



AGENDA REPORT


TO: Jestin D. Johnson
City Administrator

FROM: Erin Roseman
Director of Finance

SUBJECT: Slavery Era Disclosure Annual Report

DATE: April 17, 2024

City Administrator Approval


Jestin Johnson (May 1, 2024 15:04 PDT)

Date: May 1, 2024

RECOMMENDATION

Staff Recommends That The City Council Receive An Informational Report On The Slavery Era Disclosure Ordinance

EXECUTIVE SUMMARY

The 2005 “City of Oakland Slavery Era Disclosure Ordinance” (“Ordinance”) requires an annual report to the City Council that provides the information collected from affidavits and identifies all fund recipients.

This is the annual report for the Slavery Era Disclosure Ordinance. Since October 6, 2023, the Slavery Disclosure Ordinance Annual Update implementation status report was presented, and one more Slavery Era Disclosure Affidavit, Schedule S “Affidavit” has been received. It is available on the City’s Website at www.oaklandca.gov/services/slavery-disclosure.

The Slavery Era Disclosure Fund (Fund 2422) was renamed the Black New Deal Fund in May 2023. No donations have been received to date, and the fund has a balance of \$0.

BACKGROUND / LEGISLATIVE HISTORY

In 2005, the Oakland City Council enacted the “City of Oakland Slavery Era Disclosure Ordinance” (“Ordinance”), codified as Chapter 9.60 of Title 9 of the Oakland Municipal Code ([12686 C.M.S.](#)). Oakland’s Ordinance was adopted to promote the full and accurate disclosure to the public of the scope of historical ties to slavery within Oakland and to establish a fund to which contractors subject to the Ordinance, and others, can make voluntary contributions to “promote healing and assist in remedying” the present-day legacy of slavery.

The Ordinance applies to three categories of City contractors—contractors that provide (1) insurance services to the City or (2) financial services to the City, and (3) any textile, tobacco, railroad, shipping, rice, and/or sugar company doing business with the City. Covered contractors must complete the Slavery Era Disclosure Affidavit, Schedule S “Affidavit”, verifying

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that they searched company records—including those of predecessors in interest, parent companies, and subsidiaries—for any evidence that those entities “bought or sold people subjected to slavery, used people subjected to slavery as collateral, provided loans to purchase people subjected to slavery, insured such transactions or the people subjected to slavery during the slavery era and/or provided related or other services to aid and abet such transactions.” (OMC § 9.60.010.) The affidavit must disclose the name of each enslaved person and slaveholder mentioned in the records and the evidence of transactions that benefitted or profited from slavery.

The Affidavit is available on the City’s Website at www.oaklandca.gov/services/slavery-disclosure. The Finance Department has revised the standard contracting templates to include the Slavery Era Disclosure information and Schedule S Affidavit requirements. The City Administrator has not expressly waived the Ordinance disclosure requirements for certain covered city contractors.

The Ordinance also requires the establishment of a voluntary fund to provide, among other uses, education support and economic development to economically depressed Oakland neighborhoods. The City Administrator is tasked with overseeing the fund.

On October 6, 2020, the City Council unanimously adopted Resolution No. [88321](#) C.M.S. directing the City Administrator to (1) fully implement the Ordinance; (2) provide an initial informational report to Council regarding the status of slavery era disclosures and the associated fund at a Council meeting before the end of 2020; (3) provide an annual informational report at Council meetings to supplement the ordinance’s annual reporting regarding the status of the implementation of the Ordinance; and (4) after consultation with the City Attorney, make publicly available on the City’s website all completed affidavits and reports regarding slavery era disclosures.

ANALYSIS AND POLICY ALTERNATIVES

This informational report serves as the Slavery Era Disclosure Ordinance’s annual report to the City Council with information on affidavits received, funds received, and funds disbursed. The presentation of this report supports the Citywide priority of **responsive, trustworthy government**.

The information provided is as of April 17, 2024. As described in the October 6, 2023, Slavery Disclosure Ordinance Annual Update status of implementation report “Implementation Report”, the Ordinance has been fully implemented since April 2023.

Since the October 6, 2023 Implementation Report was presented, one additional Affidavit from US Bank has been received. It is posted, along with all the other affidavits that have been received, on the City’s Slavery Disclosure Ordinance Monitoring and Enforcement webpage at www.oaklandca.gov/services/slavery-disclosure.

The Slavery Era Disclosure Fund (Fund 2422) was renamed the Black New Deal Fund in May 2023. To date, Fund 2422 has not collected any deposits and has a \$0 fund balance. As such, no disbursements have been made.

FISCAL IMPACT

This item is for informational purposes only and does not have a direct fiscal impact or cost.

PUBLIC OUTREACH / INTEREST

This item did not require additional public outreach other than posting on the City's website.

COORDINATION

This report was prepared by the Finance Department.

SUSTAINABLE OPPORTUNITIES

Economic: There are no economic opportunities associated with this informational report.

Environmental: There are no environmental opportunities associated with this informational report.

Race & Equity: In the interest of justice and racial equity, this report provides information requested from companies that have done or are doing business with the City of Oakland regarding investments or profits from slavery or slaveholder insurance policies.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Receive An Informational Report On The Slavery Era Disclosure Ordinance.

For questions regarding this report, please contact Sarah Herbelin, Assistant to the Director, at 510-238-4491.

Respectfully submitted,



Erin Roseman (Apr 26, 2024 12:17 PDT)

ERIN ROSEMAN
Director of Finance, Finance Department

Prepared by:
Sarah Herbelin, Assistant to the Director
Administration Unit