been a pristine, respected organization within the City of Oakland for the last 6 years, receiving a proclamation from Mayor Libby Schaff, making July 30th officially, "SoOakland Day".

SoOakland has had over 50 beautiful, safe, well organized events, some which have been a part of Parks and Recs spaces, since they first began in 2015, and have continued to build welcoming community events throughout the city.

**Proposed Event:**

**Event:**

- SoOakland Day in the Park

**Location:**

- Joaquin Miller

**Time:**

- 1pm-7pm

**Age:**

- 21+

Exhibit A  
Item 6B

**Type of Event:**

● **Adult Only**

- Games- Musical Chairs, Sack Races, Kick Ball
- Music- Soul House, Rnb, Top 40, 90s HipHopn RnB
- Food- Attendees bring their own food
- Vendors- Approved craft vendors only(no food vendors), vendors must have a up to date business license/seller's permits only

● **Ticketed Event**

- Event will be collecting online sales only,
- Check in at gate only, donations collected on site
- 10 percent of ticket proceeds and any door donations will be donated to the SoOakland Foundation Scholarship Fund.

**COVID-19 Precaution**

- All attendees will be temperature checked at the gate before entering

Thank you,

*Shayla Jamerson*

Founder/CEO SoOakland LLC

Exhibit A  
Item 6B



**CITY OF OAKLAND  
Oakland Parks, Recreation & Youth Development**

**TO:** Coire Reilly, Chair, Parks & Recreation Advisory Commission  
**FROM:** Zemaine Thomas, Acting Facility Manager, Central Reservations  
**DATE:** August 5, 2021  
**SUBJECT:** Request From Oakland LGBTQ Community Center For Approval To Collect Funds Onsite Through Vendor Sales Of Merchandise, Crafts And Donations At Pride In The Park Held At Lakeside Park (Edoff Memorial Bandstand) on Saturday, September 11, 2021, From 12:00pm–6:00pm.

**SUMMARY**

Oakland Parks, Recreation & Youth Development received a request from the Oakland LGBTQ Community Center that is dedicated to enhancing and sustaining the well-being of lesbian, gay, bisexual, transgender and queer (LGBTQ) individuals, families and allies by providing educational, social and health related activities, program and services. Joe Hawkins of the Oakland LGBTQ Community Center is requesting to collect funds onsite through sales of merchandise, crafts and donations. The funds collected will benefit the Oakland LGBTQ Center. Pride in the Park to be held Lakeside Park (Edoff Memorial Bandstand) on Saturday, September 11, 2021, from 12:00pm-6:00pm. Approval from the Parks and Recreation Advisory Commission is required per O.M.C. section 12.64.080.

**FISCAL IMPACT**

Oakland LGBTQ Community Center paying all rental fees associated with the event estimated at \$2045.

**PROJECT / PROGRAM DESCRIPTION**

Pride in the Park is a day of free outdoor health and wellness festival with vendors, musical artist, dancing, and speakers. All ages, orientations and ethnicities are welcome.

The following items and funds are being requested to collect on-site:

<u>Items</u>	<u>Average Cost of Goods Sold</u>
Apparel/Accessories	\$5 - \$25
Crafts	\$1 - \$10
Wearable Art	\$1 - \$15
Food & Beverages	\$5 - \$25

The estimated attendance is 450.

**BACKGROUND / LEGISLATIVE HISTORY**

The Oakland LGBTQ Community Center was founded by Jeff Myers and Joe Hawkins and established as a 501(c)(3) in June 2017. Joe Hawkins, who is also a founding member of Oakland Pride, is the Center's first Executive Director. Jeff Myers, who also worked as a volunteer coordinator with Oakland Pride, is the Center's first Board Chair.

The Center headquarters offices opened and began operation, in July 2017, in the Co-Munity shared office spaces located at 3207 Lakeshore Ave., in Oakland's beautiful Lake Merritt district. The creation of this new service in Oakland marks the first time in our city's history that an organization has ever opened a multi-ethnic, multi-generational, LGBTQ community center.

**RECOMMENDATION**

Staff recommends that the Parks and Recreation Advisory Commission approve the request from the Oakland LGBTQ Community Center a to collect funds onsite through vendor sales of merchandise, crafts and donations at Pride in the Park on Saturday, September 11, 2021, from 12:00pm–6:00pm.

Respectfully submitted,

/s/ Zermaine Thomas

Prepared by:

Zermaine Thomas

Acting Facility Manager

/s/ Nicholas Williams

Approved by:

Nicholas Williams

OPRYD Director

Attachments: Exhibit A – Oakland LGBTQ Community Center Proposal Letter



July 7, 2021

Dear Parks and Recreation Advisory Commission,

My name is Joe Hawkins, CEO and Co-Founder of the Oakland LGBTQ Community Center, a 501c3 non-profit organization, tax ID# 82-2258008. Our offices are located at 3207 Lakeshore Ave, in Oakland.

The Oakland LGBTQ Community Center is Oakland's first all-inclusive LGBTQ+ community center, founded in 2017. Our multi-service center provides a broad array of health and wellness services (from youth to elders) and community building activities for our LGBTQ+ community. We also operate Oakland's only LGBTQ centered medical clinic.

The Oakland LGBTQ Community Center will celebrate our 4-year anniversary during the week of September 6-11, including our event called "Pride in The Park: LGBTQ Wellness Fest, on Saturday, September 11<sup>th</sup> from 12pm-7pm, at the Lake Merritt Bandstand & Gazebo. The event will be a health and wellness festival with vendor, musical artist, DJ's, dancing and speakers. We estimate 500 people will be in attendance.

