


[INCLUDING EXHIBITS A AND B]

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2014 SEP -4 AM 9: 33

APPROVED AS TO FORM AND LEGALITY


DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION No. 85174 C.M.S.

A RESOLUTION APPROVING (1) THE REMOVAL OF LIENS ON 34 PROPERTIES TO FACILITATE THE COUNTY TAX COLLECTOR'S SALE OF THESE PROPERTIES FOR AFFORDABLE HOUSING PURPOSES AND APPROPRIATE THE SALE PROCEEDS FROM THESE PROPERTIES TO THE AFFORDABLE HOUSING TRUST FUND AND (2) THE REMOVAL OF LIENS ON 25 PROPERTIES TO FACILITATE THE SALE OF THESE PROPERTIES IN THE COUNTY TAX AUCTION PROCESS AND APPROPRIATE THE SALE PROCEEDS FROM THESE PROPERTIES TO CODE ENFORCEMENT AND BLIGHT ABATEMENT

WHEREAS, abandoned and blighted properties throughout the City of Oakland 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, abandoned and blighted properties throughout the City also have and continue to significantly and unnecessarily attract 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, abandoned and blighted properties throughout the City also have and continue to significantly and unnecessarily discourage economic development and contribute to the decline of property values in neighborhoods; and

WHEREAS, the City has expended and continues to expend vast amounts of limited resources and scarce funds investigating abandoned and blighted 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 economic toll on the business community and the citizens of Oakland resulting from the effects of abandoned and blighted properties; and

WHEREAS, in 2012, the City and Alameda County developed a special partnership program to transform 76 abandoned and blighted properties that did not sell in prior County auctions because the amounts of City and County liens burdening them approach or exceed market value

discouraging investment in and rehabilitation of these properties (“pilot program”). Many of these properties were offered in multiple auctions without any purchase; and

WHEREAS, the City Council adopted Resolution No. 84057 C.M.S. on October 2, 2012, authorizing the removal of City liens from the 76 properties, should the properties be sold for a minimum bid price of \$45,000 at the County’s Spring 2013 tax auction to facilitate the purchase and active reuse of the properties; and

WHEREAS, 16 of the 76 properties sold in the County Spring 2013 tax auction, providing the City with \$1,187,822.24 in direct proceeds from the sale of the 16 properties, as well as additional funds from real estate transfer taxes and future property tax revenues; and

WHEREAS, the City Housing and Community Development Department launched a new Community Buying program to transform vacant and/or abandoned properties into new affordable housing opportunities to help address Oakland’s housing crisis and selected a nonprofit Administrator, Hello Housing, and developer partners; and

WHEREAS, the City’s Community Buying partners had reviewed the list of 59 pilot program properties that did not sell in the Spring 2013 auction and identified 34 properties for purchase in order to develop into affordable housing (“affordable housing properties”). The list of the 34 properties is provided in **Exhibit A**; and

WHEREAS, the County Tax Collector, pending approval from the County Board of Supervisors, has agreed to sell the 34 properties to Hello Housing for a purchase price of \$13,500 per property; and

WHEREAS, the County Tax Collector, pending approval from the County Board of Supervisors, plans to take the remaining 25 pilot program properties to the upcoming tax auction in 2015 with a minimum bid price of \$20,000 per property for 24 properties and \$100,000 for one property. The list of the 25 properties is provided in **Exhibit B**; and

WHEREAS, the City will recover additional funds from the sale of all 59 properties, through distribution from the taxes and penalties recovered that are specific to each property, as well as real estate taxes and future property taxes; now therefore be it

RESOLVED, that the City Council finds and determines that the foregoing recitals are true and correct and are hereby adopts and incorporates them into this Resolution; and be it

FURTHER RESOLVED, that the Council approves the removal of City liens from the 59 properties identified in **Exhibits A and B**, should the County sell these properties through Chapter 8, Chapter 7, or other available disposition vehicles, for purposes of facilitating the purchase and active reuse of these properties; and be it

FURTHER RESOLVED, that should property disposition plans change for the 59 properties in **Exhibits A and B**, the Council authorizes the City Administrator or his/her designee to negotiate new terms with the County Tax Collector to facilitate the disposition of these properties into active reuse, including the determination of a different purchase price or minimum bid price or disposition vehicle, without the need for further Council action; and be it

