OAKLAND CITY COUNCIL

RESOLUTION No. _____ 8 3 8 7 0 _____ C.M.S.

A RESOLUTION AMENDING THE CITY OF OAKLAND'S FISCAL YEAR 2011- 2013 BIENNIAL BUDGET, WHICH WAS ADOPTED PURSUANT TO RESOLUTION NO. 83693 C.M.S. ON JANUARY 31, 2012, ADDING THE POSITIONS OF PROGRAM MANAGER AND AN ADMINISTRATIVE SUPPORT POSITION TO THE BUILDING SERVICES BUDGET FOR THE ADMINISTRATION OF THE FORECLOSED PROPERTIES REGISTRATION AND BLIGHT ABATEMENT PROGRAMS

WHEREAS, properties throughout the City of Oakland which lenders have recorded a Notice of Default (defaulted) or have taken ownership through a Deed of Trust (foreclosed) have been and continue to be significant and unnecessary attractors for blighting conditions that create severe health hazards in neighborhoods, including explosions of vector populations, accumulations and dispersals of pollutants and target-organ toxins, and degradation of air quality, and that adversely impact the quality of life in neighborhoods and deny residents their enjoyment of life; and

WHEREAS, defaulted and foreclosed properties throughout the City also have been and continue to be significant and unnecessary attractors for trespassers and transient occupants that foster and enable criminal activities, including theft, vandalism, prostitution, and the sale and use of narcotics and other controlled substances; and

WHEREAS, defaulted and foreclosed properties throughout the City also have been and continue to be a significant and unnecessary discourager to economic development and contributor to the decline of property values in neighborhoods; and

WHEREAS, the City has expended and continues to expend vast and unnecessary amounts of limited resources and scarce funds investigating defaulted and foreclosed properties, mitigating the detrimental effects of neglected maintenance, curtailing associated criminal activity, and monitoring the recurrence of nuisance activities; and

WHEREAS, a critical and immediate need therefore exists to safeguard life and limb, health, property, and public welfare and to reduce the substantial and unnecessary economic toll on the business community and the citizens of Oakland resulting from the effects of defaulted and foreclosed properties by implementing an expansion of the City's existing program for identifying and monitoring these properties; and

WHEREAS, the costs to the City for implementing and sustaining such an expanded program for defaulted and foreclosed properties should be born by the property owners and those mortgagees, vendees, assignees, trustees, lessees, agents, firms, companies, corporations, partnerships, and similar entities who otherwise have control of or financial interest in the property, rather than the citizens of Oakland; and

WHEREAS, said costs may be recovered from the property owners and others having control of or financial interest in the properties by imposing and collecting necessary and equitable fees and interest; and

WHEREAS, historically, the resource requirements for monitoring defaulted or foreclosed properties increases with the time that building remains vacant or occupied by involving an escalating commitment from Code Enforcement administrative, fiscal, and supervisory staff, and involving a proliferating interaction with other City departments and agencies, including Real Estate, Finance, City Attorney, Fire, and Police and by City officers and officials; and

WHEREAS, on February 2, 2010, the Council of the City of Oakland amended the Municipal Code (Ordinance no. 12991 C.M.S.) and adopted a new chapter 8.54 which established a foreclosed and vacant property registration program, and also amended the Master Fee Schedule and established fees to recover costs associated with the implementation and operation of said registration program; and

WHEREAS, the detrimental effects and additional financial burdens that defaulted properties and foreclosed and occupied properties impose on neighbors, prospective purchasers, and the business community in the City of Oakland have equaled or exceeded the impacts of caused by foreclosed and vacant properties; and

WHEREAS, the City Council has consider expanding the scope of said registration program to included foreclosed and occupied and defaulted properties, the result of which will require additional City resources to implement and operate; and

WHEREAS, the coordination of the City's new proactive approaching its registration program for defaulted and foreclosed properties, as well as blight abatement program for such properties requires extensive time, focused attention, and specialized skills; now, therefore be it

RESOLVED, that a position of Development/Redevelopment Program Manager be added to the Building Services budget to enable the hiring of dedicated staff persons with specialized skills needed to effectively administer, continue and expand the existing proactive registration and blight abatement programs. And that a position of Program Analyst be added to integrate the use of new technology into the programs, conduct research on property ownership, and provide administrative support for the programs such as documentation, noticing, mailings, and other critical administrative needs; and be it

FURTHER RESOLVED, that these new positions are to be funded by the charges collected from the City's defaulted and foreclosed properties registration and blight abatement programs,

from special revenue Development Services Fund (2415), Code Enforcement Organization (84454), Miscellaneous Fines Account (45416), Development Permit and Inspection Program (NB31); and be it

FURTHER RESOLVED, that these new positions will be eliminated upon a determination by the City Administrator regarding the lack of sufficient program need and/or funding availability.

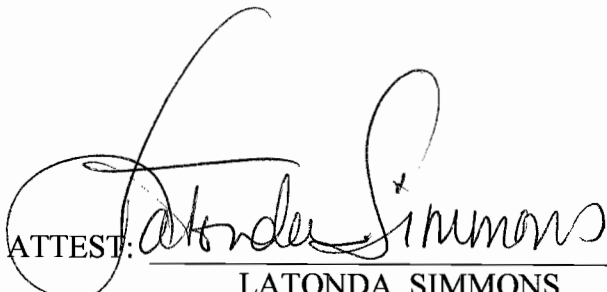IN COUNCIL, OAKLAND, CALIFORNIA, _____ **MAY 1 5 2012** _____ , 2012

PASSED BY THE FOLLOWING VOTE:

AYES - BRUNNER, BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF AND PRESIDENT REID — 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION: _____

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