The following items and funds are being requested to collect on-site:

<u>Items</u>	<u>Average Cost of Goods Sold</u>
Apparel/Accessories	\$5 - \$25
Crafts	\$1 - \$10
Wearable Art	\$1 - \$15
Food & Beverages	\$5 - \$25
Donations	* All increments accepted

Vendors will receive the proceeds from their sales of items. All donations will go to the Oakland LGBTQ Community Center.

There will be no alcohol or cannabis/hemp vendors. This will be a "sober" event. We plan to have a minimum of 10 food vendors. We will also offer free Covid-19 vaccinations, HIV testing, blood pressure checks, and other health and wellness related services.

We appreciate your consideration.

Best Regards,

A handwritten signature in black ink that reads "Joe Hawkins". The signature is fluid and cursive, with a large loop at the end.

Joe Hawkins  
CEO/Co-founder



**CITY OF OAKLAND**  
**Oakland Parks, Recreation & Youth Development**

**TO:** Coire Reilly, Chair, Parks and Recreation Advisory Commission  
**FROM:** Zermaine Thomas, Acting Facility Manager, Central Reservations  
**DATE:** August 5, 2021  
**SUBJECT:** **Request From Dopeonly (DO) Permission For Approval To Collect Onsite Entry Fees, Sales Of Alcoholic Beverages, Sales Of Foods And Merchandise At Their Cool Water Event To Be Held At Lakeside Park Garden Center On Saturday, September 4, 2021, From 2:00pm – 8:00pm.**

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**SUMMARY**

Oakland Parks, Recreation & Youth Development received a request from DopeOnly (DO), a brand management and marketing firm, requesting to collect funds at a community-based event known as Cool Water. This event was created as a social gathering to find synergy within the City of Oakland and has become a grand melting pot of people from all walks of life. Approval from the Parks and Recreation Advisory Commission is required per O.M.C. section 12.64.080.

**FISCAL IMPACT**

DopeOnly (DO) is paying all rental fees associated with the event estimated at \$1370.

**PROJECT / PROGRAM DESCRIPTION**

Cool Water is a social gathering which occurs several times a year. While the target demographic are like-minded professionals between the ages of 25 to 50, all are welcome to attend and participate in the organization's efforts to provide clothing to vulnerable community members through the Hoodies for the Homeless Initiative.

The following is a list of fees to be collected onsite:

- Entry Fee: \$20.00 per person
- Alcoholic Beverage Sales: \$8.00-\$15.00 per drink
- Food Sales: \$6.00- \$15.00 per item
- Merchandise Sales: \$10.00-\$40.00 per item

Small business will also benefit via Cool Water vendorship. Event organizers anticipate an estimated attendance of 500.

**BACKGROUND / LEGISLATIVE HISTORY**

DopeOnly (DO) is a community based Brand Management/Marketing firm which was established in 2012. The mission is to create space where fresh occurrences happen continually through conversation, produce sales (t-shirts/sweatshirts), hosting events and marketing products that support the Oakland Community.

**RECOMMENDATION**

Staff recommends that the Parks and Recreation Advisory Commission approve the request from DopeOnly (DO) to collect entry fees, sell alcoholic beverages, and host food/t-shirt vendors on site at the Cool Water Event held at Lakeside Park Garden Center on Saturday, September 4, 2021.

Respectfully submitted,

/s/ Zermaine Thomas

Prepared by:

Zermaine Thomas

Acting Facility Manager

/s/ Nicholas Williams

Approved by:

Nicholas Williams

OPRYD Director

Attachments: Exhibit A – Dope Only (DO) / Cool Water Proposal Letter

6/18/21

Parks and Recreation Advisory Commission

250 Frank H. Ogawa Plaza, Suite 3330

Oakland, CA 94612

RE: DopeOnly Marketing/Cool Water

Dear sir or madam,

DopeOnly Marketing is a place where ideas lead and find room to flourish. We have long been interested in what's fresh, new, and innovative, with a conscious eye on its ability to not only have sustaining power but have cultural appeal as well. DOM has been in business for just over 8 years and it is our mission to be a space where fresh occurrence happens continually, be it products, events, or conversation. We welcome you to visit our site, [www.DopeOnly.com](http://www.DopeOnly.com). Upon doing so, you will immediately be introduced to our keen sense of pride for our City and the varying walks of life that make up its community.

Every endeavor is community based, and not as a fleeting campaign but as culture. From our annual backpack and school supplies give-a-way for students exemplifying excellence in the classroom, to our "Hoodies for the Homeless" initiative that literally puts a blanket around Oakland. We believe "Appreciation" doesn't have a scale; its value is heightened by the one who is experiencing it at a given time, so to give, no matter how small, can have an immeasurable reward. Also, the idea of community has no separation; it's a broad feeling for the whole of its parts, and to that end, absolutely nothing is off limits because "what's dope" penetrates life itself.

It is our hope to find synergy with the City of Oakland for a gathering we have created called "Cool Water". To date, we have done 10 Cool Water events, spanning back to 2013, including one abroad. The response has been overwhelming to say the least, complete with folks beginning to call it "the best kept secret in Oakland" because we don't promote it in conventional ways, i.e. flyers, redundancy, and/or heavy radio spots. We've been able to target likeminded folks and they, in kind, tell folks who they know would be a benefit to the gathering itself. The result is a grand melting pot of vast walks of life, from doctors, lawyers, city officials, state officials, and a host of other professionals all adding to the "cool". Though the ages range from 25-50, there truly is no demographic for "cool", it just is. For our part, just add water. We've been able to create a groove that people look forward to. Cool Water, itself, has become culture, exactly what it was intended to do. Its community element is simple, it fueled "Hoodies for the Homeless". However, broadly, it is meant to impact Oakland in a positive way any time it comes around.

