

CITY OF OAKLAND
OFFICE OF THE CITY ATTORNEY

Oakland City Hall
One Frank H. Ogawa Plaza, Sixth Floor
Oakland, California 94612
Barbara J. Parker, City Attorney



CITY OF OAKLAND

Closed Session Agenda

Thursday, May 4, 2023
10:30 a.m. – 1:30 p.m.

Oakland City Hall, Hearing Room 4
One Frank H. Ogawa Plaza, Second Floor
Oakland, California

Pursuant to California Government Code § 54953:
Councilmember Rebecca Kaplan Will Participate By Teleconference at
11 Embarcadero West
Oakland, California 94607¹

Special Closed Session of the Oakland City Council and
Oakland Redevelopment Successor Agency

City of Oakland Closed Session Agendas Link:
<https://www.oaklandca.gov/resources/closed-session-agendas>

¹ Pursuant to the Brown Act (Government Code section 54953), the agenda must be posted at the teleconference location, the teleconference location must be accessible to the public and members of the public must have the ability to observe the meeting and to comment on agenda items before Council adjourns into closed session.

PUBLIC PARTICIPATION:

The Council will convene in open session prior to adjourning into closed session and hear public speakers on the agenda items.

The Public May Observe And/Or Participate In **The Open Session Portion of the** Meeting In Many Ways.

OBSERVE:

- To observe the meeting by video conference, please click on this link: https://us02web.zoom.us/webinar/register/WN_Xf1Hjr-wTlmqFiAuvYZogg at the noticed meeting time.
- To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):US: +1 669 900 6833 or +1 346 248 7799 or +1 312 626 6799 or +1 929 436 2866 or +1 253 215 8782 or +1 301 715 8592 Then enter Meeting ID: **832 6162 2346**

If asked for a participant ID or code, press #.

PUBLIC COMMENT ON EACH **CLOSED SESSION** ITEM WILL BE TAKEN. ALL MEMBERS OF THE PUBLIC WISHING TO SPEAK VIA TELECONFERENCE OR IN PERSON MUST FILL OUT A SPEAKER CARD FOR EACH ITEM - TO SUBMIT AN ELECTRONIC SPEAKER CARD EMAIL CITYCLERK@OAKLANDCA.GOV FOR ASSISTANCE. MEMBERS OF THE PUBLIC WISHING TO SPEAK VIA TELECONFERENCE MUST SUBMIT A SPEAKER CARD AND PROVIDE THEIR ZOOM PROFILE NAME (WHICH AT THE SPEAKER'S DISCRETION MAY BE THEIR LEGAL NAME OR OTHER INFORMATION TO IDENTIFY THEM) OR PHONE NUMBER ON THEIR SPEAKER CARD TO ALLOW THE CLERK'S OFFICE TO RECOGNIZE THEM. SPEAKERS' CARDS MUST BE RECEIVED BY THE CITY CLERK BEFORE THE COUNCIL ADJOURNS INTO CLOSED SESSION.

PUBLIC COMMENTS:

- To Comment In Person, Members Of The Public Wishing To Speak Must Submit A Separate Speaker Card For Each Item On The Agenda They Wish To Discuss To The City Clerk Before Being Recognized By The Presiding Officer. Due To The Network Outage, Electronic Speaker Cards Are Not Being Accepted At This Time.
- Once You Have Submitted Your Electronic Speaker Card - To comment by Zoom video conference, your Zoom Profile Name will be Acknowledged to speak when Public Comment is being taken on a eligible agenda item at the beginning of the meeting. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, re-muted. Instructions on how to "Raise Your Hand" is available at: <https://support.zoom.us/hc/en-us/articles/205566129-Raise-Hand-In-Webinar>.
- To comment by phone, please call on one of the above listed phone numbers. You will be prompted to "Raise Your Hand" by pressing "*9" to speak when Public Comment is taken. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, re-muted. Please unmute yourself by pressing *6.

If you have any questions, please email the Agenda Management Unit at cityclerk@oaklandca.gov
- Office of the City Clerk



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**THE OAKLAND CITY COUNCIL AND
OAKLAND REDEVELOPMENT SUCCESSOR AGENCY
WILL HOLD A SPECIAL CLOSED SESSION ON
THURSDAY, MAY 4, 2023 FROM 10:30 A.M. TO 1:30 P.M.
OAKLAND CITY HALL HEARING ROOM 4**

The City Council Will Convene in Open Session prior to Adjourning into Closed Session and Pursuant to Government Code section 54957.1(b) will Report-Out Any Final Decisions in Writing after Concluding Closed Session

***Pursuant to California Government Code § 54953:
Councilmember Rebecca Kaplan Will Participate By Teleconference at
11 Embarcadero West
Oakland, California 94607²***

**1. Pursuant to California Government Code Section(s) 54956.9(a) and 54956.9(d)(1):
CONFERENCE WITH CITY ATTORNEY – EXISTING LITIGATION**

- a) **Oakland Bulk & Oversized Terminal, LLC (OBOT) & Oakland Global Rail Enterprise LLC. v. City of Oakland (consolidated)**
Alameda County Superior Court Case No. RG18930929
- b) **City of Oakland v. Oakland Bulk & Oversized Terminal, LLC (OBOT) & California Capital Investment Group (consolidated)**
Alameda County Superior Court Case No. RG20062473
- c) **Tulsee Nathu, Daxa “Mina” Patel; Jayanti Nathu, Ii Ram 6801 I-40 West, Amarillo, Tx, Ltd; and 1000 Ram Inc. v. City of Oakland**
United States District Court Case No. 4:20-CV-05242-SBA
- d) **Scott Morris; Sarah Belle Lin; Brian Krans, Michael Katz and Oakland Privacy v. City of Oakland; Oakland Police Department; Susan Manheimer, in her official capacity; and Ed Reiskin, in his official capacity**
Alameda County Superior Court Case No. RG20072029

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- e) **Terry Smith v. City of Oakland and DOES 1 to 30**
Alameda County Superior Court Case No.: RG21101859

2. **Pursuant to California Government Code Section(s) 54956.9(d)(3) and (e)(3)**

CONFERENCE WITH CITY ATTORNEY – ANTICIPATED LITIGATION

One (1) item of anticipated litigation

Respectfully submitted,

A handwritten signature in blue ink that reads "Barbara J. Parker". The signature is written in a cursive style with a large initial "B".

BARBARA J. PARKER
City Attorney

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