

# AGENDA REPORT

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**TO:**  
Honorable  
Mayor and  
members of  
the City  
Council and  
the Public

**FROM:** Councilmember Rebecca  
Kaplan. At-Large Office.  
Dan Kalb, District 1.

**SUBJECT:**  
MACRO  
Advisory  
Board

**DATE:** November 25, 2024

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## **RECOMMENDATION**

**Councilmember Rebecca Kaplan and Councilmember Dan Kalb recommend that the City Council adopt the following:**

### **ORDINANCE ESTABLISHING ADVISORY BOARD FOR MOBILE ASSISTANCE COMMUNITY RESPONDERS OF OAKLAND (MACRO) PROGRAM**

#### **Executive Summary**

This proposed ordinance establishes a formal, public, advisory board for MACRO, thus completing an objective of the City Council when it established the MACRO program. The Mobile Assistance Community Responders of Oakland (MACRO) was launched to improve community safety and response to public needs.

#### **A. DUTIES AND FUNCTIONS**

It shall be the duty and function of the MACRO Advisory Board to: 1. Provide advice to the City Council on best practices for responding to nonviolent 911 emergency calls. 2. Conduct community meetings and use other public forums to collect and receive public input on the above subject matter. 3. Review reports published by the MACRO program and make recommendations to the City Council, as needed. 4. Make yearly reports and recommendations to the City Council, through the City Administrator, regarding the operations of the MACRO Program. 5. Perform such other functions and duties as may be directed by the Mayor, City Council, or City Administrator or City Administrator's designee. In prescribing the above duties and functions of the MACRO Advisory Board it is not the intent of the City Council to duplicate or overlap the functions, duties, or responsibilities heretofore or hereafter assigned to any other

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City board, commission or City department. Nor does the Council intend to create additional administrative or reporting burdens for the MACRO Program or the Department.

#### B. MEMBERSHIP AND QUORUM

The MACRO Advisory Board shall consist of seven (7) members, at least five (5) of whom are Oakland residents. Pursuant to Section 601 of the Charter, members of the Advisory Board shall 3 3348282/LL be appointed by the Mayor subject to confirmation by the affirmative vote of five members of the Council. Four (4) members shall constitute a quorum. Each Advisory Board member shall serve as a volunteer without pay. The members shall be appointed to overlapping terms of two (2) years, or until a successor is appointed and confirmed pursuant to Section 601 of the City Charter. An appointment to fill a vacancy shall be for the unexpired term only. To assure that terms overlap, appointments shall be as follows: three (3) initial members will serve a one-year initial term, and the other four (4) initial members will serve two-year terms. In the event an appointment to fill a vacancy has not occurred by the expiration of a member's term, that member may remain in a holdover capacity for up to one year only following the expiration of his or her term or until a replacement is appointed, whichever is earlier. No member of the MACRO Advisory Board shall serve more than three (3) consecutive terms. All members of the MACRO Advisory Board shall be persons who have an interest in public health, social services, and/or the provision of emergency services as demonstrated by work experience, civic participation, and/or political advocacy. To the extent feasible, members shall include experts in the provision of emergency and/or crisis and/or mental health services who have experience working with Oakland's most impacted communities such as individuals who have been involved with the criminal legal system, unsheltered individuals, domestic violence survivors, youth, and survivors of state violence. To the extent feasible, members should be representative of the communities being served.

#### C. CONFLICTS OF INTEREST

No member of the MACRO Advisory Board shall cast a vote on or participate in a decision-making capacity on the provision of services by that member or any organization that the member directly represents, on any matter which would provide a direct financial benefit to such member or a member of his or her immediate family, or on any other matter which would result in the member violating any conflict of interest law or regulation.

#### D. VACANCY AND REMOVAL

A vacancy on the MACRO Advisory Board will exist whenever a member dies, resigns, or is removed, or whenever an appointee fails to be confirmed by the Council within 60 days of appointment. Vacancies shall be filled for any unexpired term provided, however, that if the Mayor does not submit for confirmation a candidate to fill the vacancy within 90 days of the date the vacancy first occurred, the Council may fill the vacancy. If the Mayor does submit for confirmation a candidate to fill a vacancy within the 90-day time frame and the Council does not confirm the candidate, the 90-day period shall commence anew. For purposes of this Section, a 4 3348282/LL seat filled by a holdover appointment will be considered vacant as of the expiration of the holdover's prior term of office. Pursuant to Charter Section 601, a member may be removed for cause, after a hearing, by the affirmative vote of at least six (6) Council members.