We are formally requesting to collect funds on site, but mainly because we support small businesses at Cool Water via vendorship. A wide array of food types and art have come to gather at Cool Water, highlighting the flow of commerce. However, each and every small business there must have the same feel for customer service that we have, which is there is nothing more important, period. It is our hope

Exhibit A

to catapult a standard of business where high level products and high level customer service are common place. We have begun this process and the initial steps have been excellent. Please be advised, we are a "for profit" collective, but we have a non-profit called "A Sista's Touch", [www.asistastouch.org](http://www.asistastouch.org), that allows us to circle back to home in a genuine effort to cultivate positive outcomes in and for our community.

We truly appreciate the city officials who have reached out to us in efforts to bring what Cool Water is into the city fold, this I can't stress enough. It is our hope that we can find a way to further the groove together, uninterrupted. Please feel free to give me a call at 510-470-1779 if you have any questions, comments, concerns, or issues of any kind regarding this proposal.

Thank you

Rod Campbell

DopeOnly Marketing

P.O. Box 18613

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Exhibit A



**CITY OF OAKLAND**  
**Oakland Parks, Recreation & Youth Development**

**TO:** Coire Reilly, Chair, Parks and Recreation Advisory Commission  
**FROM:** David Moore, Oakland Public Works – Parks and Tree Services  
**DATE:** August 4, 2021  
**SUBJECT: REQUEST FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO RECEIVE AND PROVIDE COMMENT ON AN INFORMATIONAL REPORT AND UPDATE ON OAKLAND’S URBAN FOREST MASTER PLAN AND TREE INVENTORY.**

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**SUMMARY**

This is an informational report to provide an update on the status of the City of Oakland’s Citywide Tree Inventory, Urban Forest Master Plan, and tree planting project. In 2018, Oakland received a grant from the California Department of Forestry & Fire Protection (CAL FIRE) to 1) conduct a street and park tree inventory, 2) develop a fifty-year urban forest management plan (UFMP), and 3) plant 700 trees in disadvantaged and low-income communities throughout Oakland. The City has contracted with Davey Resource Group (DRG) to complete the tree inventory and develop the UFMP. Tree planting is occurring in Oakland parks in census tracts specified by CAL FIRE’s grant guidelines. The project began in early 2019 and is scheduled to be completed in 2022.

**FISCAL IMPACT**

Since this report is informational only, no fiscal impacts are included.

**PROJECT / PROGRAM DESCRIPTION**

*Tree Inventory:* The purpose of a tree inventory is to collect data on the distribution and condition of individual trees as well as the overall urban forest for planning and asset management purposes. Oakland’s tree inventory included all street trees located in developed public right-of-way, landscaped parks, and City facilities. Trees in the undeveloped right of way in the Oakland hills and in open space parks were not collected. The tree inventory was completed in early 2021 with the following results:

Street trees:	55,992
Park trees:	12,875
TOTAL:	68,867

Potential vacant planting sites were also collected in streets only during the inventory process. A total of 29,006 sites were identified. These sites serve as potential tree planting locations for planning purposes.

The results of the tree inventory will be used to understand the composition of Oakland’s urban forest and the many environmental, human health, and financial benefits these trees provide.

*Urban Forest Master Plan:* This aims to answer the following questions about our urban forest:

- What is the distribution and condition of Oakland’s urban forest?
- What are our future goals for Oakland’s urban forest?
- What are the strategies to achieve these goals?
- How do we implement these strategies and monitor progress?

Community outreach is a crucial component for pursuing an UFMP. Through the coordination of OPW, the Department of Race & Equity, DRG, and DRG’s consultant Fair Forests Consulting, community outreach for the UFMP will be equity-driven and focused on reaching black, indigenous, and other people of color (BIPOC) populations who have been historically underserved by City services. The equity component of the outreach program is a priority for this project.

OPW is developing a simple Request for Proposals (RFP) to send out to local community groups to propose effective plans for engaging community members. OPW has \$46,000 total in grant funding available to distribute for outreach. This RFP will be advertised and posted on the project’s website and elsewhere when it is ready.

The primary hub for the UFMP and related outreach is at [www.publicinput.com/Oaklandtrees](http://www.publicinput.com/Oaklandtrees). Outreach plans and meetings are still in the design process but will be posted on this website when the UFMP outreach plan is ready. Anyone may sign up for plan update emails on this website.

*Tree Planting:*

As part of this project, OPW is planting 700 trees in parks in disadvantaged communities and in low-income communities within ½ mile of a disadvantaged community, according to the CalEnviroScreen 3.0 map issued by the California Office of Environmental Health Hazard Assessment (OEHHA). At this time, 351 trees have been planted in the following parks:

Site Name	No. of Trees
Bella Vista Park	7
Brookfield/Bill Patterson Park, EOSC	57
Carter Gilmore Park	13
DeFremery Park	57
Grove Shafter Park	37
Lafayette Square Park	7
Lion Creek Park/Coliseum Gardens	42
Lowell Park	21
Main Library & Lakeside Park	13
Mandela Parkway	31
Manzanita Park	4
Marston Campbell Park	8
Myrtle St & Village Circle	3
Raimondi Park	20
South Prescott Park	13
Wade Johnson Park	13
Willow Park	4

OPW is focusing on planting large stature trees, primarily oaks when possible, per the requirements of our grant agreement. OPW is currently planning tree plantings in Sobrante Park, Columbian Gardens Park, Arroyo Viejo Park, Vantage Point Park, and other parks within the areas specified by the CalEnviroScreen 3.0 map.

