


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCIL PRESIDENT NIKKI FORTUNATO BAS, COUNCIL PRESIDENT PRO TEMPORE DAN KALB, AND COUNCILMEMBERS CARROLL FIFE, NOEL GALLO, KEVIN JENKINS, REBECCA KAPLAN, JANANI RAMACHANDRAN AND TREVA REID

RESOLUTION HONORING BARBARA J. PARKER FOR THIRTY-THREE YEARS OF EXEMPLARY SERVICE TO THE CITY OF OAKLAND, INCLUDING NEARLY FOURTEEN YEARS SERVING AS OAKLAND'S CITY ATTORNEY

WHEREAS, Barbara J. Parker joined the Oakland City Attorney's Office on April 29, 1991, as a Senior Deputy City Attorney in the Labor & Employment Unit where she served as general counsel to the Police and Fire Retirement System and Board, Fire Services Agency, and Oakland Housing Authority, provided labor and employment advice, and represented the City in labor and employment-related arbitrations and litigation. In 1999, Ms. Parker was promoted to supervise the Labor & Employment Unit; and

WHEREAS, in September 2000, the first elected City Attorney appointed Ms. Parker as Chief Assistant City Attorney, second in command to the City Attorney, overseeing the Advisory Division of the City Attorney's Office, including land use and planning, real estate, labor and employment, police department counsel, code enforcement, rent and general public safety, finance and general government, and serving as parliamentarian and City Attorney at Council open and closed session meetings a position she held for nearly eleven years; and

WHEREAS, in July 2011, the City Council appointed Ms. Parker to complete the term of Oakland's first elected City Attorney; and

WHEREAS, Ms. Parker subsequently ran for and was elected to her first four-year term in 2012 with 69% of the vote – winning every precinct; ran unopposed in 2016 for a second term; and in 2020 was elected by 80.4% of Oakland voters to a third four-year term; and

WHEREAS, City Attorney Parker is the first and only African American woman elected to city-wide office in Oakland; and

WHEREAS, City Attorney Parker has provided sage legal advice to five Mayors, twelve City Administrators, and dozens of elected and appointed City officials; and

WHEREAS, City Attorney Parker has been a champion for good government in Oakland. She co-sponsored Oakland's Government Ethics Act in 2014, expanding the authority of the Public Ethics Commission to oversee City Officials and Public Servants with respect to ethics-related matters and providing a comprehensive and locally enforceable framework to ensure that Oakland City government operates with integrity. City Attorney Parker also co-sponsored amendments to the Oakland Campaign Reform Act and advised the Public Ethics Commission and the City Council on numerous pieces of good government legislation; and

WHEREAS, City Attorney Parker has fought valiantly for clean air, clean water, and environmental justice for Oaklanders. In 2015, she sued Monsanto to hold the giant chemical company accountable for contaminating Oakland's waterways and the San Francisco Bay with Polychlorinated Biphenyls ("PCBs"), and ultimately recovered \$7.5 million for Oakland as part of a nationwide class action settlement. In 2019, she sued and ultimately shut down an illegal hauling company that was poisoning the air and waterways in West Oakland with toxic dust. City Attorney Parker also joined the San Francisco City Attorney in suing the five largest publicly owned fossil fuel companies in the world to hold these companies responsible for the costs of sea walls and other infrastructure necessary to protect Oakland and San Francisco from the consequences of climate change and sea level rise caused by fossil fuels; and

WHEREAS, City Attorney Parker has promoted public health in Oakland by holding companies accountable for the harm they caused by marketing dangerous products to the people of Oakland. She partnered with other cities to sue the leading manufacturers of opioids for causing a public health crisis in Oakland and across the nation by their deceptive marketing of dangerous drugs and collaborated with Alameda County and other jurisdictions in suing the manufacturers of lead paint for aggressively marketing their product with knowledge that lead paint was highly toxic to children, recovering millions of dollars to abate these nuisances in Oakland; and

WHEREAS, City Attorney Parker has improved public safety for Oakland residents by sponsoring legislation making it a crime to leave firearms or ammunition unsecured in unattended vehicles and by filing lawsuits to deter crime and blight. She has improved the quality of life in neighborhoods by filing lawsuits against hotels and motels that were overrun with human trafficking and drug sales. She secured receiverships over residential properties overwhelmed with drug dealing, violent crime, and property blight to restore the properties to a livable state, stop unlawful activity, and improve the safety of the occupants and neighboring residents; and.

