

MISSING EXECUTED LEGISLATION FORM

88553

Resolution / Ordinance Number:

City Council Meeting Date

MAR 16 2021

Agenda Item No.

S21

Recorded Vote

8 Ayes

Status of Resolution/Ordinance:

☐ Filed without signature

☐ No signed version will be filed

☒ Council amended legislation

☐ No signed version will be filed

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Department

Councilmember Kalb

Contact Person/Ext.

DMos / 3557

Notes (if any)

Amended 10th Whereas Clause and
added additional Further Resolve.

2021 MAR 12 AM 1:19


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER DAN KALB AND
COUNCIL PRESIDENT NIKKI FORTUNATO BAS

RESOLUTION DIRECTING THE CITY ADMINISTRATOR TO EXPLORE AND IMPLEMENT OPTION(S) FOR EXPEDITING THE ONE-YEAR PILOT PHASE OF THE MOBILE ASSISTANCE COMMUNITY RESPONDERS OF OAKLAND (MACRO) PROGRAM, INCLUDING BUT NOT LIMITED TO: (1) CONTRACTING WITH THE COUNTY OF ALAMEDA, FOR COUNTY MENTAL HEALTH SPECIALISTS, CIVILIAN EMERGENCY MEDICAL TECHNICIANS (EMTS) AND OTHER COUNTY STAFF, AND/OR EXPEDITIOUSLY HIRING AND TRAINING LIMITED-DURATION CITY STAFF; (2) DIRECTING THE CITY ADMINISTRATOR TO RETURN TO COUNCIL WITH MONTHLY PROGRESS REPORTS, PRESENT TO THE COUNCIL ANY LEGISLATION NECESSARY TO EXPEDITE THE MACRO PROGRAM, INCLUDING STAFFING AND BUDGETING FOR IMPLEMENTING THE PROGRAM, AFTER CONSIDERING URBAN STRATEGIES COUNCIL'S RECOMMENDATIONS AND RECEIVING INPUT FROM LABOR REPRESENTATIVES, CITY DEPARTMENTS, AND COMMUNITY ORGANIZATIONS AND MEMBERS; (3) DIRECTING THE CITY ADMINISTRATOR TO CONTRACT FOR AN EVALUATION OF THE INITIAL PHASE OF MACRO; (4) DIRECTING THE CITY ADMINISTRATOR TO RETURN BY APRIL 20, 2021 WITH THE APPROPRIATE LEGISLATION TO ALLOCATE OR APPROPRIATE FUNDS, FOR 1.0 FULL TIME EQUIVALENT POSITION IN THE MACRO PROGRAM TO MANAGE THE PROGRAM; AND (5) DIRECTING THE CITY ADMINISTRATOR TO RETURN TO THE COUNCIL, AFTER COMMUNITY INPUT, WITH RECOMMENDATIONS FOR ADDING ADDITIONAL CATEGORIES OF CALLS FOR SERVICE AFTER THE INITIAL PHASE

WHEREAS, in the 2019-2020 Mid-cycle budget, the Oakland City Council included Forty Thousand dollars (\$40,000) for Urban Strategies Council to research the feasibility of a CAHOOTS-like program in Oakland, and after a year of consultations with stakeholders, including the most impacted community members, Urban Strategies provided a comprehensive analysis and recommendations of the contours of a pilot program in two Oakland areas, recommending a launch that will cost approximately Three Million Ninety Thousand Dollars (\$3,090,000); and

WHEREAS, the structure of the proposed pilot program includes: a more appropriate, non-police response to non-violent/non-felony calls; a model unique to Oakland; a proposal that improves Oakland Police Department (OPD) response time to urgent calls; a design based on community members helping their own communities; a program that can save the City money and lives while the community demands a call to reinvest in the community and allow for the police to spend more time solving crime; and

WHEREAS, the issues of police misconduct, excessive use of force and their accountability to the communities they serve are at the forefront of public and political debate as America recently witnessed the murder of George Floyd and learned of the details of Breonna Taylor's homicide by police. Community efforts to address these types of issues in Oakland have a long history –Black and Brown residents have historically distrusted the police and engaged in resistance and struggle to envision new approaches to public safety and police/community relations; and

WHEREAS, as many times as police are called for cases with individuals who have mental health issues, a police response can go seriously wrong and even lead to death. Interactions with police add unnecessary stress and tension to a difficult situation and frequently have a delayed response. Recently, community activism has focused on one specific area of concern: how police respond to 911 non-violent and mental health- related calls; and

