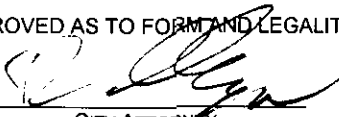


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APPROVED AS TO FORM AND LEGALITY


CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION NO. 78431 C.M.S.

RESOLUTION SUPPORTING ASSEMBLY BILL 2523 THAT WOULD INCLUDE OAKLAND IN CALIFORNIA HEALTH AND SAFETY CODE SECTION 11571.1 AUTHORIZING THE CITY OF OAKLAND TO PARTICIPATE IN A PROGRAM OF EVICTING TENANTS ENGAGED IN UNLAWFUL DRUG- RELATED ACTIVITIES

WHEREAS, California Health and Safety Code Section 11571.1 authorized the City of Los Angeles and some other cities in the Los Angeles area to participate in a pilot program involving the eviction of tenants engaged in illegal drug-related activities on the premises where they reside; and

WHEREAS, on February 17, 2004, the City Council passed on first reading the Nuisance Eviction Ordinance that in part involves the eviction of tenants engaged in illegal drug-related activities on the premises where they reside, and

WHEREAS, if Oakland were included in California Health and Safety Code Section 11571.1, Oakland would be able to evict tenants involved in unlawful drug-related activities if the landlord failed or refused to do so, and Oakland's inclusion in the state would also facilitate partial evictions where only the specific individual in the tenant household engaged in the illegal activity would be evicted; and

WHEREAS, on February 3, 2004, the City Council authorized the Director of Intergovernmental Affairs to pursue state legislation to include Oakland in California Health and Safety Code Section 11571.1; and

WHEREAS, Assembly Bill 2523 was introduced by Assemblymember Frommer which would make the drug nuisance eviction program authorized by California Health and Safety Code Section 11571.1 permanent and no longer just a pilot program, and would include Oakland in the program; and