*Ordinance Updates:* As part of the UFMP, the Protected Tree Ordinance is under review by OPW with the City Attorney’s Office and DRG. The City’s tree ordinance has not been updated in a many years. The principles and goals set forth in the UFMP will help inform the ordinance updates.

**BACKGROUND / LEGISLATIVE HISTORY**

Oakland Public Works (OPW) applied for and was awarded the grant from CAL FIRE for this project in 2018. City Council approved the grant award and appropriation of funds in October 2018. This is a major project that has been a long-standing goal of OPW for many years.

This will be the City’s first comprehensive urban forest management plan and is intended to guide policies and practices for a fifty-year period. Previous urban forestry plans have been created in the past, such as the 1981 “GREENSTREETS” report by the Urban Trees Design Group and the 1998 “Street Tree Plan,” and have focused on specific aspects of the urban forest. The current UFMP will be the first comprehensive report based on industry standards for urban forestry planning and arboriculture.

The inventory is also the City’s first comprehensive approach to collecting species, health, and maintenance needs data on all street trees in sidewalks and landscaped parks across Oakland. This new inventory provides us with the necessary information to identify and prioritize work and inform policy decisions.

**RECOMMENDATION**

The Tree Services Division of Oakland Public Works recommends that the Park and Recreation Advisory Commission receives this informational report regarding Oakland’s urban forestry projects.

Respectfully submitted,

  
\_\_\_\_\_ (Signature)

Prepared by:  
Gordon Matassa  
Administrative Analyst II

*David Moore*  
\_\_\_\_\_ (Signature)

Approved by:  
David Moore  
Tree Supervisor II



**CITY OF OAKLAND  
Oakland Parks & Recreation**

**TO:** Coire Reilly, Chair, Parks and Recreation Advisory Commission  
**FROM:** Harith Aleem, OPRYD, on behalf of Oakland-resident Megan Palsa  
**DATE:** March 22, 2021  
**SUBJECT: REQUEST FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO RECEIVE AN INFORMATIONAL REPORT FROM OAKLAND-RESIDENT, MEGAN PALSA, ON THE ENVIRONMENTAL IMPACTS TO JOAQUIN MILLER PARK AS A RESULT OF THE CURRENT USE IN CONJUNCTION WITH THE ABSENCE OF ADEQUATE CITY MONITORING.**

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**SUMMARY**

Joaquin Miller Park (JMP), often referred to as Oakland's jewel in the hills is a regional destination and beloved neighborhood amenity for visitors who are hikers, mountain bikers, equestrians, dog owners, thespians, cross country runners, naturalist, historians, writers, and outdoor enthusiast of this 500-acre park.

Oakland Parks, Recreation, & Youth Development (OPRYD) received a request from Megan Palsa, a resident of Oakland's City Council District 4, to submit a informational report and make a presentation to the Park and Recreation Advisory Commission (PRAC) regarding the environmental impact of the current activities taking place at Joaquin Miller Park (JMP) in conjunction with the absence of adequate city monitoring and policing. Ms. Palsa is raising awareness and concern for the rapid deterioration of the park, particularly, the on-going development of unauthorized bike trials that threatens the future of the park.

Ms. Palsa visits JMP several times weekly, as she has done for the past 16 years, running trails and hiking with her family. Ms. Palsa is a member of Friends of Joaquin Miller Park and volunteers in the park planting native ferns and ground cover in the ravine forest.

**BACKGROUND**

In 2009, the City of Oakland adopted a budget that discontinued the Park Ranger Unit whose mission was to improve the quality and safety of the parks in Oakland for the enjoyment of the community and to serve as a resource for park patrons. The Rangers accomplished this mission in part by educating park users and enforcing park rules and City ordinances. In the absence of the Rangers, the need for community engagement and volunteerism was more critical than ever. In an attempt to mitigate some of the negative impacts associated with the loss of the Rangers, the City encouraged stakeholder engagement through volunteer organizations such as Friends of Joaquin Miller and Bicycle Trails Council of the East Bay, whose missions and focus aligned with OPRYD.

**Significant Issues**

- a. Environmental damage.

- b. No environmental study has been done since 2000.
- c. Resident park use has not been observed, tallied, categorized, or monitored. Park users come from distances as far as Gilroy and Watsonville, Antioch, Brentwood, and beyond to access single-track bike trails. Informal headcount on weekends indicates more than five-hundred bikers and more than one-thousand pedestrians visitors to the park. Sanctioned multi-use park trails are deteriorating to dangerous levels and unsanctioned trails proliferate decimating redwood forest and fauna.
- d. Current single-track trails have already been studied and documented as inappropriate for multi-use but no implementation enforced.
- e. JMP has insufficient fencing and signage and a complete absence of a Ranger presence.

### **FISCAL IMPACT**

Since this report is informational only, no fiscal impacts are included.

### **PROJECT / PROGRAM DESCRIPTION**

Purpose of this project after recognition of the need for intervention. The PRAC would establish the following goals:

- a. Annual park review with environmentalist
- b. Re-labeling JMP as a park instead of open space for city fund allocation
- c. Establish an expectation that stakeholder groups provide weekly park supervision in absence of park Ranger for prevention of ongoing destruction
- d. Monthly PRAC review of established signs for replacement and repair
- e. Finally, and most significant new park expectations for bike use to preserve the 450 acres as redwood parkland.
- f. This plan would involve both pedestrian and bike populations.

