

**CITY COUNCIL RESOLUTION NO. 20-16**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND AUTHORIZING THE CITY TO ACT AS PETITIONER IN PROBATE PROCEEDINGS FOR THE ESTATES OF DECEASED OWNERS OF BLIGHTED PROPERTIES AND APPROVING THE TAKING OF ALL NECESSARY ACTIONS IN CONNECTION THEREWITH**

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**WHEREAS**, the City and the Richmond Community Foundation have partnered in the Richmond Housing Rehabilitation Program, pursuant to which the City has issued revenue bonds, the proceeds of which are being used by the Foundation to finance the acquisition, rehabilitation and sale of dilapidated housing units in the City in order to achieve the remediation of blight, improve the supply of clean, safe and affordable housing and provide opportunities to first-time homebuyers to become property owners in Richmond (the “Program”); and

**WHEREAS**, many dilapidated houses in the City are in that state because the owners have died and the estates of those owners have not been probated or otherwise administered (a list of 28 such properties that are now being managed by Richmond Code Enforcement team is attached as Exhibit A), so no one is caring for those properties; and

**WHEREAS**, the City, as a creditor of the estate of the deceased homeowner in each case because of unpaid code enforcement fines, has standing to petition to administer the estate of the deceased homeowner; and

**WHEREAS**, only through such administration of the estate of each deceased homeowner will it be possible for these dilapidated houses to be sold, rehabilitated and returned to productive use; and

**WHEREAS**, the City has full legal right, power and authority under its Municipal Code and the laws of the State of California to enter into the transactions hereinafter authorized; and

**WHEREAS**, Richmond Housing Restoration, LLC, the entity that is actually acquiring and rehabilitating the dilapidated houses under the Richmond Housing Rehabilitation Program, has agreed to, out of the bond proceeds, advance all filing fees and other costs of such estate administration on behalf of the City and to indemnify the City against any liabilities or costs that might arise from such petitions and administration; and

**WHEREAS**, being fully advised in the matter of the administration of these estates, this Council wishes to proceed with implementation of said administration.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RICHMOND, AS FOLLOWS:**

Section 1. The foregoing recitals are true and correct and this Council hereby so finds and determines.

Section 2. The Council hereby authorizes the City Manager to authorize the filing of petitions to administer the estates of deceased owners of blighted properties who owe unpaid code enforcement fines to the City.

Section 3. The officers and agents of the City are, and each of them hereby is, authorized and directed to do any and all things and to execute and deliver any and all documents which they or any of them deem necessary or advisable in order to facilitate the administration of the estates of deceased homeowners of dilapidated residential properties in Richmond, and to do any and all things and take any and all actions which may be necessary or advisable, in their discretion, to effectuate the actions which the City has approved in this Resolution. Notwithstanding any provision of this resolution authorizing an officer to take any action or execute any document to the contrary, in the absence of such officer or in lieu of such officer, the person designated in writing by such officer, may take such action or execute such document with like effect as fully as though named in this resolution instead of such officer.

Section 4. All consents, approvals, notices, orders, requests and other actions permitted or required by any of the documents authorized by this Resolution, whether before or after the filing of a petition to administer an estate, may be given or taken, without further authorization by this City Council, by the Authorized Officers and each such officer is hereby authorized and directed to give any such consent, approval, notice, order or request and to take any such action which such officers may deem necessary or desirable to further the purposes of this Resolution.

Section 5. This Resolution shall take effect from and after its adoption.

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I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held March 1, 2016, by the following vote:

AYES: Councilmembers Bates, Beckles, McLaughlin, Myrick, Pimplé,  
Vice Mayor Martinez, and Mayor Butt.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

PAMELA CHRISTIAN  
CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:

TOM BUTT  
Mayor

Approved as to form:

BRUCE GOODMILLER  
City Attorney

State of California            }  
County of Contra Costa        } : ss.  
City of Richmond               }

I certify that the foregoing is a true copy of **Resolution No. 20-16**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on March 1, 2016.

  
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Pamela Christian, Clerk of the City of Richmond