

APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION ACCEPTING AND APPROPRIATING A LEAD PAINT SETTLEMENT DISBURSEMENT FROM THE COUNTY OF ALAMEDA IN THE AMOUNT OF FOUR MILLION SEVEN HUNDRED NINETY-SEVEN THOUSAND, ONE HUNDRED EIGHTY-FOUR DOLLARS AND FIFTY-EIGHT CENTS (\$4,797,184.58) PURSUANT TO A COUNCIL AUTHORIZED MEMORANDUM OF UNDERSTANDING FOR PARTIAL DISPOSITION OF LEAD PAINT SETTLEMENT FUNDS**

**WHEREAS**, ten cities and counties, including the City of Oakland and the County of Alameda, filed a lawsuit in 2001 against companies that manufactured, distributed and promoted lead paint; and

**WHEREAS**, the lawsuit was resolved via a settlement under which defendants agreed to pay a total of \$305 million through various installments over the course of seven years; and

**WHEREAS**, in October 2019, the public entity plaintiffs entered into a Memorandum of Understanding to satisfy their obligations under various contingency fee agreements with outside counsel, and to allocate the balance of the settlement funds; and

**WHEREAS**, the City of Oakland and the County of Alameda received a single allocation of 10% of the balance of the settlement funds, \$23,985,922.92; and

**WHEREAS**, the settlement funds allocated to the City of Oakland and the County of Alameda are held in trust by the County Treasurer subject to the City and the County agreeing on disbursement and programming; and

**WHEREAS**, on December 21, 2021, City Council adopted Resolution No. 88978 C.M.S. which, among other things, authorized the City Administrator to enter into a Memorandum of Understanding with the County of Alameda for partial disposition of the settlement funds; and

**WHEREAS**, pursuant to the Memorandum of Understanding, the City of Oakland shall receive an initial disbursement in the amount of \$4,797,184.58 to fund the development of an

Equity Based Lead Program, including one-time costs for standing up the adopted recommendations from a consultant; and

**WHEREAS**, pursuant to Oakland Charter section 806, all monies received by the City must be deposited in the City Treasury and no City funds may be expended except in the manner specified by an appropriation of Council; now, therefore, be it

**RESOLVED:** That City Council hereby accepts and appropriates the initial disbursement of lead paint settlement funds from the County in the amount of \$4,797,184.58, and that the City Administrator is authorized to establish a separate fund to be used for the development of an Equity Based Lead Program as required by the Memorandum of Understanding between the City of Oakland and the County of Alameda.

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