Below is one suggested plan for maintaining JMP as a mountain bike park yet preserving forest.

1. Permits & Fees: Establish a permit and fee system for mountain bikers and mountain biking organizations who use the Park for impromptu rides, and for group rides and mountain biking classes.
2. Each rider and trip leader would be required to take an orientation class regarding environmentally sensitive areas of the Park, and to secure a fee-based permit regarding the allowable routes and “leave no trace” principles.
3. In turn, the permittee would be required to convey this information to riders in their group, and to carry their permit while leading rides in the Park.

4. Fees would be devoted to hiring and paying the salaries of City Park Rangers who would be charged with patrolling the Park and enforcing rules.
5. Institute seasonal closures of the trails in JMP for mountain biking in the December 1st - March 1st. This would allow the trails to “rest” when they are most sensitive and help balance access to the Park across all user groups.
6. Prohibit mountain biking within the Park after each rainfall event; see links below for 1-day rest per inch of rain, or 1-day rest per 1/4 inch of rain.
  - a. <https://mbosc.org/2018/12/wet-weather-riding-etiquette/>
  - b. <https://www.sagetrail.org/rainetiquette/>
7. Require user groups to devote x number of volunteer hours per month toward trash cleanup within the Park and on the Park’s periphery, and toward erosion control projects. The Park’s most sensitive and representative plant communities and geological features would be carefully mapped, and designations would be made for "environmental core areas" that would be kept mostly off-limits from “consumption” by recreational users. These core areas are the ecological anchors that drive ecosystem processes across the watershed and ensure that the Park remains healthy given prescribed levels of use. An example of environmental core areas mapped at a regional scale is the Significant Ecological Areas designated by the City of Los Angeles.

## **RECOMMENDATIONS**

### **Megan Palsa recommends to the PRAC:**

1. Receive this informational report on the environmental impacts to Joaquin Miller Park as a result of the current use in conjunction with the absence of adequate city monitoring.
2. Enlist commission support to fully assess the current state of JMP with physical visitation in conjunction with naturalist and utilizing below map of the park which includes sanctioned and unsanctioned trails.
3. Provide weekend formal tally of park usage by pedestrian, bike, and horseback riders.
4. Review the following studies and recommendations for managing a redwood forest, open space, and multi-use trail management. PRAC can draw on the methodologies and examples of numerous local, regional, and State entities who are successfully balancing the demands of multiple user groups today across California. See resource list below.
  - a. Impact of Social Trails around old-growth Redwood Trees  
<https://scholarworks.calstate.edu/downloads/5q47rq96z>

- b. Mountain Biking Impact Review FAQs [https://mbosc.org/mtb-impact-faq\\_plants-wildlife/](https://mbosc.org/mtb-impact-faq_plants-wildlife/)
  - c. Mountain Biking Program - Mid-Peninsula Open Space District <https://www.openspace.org/what-to-do/activities/biking>
  - d. EBRPD Land Use Planning Process <https://www.ebparks.org/about/planning/>
  - e. EBRPD Narrow Natural Surface Trails Managing Multiple Use\_03 24 11 <https://www.ebparks.org/civicax/filebank/blobdload.aspx?BlobID=23279>
  - f. County of Sacramento Off Paved Trail Cycling Pilot Program 2017 <https://regionalparks.saccounty.net/AnalyticsReports/Final%20Approval%20-%20RPC%20Report%20Back%20June%202017%20-%20Revised.pdf>
  - g. CDPR 2020 Soil Conservation Standard Guidelines for OHV Parks [http://ohv.parks.ca.gov/pages/1140/files/Final\\_2020Soil\\_Conservation\\_Standard\\_Guidelines.pdf](http://ohv.parks.ca.gov/pages/1140/files/Final_2020Soil_Conservation_Standard_Guidelines.pdf)
  - h. City of Los Angeles - Significant Ecological Areas Program <https://planning.lacounty.gov/site/sea/maps/>
  - i. An Assessment of Trails, Watercourses, Soils, and Redwood Forest Health in Joaquin Miller Park...Recommendations for Management, 2000 <https://www.oaklandbikepatrol.com/JoaquinMillerParkStudy.pdf>
5. Determine after the above issues complete master plan to support the preservation of JMP while still permitting ongoing multi use.

## **CONCLUSION**

The current use levels at the Park by all stakeholders, e.g., professional dog walkers, summer science camps, organized mountain biking clubs, and the daily "walk-up" or "ride-up" visitors are almost certainly exhausting the topsoil, limiting the Park's ability to support the natural propagation of native flora and fauna, and leave the Park much less resilient to future disturbances and disease.

Respectfully submitted,

/s/ E. Harith Aleem Jr. (Signature)

Prepared by:

E. Harith Aleem

Recreation General Supervisor

/s/ J. Nicholas Williams Sr. (Signature)

Approved by:

J. Nicholas Williams

Director, OPRYD



**CITY OF OAKLAND  
Oakland Parks & Recreation**

**TO:** Coire Reilly, Chair, Parks and Recreation Advisory Commission  
**FROM:** Greg Minor, Department of Economic and Workforce Development  
**DATE:** July 6, 2021  
**SUBJECT: REQUEST FOR THE PARKS AND RECREATION ADVISORY COMMISSION TO APPROVE THE CONTINUED USE OF PARK SPACE ADJACENT TO EL EMBARCADERO FOR A VENDING PILOT ON SATURDAYS AND SUNDAYS**

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**SUMMARY**

On April 14, 2021 the Parks and Recreation Advisory Commission (PRAC) approved a weekend vending pilot for a three-month period on the space adjacent to El Embarcadero to provide a path to compliance for retail and mobile food vendors during the COVID-19 pandemic. A similar vending pilot took place in the fall of 2020, which was successful both in supporting local vendors and improving overall access to Lake Merritt. By focusing vending in one designated area, these pilots have helped discourage unlawful activities around Lake Merritt, reduce trash and sanitary waste, and enhance vendors' compliance with COVID-19 protocols.