#### E. OFFICERS AND ELECTIONS

At the first regular meeting, and subsequently at the first regular meeting of each year, members of the MACRO Advisory Board shall elect a chairperson and a vice chairperson.

#### F. MEETINGS AND VOTING

The MACRO Advisory Board shall meet at an established regular interval, day of the week, time and location suitable for its purpose. Such meetings shall be designated regular meetings. Other meetings scheduled for a time or place other than the regular day, time and location shall be designated special meetings. Written notice of special meetings shall be provided to the MACRO Advisory Board members and all meetings of the Advisory Board shall comport with the Ralph M. Brown Act and the City's "Sunshine Ordinance" (Chapter 2.20 of the Oakland Municipal Code). The MACRO Advisory Board shall, in consultation with the City Administrator, establish bylaws, rules and procedures for the conduct of its business by a majority vote of the members present. Voting shall be required for the adoption of any motion or resolution. Any action by the Advisory Board shall be approved by a majority of members present provided a quorum exists. The Advisory Board may convene community meetings to solicit community testimony and other input in discussions regarding the MACRO program and to address other similar and relevant subjects as determined by the Board within its jurisdiction. The Advisory Board may invite subject matter experts and individuals to provide informational presentations, regarding relevant topics within its jurisdiction.

#### G. STAFF

Staff assistance may be provided to the MACRO Advisory Board as determined by the City Administrator pursuant to the City Administrator's authority under the Charter to administer all affairs of the City under his or her jurisdiction. 5 3348282/LL.

#### H. TRAINING

Advisory Board members shall be provided training and/or training materials (videos, written reports or outlines, etc.) on the following: 1) MACRO Program policies and procedures; 2) basic principles of Roberts Rules of Order and meeting procedures; 3) the legal requirements of California's Political Reform Act (Cal. Gov. Code §81000, et seq.), Oakland's Conflict of Interest Code (Oakland Municipal Code, Ch. 3.16), Oakland's Government Ethics Act (Oakland Municipal Code Section Ch. 2.25), California's Brown Act (Cal. Gov. Code §54950, et seq.), Oakland's Sunshine Ordinance (Oakland Municipal Code Ch. 2.20), and California's Public Records Act (Cal. Gov. Code §6250, et seq.); and 4) bias and equity from the Department of Race and Equity.

#### **BACKGROUND/LEGISLATIVE HISTORY**

On March 16, 2021, the City Council adopted Resolution 88553 CMS in which, among other things, Council stated an intent to create an Advisory Board to serve as an advisory partner to the Oakland Fire Department in developing MACRO. Council further conveyed that Advisory Board members would include experts in the provision of emergency and/or crisis and/or mental health services who have experience working with Oakland's most impacted communities, including individuals who have been involved with the criminal legal system, unsheltered individuals, domestic violence survivors, youth, survivors of state violence, and that members would be representative of the communities being served.

The MACRO program developed its community advisory board in 2022. The board meets monthly with program management and primarily serves the same function as the board envisioned by the Council. Some members of the existing community advisory board have expressed an interest in having a more formal board, subject to public meeting requirements and receiving more formal training and guidance regarding their role.

Section 601 of the City Charter, entitled "Boards and Commissions," reserves to the City Council the authority to create boards and commissions by ordinance, and to prescribe their function, duties, powers, jurisdiction, and the number of board and commission members, their terms, compensation, and reimbursements for expenses, if any.

**FISCAL IMPACT**

Adopting this ordinance establishes the framework for the advisory board, which must be staffed according to the guidelines set by the Oakland City Charter (refer to the section titled "Staff" in this report). However, the adoption of this ordinance alone does not result in any fiscal impact.

**COORDINATION**

This ordinance was drafted with the Office of the City Attorney and the Public Safety and Services Violence Prevention Oversight Commission (SSOC).

**ACTION REQUESTED OF THE CITY COUNCIL**

**ORDINANCE ESTABLISHING ADVISORY BOARD FOR MOBILE ASSISTANCE  
COMMUNITY RESPONDERS OF OAKLAND (MACRO) PROGRAM**

For questions regarding this report, please contact Michael Alvarenga, Legislative Analyst, at malvarenga@oaklandca.gov

Respectfully submitted,

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At-Large District

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District 1

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