


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE THE CASE OF CITY OF OAKLAND V. OAKLAND UNIFIED SCHOOL DISTRICT, ALAMEDA SUPERIOR COURT CASE NO. 24CV091999, CITY ATTORNEY FILE NO. X05545 FOR THE PAYMENT TO THE CITY BY THE OAKLAND UNIFIED SCHOOL DISTRICT OF EIGHT HUNDRED SIXTY THOUSAND DOLLARS AND NO CENTS (\$860,000.00) REPRESENTING THE FULL COST OF 2022 SCHOOL BOARD ELECTION AND FOR A COMMITMENT FROM OAKLAND UNIFIED SCHOOL DISTRICT TO PAY THE COSTS OF ITS FUTURE ELECTIONS (CITY CLERK – WRIT OF MANDATE, AND DECLARATORY RELIEF)

WHEREAS, the City of Oakland (City) filed a Petition for Writ of Mandate and a Complaint for Declaratory and Injunctive Relief seeking to require the Oakland Unified School District (OUSD) to pay the costs of its Board of Directors Elections; and

WHEREAS, the City filed this action after OUSD refused to pay the cost of its 2023 special election; and

WHEREAS, a trial court rejected OUSD's demurrer (motion to dismiss) to the City's Petition and Complaint and held that OUSD did have an obligation to pay for the costs of elections for its Board of Directors;

WHEREAS, the City has considered all evidence, litigation costs, and risk; and

WHEREAS, OUSD has agreed to settle this matter for full payment of the 2022 election, totaling \$860,000, and a commitment to pay for future elections; now, therefore, be it

RESOLVED: that the Council hereby authorizes and directs the City Attorney to compromise and settle the case of City of Oakland v. Oakland Unified School District, Alameda County Superior Court Case No. 24CV091999, City Attorney File No. X05545, for the payment of Eight Hundred Thousand Sixty (\$860,000.00) representing the full cost of the 2022 School Board Election and for a commitment from OUSD to pay the costs of future OUSD elections; and be it

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps may be necessary to effect said settlement.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG AND
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

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