On June 24, 2021, the Oakland City Council adopted a Budget for Fiscal Years (FY) 2021-2023, which includes \$693,951 in funding to extend Lake Merritt operations through November 2021. This funding covers the cost of staff in the Oakland Police Department, Department of Transportation, as well as Municipal Code Enforcement. In addition, this policy funds porta-potties, handwashing stations, trash collection, and vendor program management at Lake Merritt. In the Budget the City Council also directed staff to develop a plan and timeline for phasing out City department teams and phasing in parks ambassadors and other alternatives to address safety and community at Lake Merritt.

Accordingly, the Special Activity Permits Division in the Department of Economic and Workforce Development (EWD)<sup>1</sup> recommends that the PRAC authorize a continuation of the vending pilot on weekends on the portion of park property adjacent to El Embarcadero through November 2021. This report also includes alternative recommendations for the PRAC's consideration.

**FISCAL IMPACT**

Facilitating the vending pilot requires funds to ensure City staff, sufficient garbage, sanitary and other services, however, as noted above the City Council has allocated funds to cover these costs through November 2021. Even in the absence of an approved vending program, the City incurs costs responding to unregulated activity taking place at Lake Merritt. That said, to become

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<sup>1</sup> The Special Activity Permits Division moved from the City Administrator's Office to EWD as part of the FY 2021-2023 Budget.



sustainable the program will require a steady funding source as an event of this size every weekend requires several staff members. As of now the City Council has served as the funding source and the funding is only through November 2021.

### **DESCRIPTION OF VENDING PILOT**

The vending pilot will take place on Saturdays and Sundays from 10am-6pm through November 2021 along El Embarcadero, the park space adjacent to El Embarcadero, and if needed Lakeshore Avenue between El Embarcadero and MacArthur Boulevard as outlined in **Attachment A**. Situating the vending pilot in this location allows vendors to take advantage of El Embarcadero, which is already being closed as a traffic mitigation measure. Authorizing the use of park space adjacent to El Embarcadero offers additional space for vendors, which helps staff to direct vending activity around Lake Merritt towards one designated area.

Vending will consist of merchandise and food vendors who obtain any required health permits. The vending pilot will also include garbage and sanitary waste services and all vending activity will comply with local and state COVID-19 public health requirements.

### **BACKGROUND / LEGISLATIVE HISTORY**

In recent years the number of people visiting Lake Merritt, especially in summer months, has increased dramatically causing a variety of issues ranging from traffic safety to unauthorized commercial vending and large amounts of litter, all of which place an outsized burden on City resources. The COVID-19 pandemic has added additional layers of complication, as public health guidance encourages activities to take place outdoors and vendors who normally would be generating revenue from events have lost income due to prohibitions on gatherings and other economic impacts of COVID-19 Health Orders.

In the summer of 2020, the City Administrator created a Lake Merritt Working Group (Working Group) to ensure an interdepartmental approach to the City's response to these issues. The Working Group implemented several measures in the summer and fall of 2020 including the launch of a pilot street vending program, street closures, parking restrictions, enhanced public outreach and enforcement activity.

#### *Vending Pilot in the Fall of 2020*

The vending pilot in the fall of 2020 was informed by the PRAC's recommendation that the City create a safe space for vending to occur as soon as possible and not within the boundary of the park to avoid regulatory hurdles. The City partnered with local event planner A2Z Media to organize the Lake Merritt Pilot Vending Program which launched in early October and continued until Thanksgiving with positive results. The Oakland Black Business Fund agreed to reimburse any vendor for their Business Tax License cost if they were participating in the program and within a few weeks 97% of the vendors were able to do so.



Since the City was already closing El Embarcadero and southbound Lakeshore Avenue to vehicle traffic, the area was well-suited for the vending pilot. Over 70 vendors participated in the program and provided strong support in a survey conducted by A2Z Media. The pilot allowed entrepreneurs to make desperately needed income during the pandemic.

An additional benefit to offering a legal area for vending is it allows the Municipal Enforcement Officers by isolating the illegal vending of alcohol and cannabis that occurs outside the pilot area.

### *Spring of 2021*

In the spring of 2021, a survey of Lake Merritt residents found support both for last fall's vending pilot as well as a new pilot. Specifically, a majority of respondents found last fall's pilot as either very or moderately successful and a majority approve the City continuing to support a licensed and managed street vending program. Additionally, over seventy percent of respondents supported closing El Embarcadero to create space for vending.

In the spring of 2021, the absence of an authorized vending pilot as well as traffic control measures resulted in a return to the same negative impacts from the summer of 2020. These impacts included alcohol sales, loud music, and illegal parking blocking bike lanes, the center turn lane on Lakeshore, and overflowing garbage cans in the area.

### *Most Recent Vending Pilot*

As a result of the above issues, staff recommended and the PRAC approved a three-month vending pilot in April 2021. In parallel, the Department of Transportation issued a flex streets permit for the use of El Embarcadero, effective April 24<sup>th</sup> through July 25<sup>th</sup>. In May the City selected Aurice Guyton Events to manage the pilot, who launched the Black International Marketplace of Oakland, established an online registration system for vendors, and improved program organization.<sup>2</sup> Additionally, with the state of California relaxing COVID-19 guidelines on June 15<sup>th</sup>, the pilot has been able to incorporate temporary food facilities in recent weeks.

