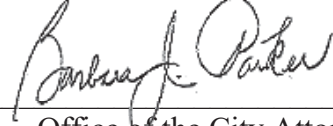


Approved as to Form and Legality



Office of the City Attorney

OAKLAND CITY COUNCIL
ORDINANCE NO. _____ C.M.S.

Introduced by Council President Fortunato Bas and Councilmember Kalb

ORDINANCE AMENDING CHAPTER 2.29 OF OAKLAND MUNICIPAL CODE, WHICH SETS FORTH THE FORM OF ORGANIZATION THROUGH WHICH THE FUNCTIONS OF THE CITY UNDER THE CITY ADMINISTRATOR'S JURISDICTION ARE ADMINISTERED, TO PROVIDE THAT THE FUNCTIONS AND DUTIES OF THE MOBILE ASSISTANCE COMMUNITY RESPONDERS PROGRAM AND ANY CIVILIAN CRISIS RESPONSE PROGRAM SHALL BE ADMINISTERED BY THE FIRE DEPARTMENT

WHEREAS, the City Charter section 600, entitled "Administrative Organization Authorized," provides as follows:

"The Council shall by ordinance provide the form of organization through which the functions of the City under the jurisdiction of the City Administrator are to be administered. Any combination of authorized duties, powers and functions which in the judgment of the Council will provide the most efficient and economical service possible, consistent with the public interest and in keeping with accepted principles of municipal administration, may be authorized by such ordinance. All departments or other administrative agencies so created shall be administered by the City Administrator or by a department head or other officer appointed by and responsible to him/her."; and

WHEREAS, pursuant to its power and duty under Charter section 600, the Council adopted Chapter 2.29 of the Oakland Municipal Code ("OMC"), entitled City Agencies, Departments and Offices, which establishes the form of organization through which functions under the City Administrator are administered; and section 2.29.010 of that Chapter provides that the City's departments and agencies "shall function under the leadership of a single Director and may consist of divisions and/or bureaus."; and

WHEREAS, OMC section 2.29.40; established the Fire Department; and

WHEREAS, the Fire Department already has an emergency dispatch unit and related experience in responding to calls for services that encompass residents facing mental health crises; and

WHEREAS, the Council adopted a motion at the March 2, 2021 Council meeting providing clear direction to house the Mobile Assistance Community Responders of Oakland (MACRO) and any Civilian Crisis Response program in the Fire Department; and

WHEREAS, the Council desires to amend OMC section 2.29.40 to provide that the functions and duties of the mobile assistance community responders program and any civilian crisis response program shall be administered by the Fire Department;

NOW, THEREFORE, the Council of the City of Oakland does ordain as follows:

SECTION 1. The Municipal Code is hereby amended to add, delete, or modify sections as set forth below (section numbers and titles are indicated in **bold type**; additions are indicated by underscoring and deletions are indicated by ~~strike-through type~~; portions of the regulations not cited or not shown in underscoring or strike-through type are not changed).

SECTION 2. Chapter 2.29.40 of the Municipal Code, entitled Fire Department, hereby is amended to read in its entirety as follows:

2.29.040 - Fire Department.

There is established in the City government a Fire Department which shall be under the supervision and administrative control of the City Administrator. The powers, functions and duties of said Department shall be those assigned, authorized and directed by the City Administrator, provided that the Fire Department shall administer the functions and duties of the mobile assistance community responders program and any civilian crisis response program. The management and operation of the Fire Department shall be the responsibility of the Chief of Fire who shall serve as Director of said Department, subject to the direction of the City Administrator.

SECTION 3. This ordinance shall become effective immediately upon its final adoption by the affirmative vote of six or more members of the City Council of the City of Oakland. If the ordinance is finally adopted with the affirmative votes of five members of the Council, it shall take effect upon the seventh day after final adoption.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES – FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS

NOES –
ABSENT –
ABSTENTION –

ATTEST: _____

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California

Date of Attestation: _____