WHEREAS, City Attorney Parker has defended Oakland's economic interests by pursuing those who attempted to renege on debts to the City and by working on policies for the economic benefit of the City. She crafted and co-sponsored the City's policy to lease rather than sell City-owned property, to ensure that the City retains as much City-owned property as feasible, for the benefit of the public, allowing the City to realize the benefits of increases in property value and to control the future use of the property after the expiration of the lease. She also partnered with Alameda County Counsel, to sue and secure a judgment requiring the Golden State Warriors to

pay the \$55 million balance of the debt incurred to renovate the Oracle Arena plus more than \$1 million in attorney's fees after the team decided to leave Oakland; and

WHEREAS, City Attorney Parker has upheld the rights of Oakland's workers by suing employers who violate state and local worker protection laws including suing the Oakland Alameda Hotels LLC for minimum wage violations and Southwest Airlines for violations of the State Labor Code and Oakland's paid sick leave law; and

WHEREAS, City Attorney Parker has supported Oaklanders living with disabilities by crafting and sponsoring legislation providing for enhanced penalties against landlords who engage in illegal harassment against tenants with disabilities and more recently drafting and sponsoring the Elevator Maintenance Ordinance which requires property owners to maintain elevators in a working condition and to relocate disabled tenants who cannot access their apartments during extended periods of in operation. She also sued and shut down a chain of independent living facilities that targeted and exploited tenants with disabilities, including serious mental illnesses and/or substance use disorders, veterans, formerly incarcerated individuals, and the elderly; and

WHEREAS, City Attorney Parker has championed the rights of Oakland tenants by crafting and sponsoring thoughtful legislation to expand tenant protections, including amendments to the Just Cause for Eviction Ordinance, the Rent Adjustment Ordinance, and the Tenant Protection Ordinance. She has successfully defended Oakland's tenant protection laws in Court and has vigorously enforced the Tenant Protection Ordinance against unscrupulous landlords. She won a permanent injunction, nearly four million dollars in civil penalties, and more than two million dollars in attorneys' fees, against a prominent real estate enterprise for providing unsafe and substandard housing. In another case, she secured the appointment of a receiver to take over and manage the rental properties of three landlords who harassed and exploited tenants and maintained their buildings as public nuisances, winning \$2,460,900 in Civil Penalties; and

WHEREAS, City Attorney Parker has fought to protect Oakland's immigrants by shutting down businesses that exploit Oakland's most vulnerable residents. In 2013, City Attorney Parker secured at record \$15.1 million judgment and a permanent injunction against an immigration consulting business that preyed on and defrauded Oakland families seeking legal U.S. residency by posing as immigration attorneys. She has shut down more than 25 massage parlors that were fronts for human trafficking, recovering nearly \$1M in settlements, attorney's fees, penalties and costs; and

WHEREAS, City Attorney Parker has been a leader in advancing gender inclusivity in Oakland. In 2020, City Attorney Parker crafted and co-sponsored a pathbreaking progressive policy resolution ensuring that city laws, policies, and communications use terminology that accounts for all gender identities and does not assume or prescribe any specific gender. The Council placed a Charter amendment on the November 2022 ballot that voters approved, updating the Charter to be consistent with the City's future-facing policy; and

WHEREAS, City Attorney Parker has been a strong advocate for union representation. In 2000, prior to becoming City Attorney, she was one of the leaders who organized the non-supervisory attorneys' union in the Office of the City Attorney, ensuring that deputy city attorneys

would have a voice in the workplace to negotiate collectively for better wages, benefits, and working conditions. Thereafter, while serving as Chief Assistant City Attorney, she led the establishment of the Confidential Management Employees' Association; to represent management employees in their employment relationship with the City; and

WHEREAS, City Attorney Parker has fought to protect women's right to reproductive choice by, among other things, co-sponsoring an ordinance in 2016 that prevents anti-abortion activists from representing themselves as medical professionals or health care counselors. For her work on the ordinance, NARAL Pro-Choice California named City Attorney Parker a "2016 California Champion of Choice"; and