In terms of data on vendors within the pilot, between May 22<sup>nd</sup> and June 27<sup>th</sup> the pilot has averaged approximately 44 vendors a day, with a high of 84 vendors on Saturday June 19<sup>th</sup> during the Juneteenth holiday, followed by a low of 15 vendors the following day on Sunday June 20<sup>th</sup>. The percentage of Oakland vendors and vendors with current City of Oakland business tax certificates has increased over time. For example, on May 22<sup>nd</sup> only 26 percent of vendors were Oakland residents and only 34 percent had current business tax certificates, whereas on Saturday June 26<sup>th</sup> 76 percent of vendors were Oakland residents and 94 percent had current business tax certificates. Additional vendor data is available in **Attachment B**.

While enforcement of unpermitted vending around Lake Merritt, particularly on Juneteenth, remains challenging, the ability to refer vendors towards a compliant location has been helpful.

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<sup>2</sup> More information about the Black International Marketplace of Oakland can be found here: <https://www.bimoo.org/>

If the vending pilot were to take place at a different location or not at all, staff anticipates unpermitted vending will continue similar to the summer of 2020 and spring of 2021, and staff will encounter even more resistance bringing vendors into compliance.

## **POLICY ALTERNATIVES**

Below are alternative proposals for the PRAC's consideration, specifically alternative locations, durations, and frequencies for the vending pilot program.

### *Location*

While the current location takes advantage of foot traffic around Lake Merritt and El Embarcadero, a small street closure that assists with weekend traffic management at Lake Merritt, alternative locations have benefits as well.

One such alternative location is Snow Park. Snow Park offers a relatively enclosed location where vending could take place below the grass area and food trucks could park along Harrison Street. Since no street closure would be needed, this location would require less staff resources than the current pilot. However, it is unclear whether vendors would transition to this location or if vendors would continue to operate at or near existing locations on Lake Merritt that they believe are more visible to customers. If unpermitted activities then scattered around Lake Merritt, this could result in staff exhausting resources trying to bring operators into compliance. One potential solution to this could be marketing the event to ensure sufficient foot traffic at the new location.

Another alternative location is Splash Pad Park. While Splash Pad Park is not available on Saturdays due to the Farmer's Market, the location is near the current pilot and already has a framework for vendors and is a known marketplace destination.

Relocating the pilot to any location will take time to ensure a smooth transition for staff and vendors alike. Accordingly, if the PRAC recommends that the vending pilot continue in another location, staff recommends including a transition period where vending continues at the current location before relocating.

### *Duration*

Another factor for the PRAC to consider is how much longer a vending program should take place. In the FY 2021-2023 Budget the City Council allocated funding to support a vending pilot program through November 2021, however, the PRAC could recommend extending the vending program to a shorter time period, such as through Labor Day. A shorter duration could allow for another operation and evaluation period before the PRAC considers another extension. On the other hand, limiting the duration of the vending program might create uncertainty for staff and vendors alike, as well as require additional PRAC and staff time to discuss the same issue in just over a month.

### *Frequency*

In addition to an alternative location and duration of the vending program, the PRAC could approve vending activities at a different frequency. For example, rather than every Saturday and Sunday, the PRAC could approve the vending program once a week or once a month. Reducing the frequency of vending activities could re-balance the use of park space, potentially reduce the need for staff resources, and make the sales of goods more unique and attractive to customers. On the other hand, reducing the amount of days would reduce the overall amount of opportunities for vendors seeking to recover from the economic impacts of the COVID-19 pandemic, and unpermitted vending may well take place on days outside of the limited permitted days, which will ultimately require staff resources to manage.

### **RECOMMENDATION**

Based on the experience of the vending pilots in the fall of 2020 and the summer of 2021, as well as the experience of not having a vending program in place in the summer of 2020 and spring of 2021, staff recommends that the PRAC approve the continued use of the park area adjacent to El Embarcadero on Saturdays and Sundays for a vending pilot program through November 2021. Continuing a vending program through the fall will make the best use of existing staff resources as the City transitions out of the COVID-19 emergency and events across the City and region gradually return.

Respectfully submitted,



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GREG MINOR  
Assistant to the City Administrator

Attachment A: *Map of Proposed Vending Pilot*

Attachment B: *Vendor Data*

# Lake Merritt Vending Pilot Program through November 2021

## ATTACHMENT A

**Figure One: Proposed Vending Area**



**Figure Two: Additional Vending Area If Needed**

MacArthur Blvd to El Embarcadero on Lakeshore Avenue—Parking Lane and Right lane Closure

Vendors:  Emergency Fire Lane—Left Lane will remain open during vending hours 



**Photographs of Proposed Vending Site**

El Embarcadero towards Grand Avenue (1 of 6)



El Embarcadero towards Lakeshore Avenue (2 of 6)



**Pergola at Lake Merritt**—Facing Grand Avenue (3 of 6)

Proposed vending Area:



**Pergola at Lake Merritt**—Facing Lakeshore Avenue (4 of 6)

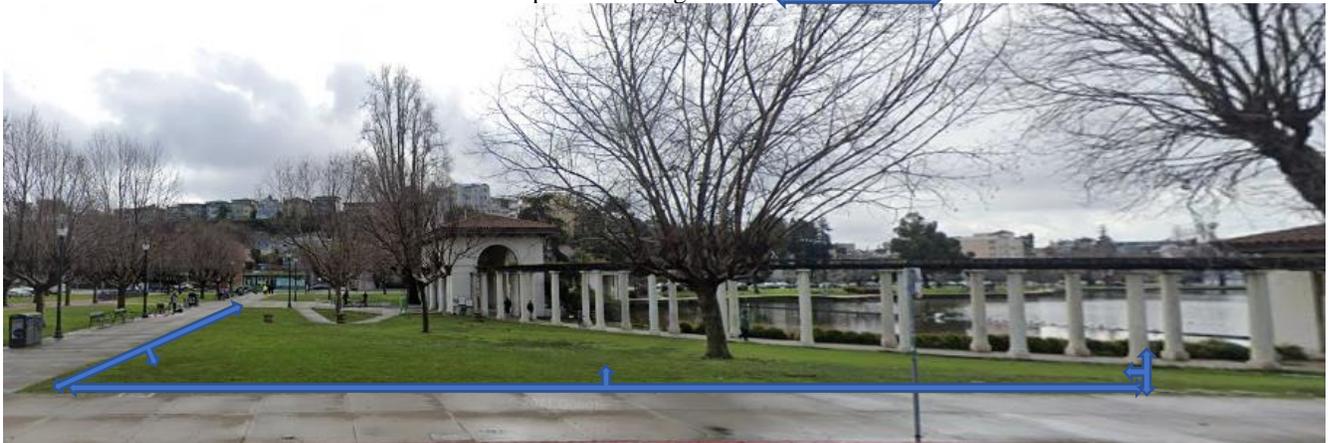
Proposed vending Area:



**Pergola at Lake Merritt**—Facing Lakeshore Avenue (5 of 6)  
Proposed vending Area:



**Pergola at Lake Merritt**—Facing Grand Avenue (6 of 6)  
Proposed vending Area:



## ATTACHMENT B

### Lake Merritt Pilot Program 2021 PRAC Report Vendor Demographics

#### **May 22nd**

Total Vendors 34  
Food Vendors 0  
Retail Vendors 34  
Vendors with Sellers Permit 13  
Vendors with Oakland Business License 13  
Vendors that reside in Oakland 9  
San Francisco 2  
Berkeley 2  
Modesto 2  
San Jose 1  
Los Angeles 1  
Unknown 17

#### **May 23rd**

Total Vendors 39  
Food Vendors 0  
Retail Vendors 39  
Vendors with Sellers Permit 13  
Vendors with Oakland Business License 13  
Vendors that reside in Oakland 12  
San Francisco 2  
Modesto 2  
Sacramento 1  
San Leandro 1  
Berkeley 1  
San Jose 1  
Walnut Creek 1  
Los Angeles 1  
Unknown 17

#### **May 29**

Total Vendors 48  
Food Truck 1  
Report for City  
2  
Retail Vendors 47  
Vendors with Sellers Permit 20  
Vendors with Oakland Business License 20  
Vendors that reside in Oakland 20  
San Francisco 2  
Modesto 1  
Sacramento 2  
San Leandro 1  
San Jose 1  
Los Angeles 1  
unknown 19

**May 30**

Total Vendors 49  
Food Truck 1  
Retail Vendors 48  
Vendors with Sellers Permit 20  
Vendors with Oakland Business License 20  
Vendors that reside in Oakland 21  
San Francisco 2  
Richmond 1  
Sacramento 2  
San Leandro 1  
Walnut Creek 1  
Unknown 21

**June 5**

Total Vendors 52  
Food Truck 1  
Retail Vendors 51  
Vendors with Sellers Permit 31  
Vendors with Alameda County Business License 31  
Vendors that reside in Oakland 23  
San Francisco 3  
Richmond 2  
Sacramento 3  
Berkeley 1  
Antioch 4  
Modesto 1  
Report for City  
3  
San Leandro 1  
Unknown 14

**June 6**

Total Vendors 54  
Food Truck 1  
Retail Vendors 53  
Vendors with Sellers Permit 35  
Vendors with Alameda County Business License 35  
Vendors that reside in Oakland 25  
San Francisco 4  
Richmond 2  
Sacramento 3  
Berkeley 1  
Antioch 4  
Modesto 2  
San Leandro 1  
Unknown 13

**June 19th (Juneteenth)**

Total Vendors 84  
Food Vendors 6  
Retail Vendors 79  
Vendors with Sellers Permit 57



Vendors with Alameda County Business License 57  
Vendors that reside in Oakland 26  
San Francisco 4  
Richmond 9  
Sacramento 5  
Vallejo 5  
Stockton 3  
Union City 6  
Berkeley 1  
San Jose 1  
Modesto 1  
Unknown 33

**June 20th (Fathers Day)**

Report for City  
4  
Total Vendors 15  
Food Vendors 2  
Retail Vendors 13  
Vendors with Sellers Permit 11  
Vendors with Oakland Business License 11  
Vendors that reside in Oakland 11  
San Francisco 2  
Antioch 1  
Sacramento 1

**June 26**

Total Vendors 34  
Food Vendors 5  
Retail Vendors 29  
Vendors with Sellers Permit 32  
Vendors with Oakland Business License 32  
Vendors that reside in Oakland 26  
San Francisco 2  
Richmond 1  
San Leandro 1  
Vallejo 2  
Union City 1  
Modesto 1

**June 27**

Total Vendors 26  
Food Vendors 3  
Retail Vendors 23  
Vendors with Sellers Permit 24  
Vendors with Oakland Business License 24  
Vendors that reside in Oakland 18  
San Francisco 2  
Richmond 1  
Antioch 1  
Vallejo 2  
Berkeley 1  
Modesto 1