

Approved as to Form and Legality



City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. 90319 C.M.S.

INTRODUCED BY COUNCILMEMBERS TREVA REID AND DAN KALB

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**RESOLUTION IN SUPPORT OF CALIFORNIA SENATE BILL 1050  
(BRADFORD, D.) WHICH REQUIRES THE OFFICE OF LEGAL AFFAIRS  
TO REVIEW CLAIMS OF PROPERTY TAKEN DUE TO RACIALLY  
MOTIVATED EMINENT DOMAIN AND DETERMINE RIGHTFUL  
OWNERSHIP OR COMPENSATION**

**WHEREAS**, 1050 proposes significant measures to address racially motivated eminent domain practices within the state of California; and

**WHEREAS**, existing law, including the Racial Equity Commission and related frameworks, seeks to advance racial equity and address structural racism in California; and

**WHEREAS**, SB 1050 mandates the establishment of the Office of Legal Affairs within the California American Freedmen Affairs Agency to review, investigate, and determine claims of property taken through racially motivated eminent domain; and

**WHEREAS**, "racially motivated eminent domain" is defined as the acquisition of private property for public use without just compensation due to the owner's ethnicity or race; and

**WHEREAS**, the Office of Legal Affairs, upon determination of rightful ownership, is required to certify entitlement to property or compensation from the Fund for Reparations and Reparative Justice; and

**WHEREAS**, if the determination is rejected by the acquiring agency, SB 1050 provides avenues for dispossessed owners to challenge the taking or compensation amount; and

**WHEREAS**, the Office of Legal Affairs must provide notification and an appeal process if it determines that an applicant is not a rightful dispossessed owner; and

**WHEREAS**, all decisions of the California American Freedmen Affairs Agency under SB 1050 are subject to judicial review; and

**WHEREAS**, SB 1050 also exempts the California American Freedmen Affairs Agency from certain provisions regarding in-house counsel, ensuring effective implementation of its provisions; and

**WHEREAS**, SB 1050 includes findings and declarations related to the use of public funds to support its objectives; now, therefore, be it

**RESOLVED** that the City Council supports SB 1050 (Bradford) in the California legislature; and be it

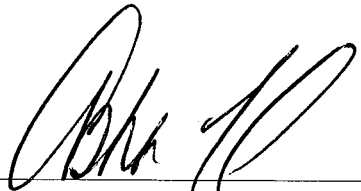
**FURTHER RESOLVED:** that the City Council directs the City Administrator or his designee to immediately distribute this resolution upon its adoption to Governor Gavin Newsom and State Senator Steven Bradford.

IN COUNCIL, OAKLAND, CALIFORNIA,                      **JUN 26 2024**

PASSED BY THE FOLLOWING VOTE:

AYES - - FIFE, ~~GALLO~~, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND  
PRESIDENT FORTUNATO BAS - 7

NOES - 0  
ABSENT - 0  
ABSTENTION - Gallo

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