

CITY OF OAKLAND  
MEMORANDUM

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2004 MAR -3 PM 1:26

JMB

TO: Rules & Legislation Committee  
ATTN: Assistant to the City Manager  
FROM: Richard Illgen, Deputy City Attorney  
Department: Office of the City Attorney  
DATE: March 2, 2004  
SUBJECT: Request to Schedule Agenda Item

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**TITLE:**

**THIRD REVISED**

AN ORDINANCE REQUIRING RENTAL PROPERTY OWNERS TO EVICT TENANTS ENGAGED IN CERTAIN ILLEGAL ACTIVITIES ON THE PREMISES AND INCLUDING OFF-PREMISES DRUG RELATED ACTIVITIES THAT USE THE PREMISES TO FURTHER THE OFF-PREMISES ILLEGAL DRUG ACTIVITY AND AUTHORIZING THE CITY ATTORNEY TO ACCEPT ASSIGNMENT OF EVICTION CAUSES OF ACTION FROM RENTAL PROPERTY OWNERS FOR EVICTIONS INVOLVING CERTAIN ILLEGAL ACTIVITIES BY ESTABLISHING SECTION 8.23.100 OF THE OAKLAND MUNICIPAL CODE, "NUISANCE EVICTION ORDINANCE"

Note: This revision requires a first reading as a new ordinance. I should be scheduled as an alternative to the already scheduled second reading for the Second Revised ordinance by the same title.

**SCHEDULING RECOMMENDATION:**

- A. Committee \_\_\_\_\_  
(Please specify Committee. Committees meet 2<sup>nd</sup> & 4<sup>th</sup> Tuesdays)  
 City Council  Redevelopment Agency  
(Council/Agency meets on 1<sup>st</sup>, 3<sup>rd</sup>, and 5<sup>th</sup> Tuesdays)
- B. Meeting Date: March 16, 2004

Is there a statutory, regulatory, financial or grant deadline? Specify:

Is a staff report required/requested? Report from City Attorney.

What is the fiscal impact on the City/Agency? Potential additional costs to City Manager's Office and City Attorney's Office.

If the ten-day (Sunshine Ordinance) agenda deadline cannot be met, please indicate reason:

- Item constitutes an "emergency" (Crippling disaster, work stoppage or other activity which severely impacts public health and/or safety)
- It was not reasonably possible to place the proposed item on the two-week agenda AND any of the following exist:
- Item requires immediate action to avoid a substantial adverse impact if action is deferred to a subsequent special or regular meeting;
- Item requires immediate action relating to federal or state legislation;
- Item requires immediate action relating to eligibility for a grant or gift; OR
- Item is ceremonial.

03-0329-1