WHEREAS, City Attorney Parker has battled racism and promoted racial equity in Oakland using both litigation and legislation to advance racial equity. In 2020, she drafted and co-sponsored a resolution directing the City Administrator to fully implement and provide updates on implementation of the City's Slavery Era Disclosure Ordinance, which officially acknowledges the abomination of African enslavement and its ongoing devastating ramifications and legacy of discrimination against the descendants of enslaved Africans. In 2022 City Attorney Parker drafted and cosponsored a Resolution Declaring Racism is a Public Health Crisis and reaffirming the City's commitment to advancing racial equity. The resolution allocated \$350,000 to support the City and the Department of Race and Equity to advance necessary improvements in systems for collecting and processing data to track performance and equity progress and authorized an additional position to support the Department's work and data analysis; and

WHEREAS, City Attorney Parker has promoted access to housing by marginalized communities including low-income people and those who have been formerly incarcerated. In 2019 City Attorney Parker drafted and co-sponsored the Equitable Access to Low-Income Housing Ordinance to prohibit landlords from refusing to accept Housing Choice Vouchers. In 2020 she co-sponsored the Ronald V. Dellums and Simbarashe Sherry Fair Chance Access to Housing Ordinance to prohibit landlords from refusing to rent to tenants based on criminal history; and

WHEREAS, City Attorney Parker has strategically increased the impact of the Oakland City Attorney's Office. In 2016, Ms. Parker established the Affirmative Litigation, Enforcement, and Innovation Division in the City Attorney's Office to make a top priority of affirmative litigation to secure justice and equity for all Oakland residents and workers and to fight discrimination based on race, gender, sexual orientation, age, disability, immigration status, economic status or other protected status. Over the past six years, the division has secured more than \$48 million for the City of Oakland through affirmative litigation. In 2023, City Attorney Parker crafted and co-sponsored the Civil Protection of the People Ordinance which the City Council unanimously adopted. This law provides the City Attorney clear and comprehensive authority to equitably enforce Oakland's progressive laws to protect Oakland residents' rights. The City's local laws include numerous protections for Oaklanders, from the right to dignified housing conditions and work environments to safe and healthy neighborhoods; and

WHEREAS, Exhibit A attached to this Resolution, provides additional information regarding City Attorney Parker's service to the City of Oakland, her legal career before she joined the City and her family history; now, therefore, be it

RESOLVED: that the Council of the City of Oakland honors Barbara J. Parker for 33 years of service, including more than 13 years as Oakland’s City Attorney, and be it

FURTHER RESOLVED: that the Council declares its profound gratitude to City Attorney Barbara J. Parker for her leadership, wise counsel, and fierce advocacy for the City and the people of Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

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

NOES –

ABSENT –

ABSTENTION –

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

EXHIBIT A



NEWS FROM THE OAKLAND CITY ATTORNEY

FOR IMMEDIATE RELEASE

August 16, 2023

CONTACT

mediainquiries@oaklandcityattorney.org

Oakland City Attorney Barbara J. Parker Will Leave Office at the End of Third Term

Oakland, Calif. – Today Oakland City Attorney Barbara J. Parker announced that this will be her final term in office. In July 2011 the Oakland City Council appointed Ms. Parker as City Attorney to complete the term of Oakland’s first elected City Attorney. Ms. Parker subsequently ran for and was elected to her first four-year term in 2012 with 69% of the vote – winning every precinct; ran unopposed in 2016 for a second term; and in 2020 was elected by 80.4% of Oakland voters to a third four-year term. Ms. Parker will leave office at the end of the current term. Ms. Parker is the first and only African American woman elected to city-wide office in Oakland.

“It has been the greatest honor and privilege of my life to serve the people of Oakland as City Attorney,” said City Attorney Parker. “I love our beautiful, enlightened, progressive, dynamic and diverse city. And I am proud of the work I have done using the law as a powerful tool to improve our community and to protect the constitutional, civil and other legal rights, economic interests and the quality of life of all Oaklanders.

