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People ex rel. Alameda County Taxpayers' Association, Inc. v. Brown

Court of Appeal, First District, Division 4, California - September 30, 2025 - Cal.Rptr.3d - 2025 WL 2787891

Taxpayer advocacy organization and residents brought quo warranto action against county supervisor appointed by county board of supervisors to fill vacancy, seeking judgment removing supervisor from office for allegedly failing to satisfy prior and continuous residency requirements.

The Superior Court ruled that prior residency requirement did not apply to vacancy appointments, and the Superior Court found continuous residency issue moot after supervisor's term ended and entered judgment in favor of supervisor. Organization and residents appealed and supervisor filed motion to dismiss appeal as moot.

The Court of Appeal held that:

- Court of Appeal would not take judicial notice of newspaper editorial, newsletter, or statute;
- Public interest exception to mootness doctrine applied;
- County administrative code's one-year prior residency requirement did not apply to a supervisor appointed to fill a vacancy;
- Remand was warranted for trial court to address whether supervisor satisfied requirement under county charter and county administrative code to reside in district during his term; and
- Trial court was not required to consider substance of motion by organization and residents for judgment on the pleadings.

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