FURTHER RESOLVED, that the proceeds from the sale of the 34 properties for affordable housing purposes be deposited into the City's Affordable Housing Trust Fund (7450), Organization (88929), Account Miscellaneous Fee (45419) and Contract Contingencies (54011), Project (0000000), Program (SC14), and the City Administrator is hereby authorized to appropriate such funds to help subsidize the affordable housing development on these properties; and be it

FURTHER RESOLVED, that the proceeds from the sale of the remaining 25 properties going to the upcoming County tax auction be deposited into the fund for Code Enforcement blight abatement operations, special revenue Development Service Fund (2415), Neighborhood Preservation Organization (84454), Miscellaneous Sales Account (48119) and Contract Contingencies (54011) Blight Abatement Project (P60420), Livable Neighborhood Code Enforcement Services Program (NB31), and the City Administrator is hereby authorized to appropriate such funds for Code Enforcement blight abatement operations.

IN COUNCIL, OAKLAND, CALIFORNIA, SEP 23, 2014

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY KALB, KAPLAN, REID,
SCHAAF AND PRESIDENT KERNIGHAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:

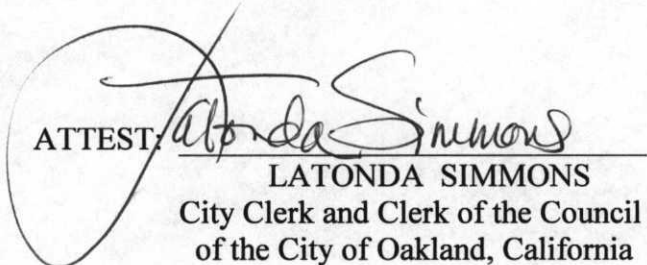

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

EXHIBIT A

City of Oakland Tax-Defaulted Properties

**Preliminary Affordability Level by% of Area
Median Income & Housing Type**

| No. | PARCEL | ADDRESS | |
|-----|--------------|---------------------|----------------------------------------|
| 1 | 38-3215-25 | 1725 62ND AVE | ≤ 80% AMI - Low Income Home Ownership |
| 2 | 41-3893-64 | 1180 60TH AVE | ≤ 80% AMI - Low Income Home Ownership |
| 3 | 41-4135-4-3 | 72ND AV | ≤ 80% AMI - Low Income Home Ownership |
| 4 | 42-4267-28 | 1063 87TH AVE | ≤ 80% AMI - Low Income Home Ownership |
| 5 | 44-4954-16 | 9114 B ST | ≤ 80% AMI - Low Income Home Ownership |
| 6 | 45-5254-19 | 10628 PEARMAIN ST | ≤ 80% AMI - Low Income Home Ownership |
| 7 | 45-5254-9 | 10545 PIPPIN ST | ≤ 80% AMI - Low Income Home Ownership |
| 8 | 45-5369-12-6 | 306 105TH AVE | ≤ 80% AMI - Low Income Home Ownership |
| 9 | 4-61-10 | 1424 12TH ST | ≤ 80% AMI - Low Income Home Ownership |
| 10 | 5-452-10-2 | MARKET ST | ≤ 80% AMI - Low Income Home Ownership |
| 11 | 41-4146-30 | 1090 71ST AVE | ≤ 80% AMI - Low Income Home Ownership |
| 12 | 43-4604-1 | 2276 AUSEON AVE | ≤ 80% AMI - Low Income Home Ownership |
| 13 | 20-164-6 | 1839 FOOTHILL BLVD | ≤ 80% AMI - Low Income Home Ownership |
| 14 | 40-3396-4 | 7521 MACARTHUR BLVD | ≤ 80% AMI - Low Income Rental |
| 15 | 40-3396-5 | 7525 MACARTHUR BLVD | ≤ 80% AMI - Low Income Rental |
| 16 | 40-3396-6 | 7533 MACARTHUR BLVD | ≤ 80% AMI - Low Income Rental |
| 17 | 40-3407-1 | 7951 MACARTHUR BLVD | ≤ 80% AMI - Low Income Rental |
| 18 | 40-3407-2 | 7963 MACARTHUR BLVD | ≤ 80% AMI - Low Income Rental |
| 19 | 41-4129-44 | 1238 72ND AVE | ≤ 80% AMI - Low Income Home Ownership |
| 20 | 41-4148-59 | 1020 70TH AVE | ≤ 80% AMI - Low Income Home Ownership |
| 21 | 41-4198-50 | 1266 79TH AVE | ≤ 80% AMI - Low Income Home Ownership |
| 22 | 45-5369-17 | 10575 TOPANGA DR | ≤ 120% AMI - Low Income Home Ownership |
| 23 | 4-93-27 | 1562 8TH ST | ≤ 80% AMI - Low Income Home Ownership |
| 24 | 41-4133-34 | 7014 HAMILTON ST | ≤ 120% AMI - Low Income Home Ownership |
| 25 | 6-21-33 | 1731 CHASE ST | ≤ 120% AMI - Low Income Home Ownership |
| 26 | 3-31-13 | 878 20TH ST | ≤ 120% AMI - Low Income Home Ownership |
| 27 | 6-23-15 | 925 WILLOW ST | ≤ 120% AMI - Low Income Home Ownership |
| 28 | 3-17-19 | 873 ATHENS AVE | ≤ 120% AMI - Low Income Home Ownership |
| 29 | 32-2111-28 | 3558 GRAY ST | ≤ 120% AMI - Low Income Home Ownership |
| 30 | 4-75-22 | 1488 3RD ST | ≤ 120% AMI - Low Income Home Ownership |
| 31 | 5-435-13 | 1076 24TH ST | ≤ 120% AMI - Low Income Home Ownership |
| 32 | 5-465-3 | 1071 32ND ST | ≤ 120% AMI - Low Income Home Ownership |
| 33 | 7-554-9 | 1616 15TH ST | ≤ 120% AMI - Low Income Home Ownership |
| 34 | 40A-3419-27 | 73RD AV | ≤ 120% AMI - Low Income Home Ownership |