“Throughout my tenure, I have been guided by my commitment to maintain the integrity and enhance the diversity of the Office, to provide top notch legal advice and counsel and to fight alongside our progressive City Councils, City Administrators and Mayors for Oakland. At the end of this term, I will have served as City Attorney for nearly 14 years. I am ready to begin a new chapter and know that I will leave the Office in the hands of our extraordinary, dedicated and superb team.”

Ms. Parker has lived in Oakland since 1981. She joined the Office in 1991 as a Senior Deputy City Attorney in the Labor & Employment Unit where she served as general counsel to the Police and Fire Retirement System and Board (“PFRS”), Fire Services Agency, and Oakland Housing Authority, provided labor and employment advice, and represented the City in labor and employment-related arbitrations and litigation. In 1999 Ms. Parker was promoted to supervise the Labor & Employment Unit.

In September 2000, the first elected City Attorney appointed Ms. Parker as Chief Assistant City Attorney, second in command to the City Attorney, overseeing the Advisory Division of the City Attorney’s Office, including land use and planning, real estate, labor and employment, police department counsel, code

enforcement, rent and general public safety, finance and general government, and serving as parliamentarian and City Attorney at Council open and closed session meetings.

“My mission as City Attorney has been to run a professional office that provides excellent advice and counsel to every City of Oakland officer and official without fear or favor on behalf of the people of Oakland. I have worked hard to develop and enforce policies, protocols and practices to ensure every elected and appointed City officer and leader stays in their lane – from the Mayor and City Council to the City Administrator, City Auditor, and City Attorney,” added Ms. Parker.

Ms. Parker’s crowning achievement as City Attorney is launching and building the Affirmative Litigation, Enforcement and Innovation Division, which she established in 2016. The division includes the Neighborhood Law Corps, Housing Justice Initiative, and Community Lawyering and Civil Rights Units.

Ms. Parker established this division to make a top priority of affirmative litigation and other actions and initiatives to secure justice and equity for all Oakland residents and workers and to fight discrimination based on race, gender, sexual orientation, age, disability, immigration status, economic status or other protected status. Over the past six years, the division has secured more than \$48 million for the City of Oakland through affirmative litigation to address issues ranging from housing justice to protecting immigrants from predatory actors, to shutting down massage parlors and hotels that are centers of human trafficking, to securing millions of dollars to remove toxic lead paint, clean up contamination from toxic chemicals that contaminate our storm water and waterways and remediate the impacts of the opioid epidemic.

“Throughout my tenure, my North Star has been ensuring Oakland’s progressive laws, the California and U.S. Constitutions and federal and state laws are working for Oaklanders,” Ms. Parker noted. “I believe strongly in the principle of leveraging public service to address inequities.”

City Attorney Barbara J. Parker will complete her third term as Oakland’s elected City Attorney, which runs through December 2024.

“It is hard to believe I have practiced law for nearly five decades,” Ms. Parker concluded. “It’s been challenging, intellectually stimulating and invigorating and rewarding - an amazing ride. I look forward to having some time to relax and reset, spend more time with my village which includes my family, extended family, and Delta Sigma Theta sorority sisters, and to turning the page and beginning a new chapter. And I am comfortable leaving the Office in the excellent hands of my diverse team of top-notch legal talent.”

Professional Background

In an award-winning legal career spanning nearly five decades, Ms. Parker has developed extensive expertise as an attorney at all levels of government – federal, state and local – including more than 10 years as Chief Assistant Oakland City Attorney, more than five years as an Assistant United States Attorney for the Northern District of California, and serving as Deputy Director of the State of California Office of Criminal Justice Planning.

Ms. Parker also has extensive experience in the private sector as an attorney for Kaiser Aluminum & Chemical Corporation, Kaiser Foundation Hospitals Office of General Counsel, Pillsbury, Madison & Sutro (now Pillsbury Winthrop) and Brobeck, Phleger & Harrison (liquidated in 2003).

In 2005, the State Bar Board of Governors selected Ms. Parker for a three-year appointment to the prestigious [Judicial Council](#), which oversees the operations of the California courts.