WHEREAS, in 2020, the Department of Violence Prevention (DVP) conducted a competitive Request for Qualifications (RFQ) process to identify an experienced, appropriate service provider to implement the MACRO pilot program and received five proposals in response to the RFQ. Following an evaluation of the responses to the RFQ, in January and February 2021, the proposal from Bay Area Community Services Incorporated obtained the highest score for the implementation of the MACRO Pilot Project in accord with Specification No. 239506; and

WHEREAS, before the March 2 meeting of the City Council, the three highest scoring applicants that responded to the RFQ withdrew their proposals to implement the MACRO pilot program; and

WHEREAS, at the March 2 meeting of the City Council, Council President Bas made a motion seconded by Councilmember Kalb authorizing and directing the City Administrator to explore options for expediting the one-year pilot phase of the MACRO program within the Fire Department, including but not limited to (1) contracting with the County of Alameda, including but not limited to county mental health specialists, and/or (2) expeditiously hiring and training limited-duration employees within the Fire Department's newly designated Division, and/or (3) entering into professional services agreement(s) with one or more nonprofits qualified in mental health outreach; and (4) directing the City Administrator to return to the Council on March 16 to report his progress and recommend legislation he needs to expedite the MACRO pilot, including for staffing and budgeting of the designated Division, after considering the Urban Strategies Council (USC) recommendations and input from Labor Representatives and City departments as appropriate; and (5) directing the City Administrator to retain an independent consultant to evaluate the initial phase of MACRO and to develop recommendations, with community input, for adding additional categories of calls for services after the initial phase (the "March 2, 2021 Motion"); and

WHEREAS, while the MACRO program will be established in the Fire Department pursuant to Chapter 2.29 of the Oakland Municipal Code, and may initially include a combination of limited duration employees and a contract with the County, it is the desire and the goal of the Council that the MACRO civilian crisis response program become a city program with permanent city employees, and that the City Administrator work diligently to create any necessary permanent job classifications to facilitate ultimately housing the program in-house.

WHEREAS, community engagement and input are essential to MACRO's effectiveness, and many community and labor organizations have been engaged in the process of developing MACRO thus far; and

WHEREAS, training of the MACRO team is essential to its effectiveness, and such training should advance the goal of MACRO to create a transformative alternative response to police, where community members that have been at the center of violence (as victims or perpetrators) are considered for hire as responders. Training should be led by community organizations and experts with, expertise and qualifications in mental health response, de-escalation, and working with Oakland's most impacted communities including individuals who have been involved in the criminal legal system, unsheltered individuals, domestic violence survivors, youth, survivors of state violence, among others, and should be representative of the communities being served; and

WHEREAS, MACRO shall continue to engage community and labor organizations as it develops to ensure input and involvement of the most impacted communities; and

WHEREAS, the City Council intends to create an Advisory Board for the purpose of serving as an advisory partner to the Oakland Fire Department in developing MACRO, which members shall include, but not be limited to, 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 members shall be representative of the communities being served; and

WHEREAS, other cities have successfully launched similar programs; for example, Olympia, WA, Portland, OR, and Albuquerque, NM have undertaken similar programs using in-house staffing models to provide civilian response; and

WHEREAS, cities including San Francisco and Los Angeles have partnered with private foundations to resource these alternative response programs, and Oakland should seek private partners to invest in this important work in our city; now, therefore, be it

RESOLVED, MACRO shall center the input from the most impacted communities in Oakland, including individuals who have been involved in the criminal legal system, unsheltered individuals, domestic violence survivors, youth, and survivors of state violence, among others; and be it

FURTHER RESOLVED, that the City Administrator shall explore and implement option(s) for expediting the one-year pilot phase of MACRO, including but not limited to contracting with the County of Alameda, for county mental health specialists, civilian emergency

medical technicians (EMTs) and other county agencies, and/or expeditiously hiring and training limited duration city employees; and be it

FURTHER RESOLVED, that the City Council directs the City Administrator to return by April 20, 2021 with the appropriate legislation to allocate or appropriate funds, whichever is required, for 1.0 Full Time Equivalent (FTE) in the MACRO program to manage it; and be it

FURTHER RESOLVED, that the City Administrator shall return to Council with monthly progress reports and present to the City Council any legislation necessary to expedite the MACRO program, including for staffing and budgeting to implement the program, after considering Urban Strategies Council's recommendations and receiving input from labor representatives, City Departments, and community organizations and members; and be it

FURTHER RESOLVED, that the City Administrator shall retain an independent consultant to evaluate the initial phase of MACRO; and be it

FURTHER RESOLVED, that the City Administrator shall return to the Council, after community input, with recommendations for adding additional categories of calls for service after the initial phase; and be it

FURTHER RESOLVED, that this Resolution shall supersede Council's March 2, 2021 Motion to the extent the Motion conflicts with or is inconsistent with this Resolution.

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