EXHIBIT B

| City of Oakland Tax-Defaulted Properties | | | Year of Default |
|------------------------------------------|--------------|------------------------------------|-----------------|
| ID No. | PARCEL | ADDRESS | |
| 1 | 6-13-42 | 1005 CAMPBELL ST RM OAKLAND | 1989 |
| 2 | 3-13-12 | 834 ATHENS AVE RM OAKLAND | 1991 |
| 3 | 6-23-20 | 905 WILLOW ST OAKLAND | 1989 |
| 4 | 12-965-21-1 | 3700 WEST ST OAKLAND | 1990 |
| 5 | 5-478-7 | 3425 CHESTNUT ST RM OAKLAND | 2004 |
| 6 | 21-293-4 | 2117 25TH AVE RM OAKLAND | 2004 |
| 7 | 5-429-5 | 1021 24TH ST RM OAKLAND | 1990 |
| 8 | 5-434-24 | 1034 24TH ST RM OAKLAND | 1993 |
| 9 | 9-692-5 | 804 27TH ST RM OAKLAND | 1990 |
| 10 | 15-1306-22-1 | 1077 57TH ST RM OAKLAND | 2000 |
| 11 | 41-4148-19 | 1027 70TH AVE RM OAKLAND | 1996 |
| 12 | 26-757-24 | 2210 23RD AVE RM OAKLAND | 1992 |
| 13 | 39-3251-22 | 1701 CHURCH ST RM OAKLAND | 1999 |
| 14 | 48E-7347-19 | BALBOA DR RM OAKLAND | 2004 |
| 15 | 48E-7347-20 | BALBOA DR RM OAKLAND | 2004 |
| 16 | 9-710-2 | 3041 WEST ST RM OAKLAND | 1990 |
| 17 | 4-93-24 | 1556 8TH ST RM OAKLAND | 1986 |
| 18 | 44-4952-3 | 9109 INTERNATIONAL BLVD RM OAKLAND | 2003 |
| 19 | 9-695-6 | 2821 M L KING JR WAY | 1990 |
| 20 | 5-471-1-1 | 3346 CHESTNUT ST | 1994 |
| 21 | 6-13-51 | 1020 WILLOW ST. | 1993 |
| 22 | 36-2420-5-2 | 5154 IGNACIO AVE | 1996 |
| 23 | 43-4620-1-1 | 8215 MACARTHUR BLVD. | 1995 |
| 24 | 44-5009-8 | 9630 WALTER AVE | 1992 |
| 25 | 42-4256-14 | 1201 84TH AVE | 1996 |