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Approved as to Form and Legality

# OAKLAND CITY COUNCIL

  
Attorney's Office

RESOLUTION NO. 81620 C.M.S.

Introduced by Councilmember \_\_\_\_\_

## RESOLUTION CONFIRMING ADMINISTRATIVE HEARING THAT A DANGEROUS AND INSANITARY CONDITION EXISTS AT THE BUILDING SERVING THE PROPERTY KNOWN AS 9619 B STREET

**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 March 15, 2007, ordered abatement of the dangerous and insanitary sewer conditions which exist at the building sewer serving the property which was initially known as 9621 B Street, per the Alameda County Assessors Office records, which has subsequently changed by the Alameda County Assessors Office records and is now known to be 9619 B Street; and

**WHEREAS**, the owner of record of said property, Kimberly and Darne Duckett, failed or neglected to comply with the order to abate; and

**WHEREAS**, on September 26, 2007, the Director of the Community and Economic Development Agency duly notified the owner of record of said property of an Administrative Hearing scheduled for October 12, 2007; and

**WHEREAS**, on October 12, 2007, the owner of record did not appear at the noticed hearing and the hearing officer confirmed that said property owners had neglected to comply with the order to abate the dangerous and insanitary conditions; 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 findings and reports of the Director of the Community and Economic Development Agency that a dangerous and insanitary sewer condition which exists at the building sewer serving the property known as 9619 B Street 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, OCT 21 2008, 20    

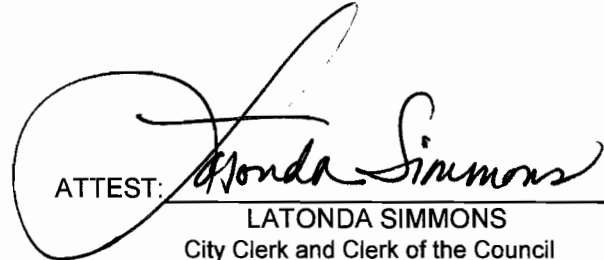
**PASSED BY THE FOLLOWING VOTE:**

AYES - ~~Brooks~~, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 7

NOES - 0

ABSENT - Brooks - 1

ABSTENTION - 0

ATTEST: 

LATONDA SIMMONS

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