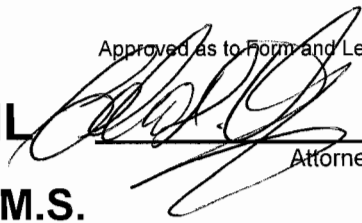


FILED
OFFICE OF THE CITY CLERK
OAKLAND
2009 APR 30 PM 8:07

OAKLAND CITY COUNCIL


Attorney's Office

RESOLUTION No. 82006 C.M.S.

Introduced by Councilmember _____

RESOLUTION CONFIRMING ADMINISTRATIVE HEARING THAT DANGEROUS AND INSANITARY CONDITIONS EXISTS AT THE BUILDING SERVING THE PROPERTY KNOWN AS 1771 – 83RD AVENUE

WHEREAS, pursuant to the provisions of Chapter 13.08.240 of the Oakland Municipal Code (OMC) the Director of the Community and Economic Development Agency, on September 6, 2006, ordered abatement of the dangerous and insanitary sewer conditions which exist at the building sewer serving the property known as 1771 – 83rd Avenue; and

WHEREAS, on September 6, 2006, the Director of the Community and Economic Development Agency duly notified the previous owners or person(s) in possession of said property; and

WHEREAS, on April 16, 2008, findings were rendered that a dangerous and insanitary condition(s) continue to exists at the building sewer on said premises; and

WHEREAS, on April 30, 2008, the Director of the Community and Economic Development Agency duly notified the owners or person(s) in possession of said property; and

WHEREAS, the new owner(s) of record, Kimberly Morales, of said property failed or neglected to comply with the order to abate; and

WHEREAS, on February 25, 2009, the Director of the Community and Economic Development Agency duly notified Kimberly Morales, new owner in possession of said property of an Administrative Hearing scheduled for March 3, 2009; and

WHEREAS, on March 3, 2009, an Administrative Hearing was held; and

WHEREAS, the owner of record, Kimberly Morales, failed or neglected to comply with the order to abate; and

WHEREAS, pursuant to Section 13.08.270 of the OMC, said findings were presented to the City Council for confirmation, now, therefore be it

RESOLVED: That the finding and reports of the Director of the Community and Economic Development Agency that dangerous and insanitary sewer condition which exist at the building sewer serving the property known as 1771 – 83rd Avenue are hereby confirmed; and be it

FURTHER RESOLVED: That the Director of the Community and Economic Development Agency is hereby directed to file a lien with the Recorder of the County of Alameda for the parcels delineated in said REPORT OF ASSESSMENT; and be it

FURTHER RESOLVED: That this Council hereby directs the abatement of said dangerous and insanitary condition in accordance with Section 13.08.270 of the OMC. In the event that owners or occupants do not do so within the time allowed by the law, the Director of Community and Economic Development Agency shall, at the owner's expense, cause the same abated. All sums, which may be necessarily expended by the Director of Community and Economic Development Agency in abating, said sewer conditions shall be paid by owners.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 19 2009, 20

PASSED BY THE FOLLOWING VOTE:

AYES - ~~BROOKS~~, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, ~~QUAN, REID~~, and PRESIDENT BRUNNER - 5

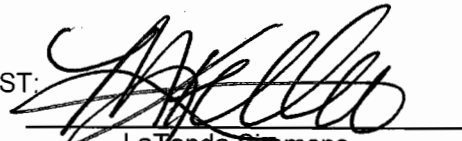
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Quan, Reid, Brooks - 3

ATTEST:



LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California