Ms. Parker has received numerous awards, including: California State Bar Public Lawyer of the Year (2015), Alameda County Bar Association’s Law Firm of the Year (2018), California Champion of Choice

by NARAL Pro-Choice California (2016), Ella Hill Hutch Statewide Award from Black Women Organized for Political Action (2013), and the Distinguished Public Service Award from the International Municipal Lawyers Association (2013).

Personal Background

Ms. Parker is a native of Seattle, Washington, where her parents, James and Savannah Parker, migrated during the Great Migration to escape the brutalities of legalized oppression and sharecropping in the rural, segregated South. Family experiences during segregation, Ms. Parker's parents' fierce commitment to education, and their struggles and advocacy as union workers ignited Barbara's determination to fight for equal opportunity and equal rights for Black and other people color.

Ms. Parker and siblings, Josephine, Betty, and James Jr., are the first generation in the family's history that had the opportunity to go to college. Ms. Parker earned an undergraduate degree in Economics from the University of Washington and was one of the very few African Americans and women accepted at Harvard Law School in the early 1970s. Ms. Parker graduated from Harvard determined to use the law as a tool to help Black and other people of color gain access to education, assets, and secure rights to education and equal opportunity.

Ms. Parker is the proud parent of daughter Savannah Ain Williams, a 2012 Spelman College graduate, the bursting with pride grandparent of Koda Paris Williams, born in 2011, and Kairo Paris Williams II, born in 2020. She's also the proud mother in love to Savannah's hubby, Kairo Paris Williams. She enjoys doting on her "grand-dogs," Moo Moo, Ruby Bridges, and Juicy Couture and hiking in Oakland's parks and redwood forest. Ms. Parker has resided in Oakland's Haddon Hill neighborhood near Lake Merritt for 34 years and has lived in Oakland since 1981.

Union Advocacy

- One of the leaders who organized the non-supervisory attorneys' union in the Office of the City Attorney in 2000 (Deputy City Attorney I-IV)
- Led the establishment of the Confidential Management Employees' Association (CMEA).

Additional Highlights of Ms. Parker's City of Oakland Service

- Civil Protection of the People Ordinance - Crafted and co-sponsored the Civil Protection of the People Ordinance which the City Council unanimously adopted. This law provides the City Attorney clear and comprehensive authority to equitably enforce Oakland's progressive laws to protect Oakland residents' rights. The City's local laws include numerous protections for Oaklanders, from the right to dignified housing conditions and work environments to safe and healthy neighborhoods. (2023)
- Climate Justice Lawsuit against "Big Oil" - Continuing prosecution of the separate climate justice, public nuisance lawsuits that Oakland City Attorney and San Francisco City Attorney filed in 2017 against the five largest publicly owned fossil fuel companies in the world. These companies knew for decades that their products caused climate change and posed a catastrophic risk but lied to consumers and continued to make enormous profits. The lawsuits ask the courts to hold these companies responsible for the costs of sea walls and other infrastructure necessary to protect Oakland and San Francisco from ongoing and future consequences of climate change and sea level rise caused by the companies' production of massive amounts of fossil fuels. (2023)
- Opioids Litigation - In 2018 the Oakland City Attorney and the Los Angeles County Counsel joined the landmark lawsuit the Santa Clara County Counsel and the Orange County District Attorney filed in 2014 against leading manufacturers of opioids to hold them accountable for their role in creating the opioid

epidemic of abuse and addiction, including in Oakland and Alameda County. After years of litigation the lawsuit proceeded to a multi-month trial in 2021. Evidence indicated that the epidemic has disproportionately impacted Oakland's African American and homeless populations. Despite a trial court loss, the litigation contributed significantly to pushing several national opioid corporations into a settlement posture and resulting in Oakland's and other local governments' participation in multiple national settlements. The City Attorney has already negotiated agreements that will bring more than \$10 million in opioid abatement funds to Oakland, and likely will bring at least \$5 million more through other anticipated settlements.

- Monsanto Litigation - Filed a public nuisance lawsuit against Monsanto in 2015 to hold the giant chemical company accountable for contaminating Oakland's waterways and the San Francisco Bay with Polychlorinated Biphenyls ("PCBs"). In 2020 Oakland joined a nationwide class action lawsuit against Monsanto and pharmaceutical giant Bayer (Bayer acquired Monsanto in 2016.) In December 2022 the City approved the \$537.5 million, nation-wide class action settlement; Oakland's recovery from the settlement is \$7.5 million. (2022)
- Wells Fargo Lawsuit - From 2015 to 2021, prosecuted lawsuit against Wells Fargo for predatory and racially discriminatory mortgage lending practices against Black and Latinx applicants. In 2020 the Ninth Circuit Court of Appeals upheld Oakland's right to sue Wells Fargo under the federal Fair Housing Act to recover for its racially discriminatory lending practices that contributed to widespread foreclosures. Unfortunately, in 2021 after rehearing en banc, the Ninth Circuit ruled that all of Oakland's claims should be dismissed, ruling that the City's damages claims (higher defaults rates, which triggered higher foreclosure rates that drove down the assessed value of properties and ultimately resulted in lost property tax revenue and increased municipal expenditures) were too attenuated to be recoverable under the Fair Housing Act. (2021)
- Strengthening Tenant Protections - Crafted and co-sponsored amendments to the Tenant Protection Ordinance (TPO), Just Cause for Eviction Ordinance (JCO), Rent Adjustment Ordinance, and related relocation ordinances to improve protections for tenants facing harassment, provide increased security from eviction, and ensure local ordinances conform to changes in state law. (2021)
- Gender Inclusive Policies - Crafted and co-sponsored Gender-Inclusive and Gender-Neutral Language Resolution unanimously passed by the City Council in 2020 that established a pathbreaking progressive policy ensuring that city laws, policies, and communications use terminology that accounts for all gender identities and does not assume or prescribe any specific gender. The Council placed a Charter amendment on the November 2022 ballot that voters approved, updating the Charter to be consistent with the City's future-facing policy. (2020)
- Slavery Era Disclosure Resolution - Co-sponsored Slavery-Era Disclosure Resolution directing the City Administrator to implement and provide updates on implementation of the 2005 City's Slavery Era Disclosure Ordinance. The Ordinance is intended to officially acknowledge the crime of African enslavement and its ongoing devastating ramifications for the descendants of enslaved Africans. In adopting the Ordinance, Oakland joined the states of California, Illinois, Maryland and five other cities in collectively highlighting how African enslavement and its legacy, beginning with Jim Crow laws, segregation, and sanctioning of brutality and murder of Black people--which continue to this very day--have been a means to build this country and its extraordinary wealth and deprive descendants of enslaved Africans of the fruits of their labor and contributions and the wealth they created and sustained. (2020)
- Warriors Litigation - As joint legal counsel with Alameda County Counsel, secured an August 18, 2020 California Court of Appeal ruling, on behalf of the Oakland-Alameda County Joint Powers Authority (JPA) which requires that the Golden State Warriors pay the \$55 million balance of the debt incurred

to renovate the Oracle Arena plus more than \$1 million in attorney's fees. On December 9, 2020, the California Supreme Court rejected Warriors' petition seeking review of the decision. (2020)

- Lease vs. Sale of City Land - Crafted and co-sponsored the Council's policy to lease rather than sell City-owned property. The policy finds that it is in the City's best interest to retain as much City-owned property as feasible for the benefit of the public in order to preserve these precious assets which once sold can never be replaced, and will no longer be a resource for the benefit of the commonwealth, i.e., the public welfare in the future; and leasing City property allows the City to realize the benefits of increases in property value and to control the future use of the property after the expiration of the lease as well as provides the City greater ability to enforce City laws and policies. (2014)
- Kreeft v. City of Oakland Lawsuit - Won this published case as general counsel for the Police and Fire Retirement System and Board (PFRS) that saved the City more than \$13 million. California Court of Appeal affirmed trial court's determination that Fair Labor Standards Act premium pay is not "compensation attached to the rank" under the City Charter and the City and PFRS therefore properly did not include such premium pay in calculating pensions for PFRS retirees. (1998)

More information about Ms. Parker's City of Oakland service and the City Attorney's Office can be found on the City Attorney's website: www.oaklandcityattorney.org.

This press release can be found at <https://www.oaklandcityattorney.org/oakland-city-attorney-barbara-j-parker-will-leave-office-at-the-end-of-third-term-2/>

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