



Legislation Text

File #: 20-13, Version: 1

Ratify a Waiver of Judicial Accounting, Acknowledgment, Release, and Refunding Agreement from First Republic Trust Company acting as the trustee for The Alfred Wasthuber Living Trust where the Solano County Sheriff's Office Animal Care is listed as a beneficiary; and Authorize the Sheriff to deposit the distribution of \$147,830.49 into the Animal Care Facility donation account to be utilized for enhanced shelter operations

Published Notice Required? Yes ☐ No ☒
Public Hearing Required? Yes ☐ No ☒

DEPARTMENTAL RECOMMENDATION :

The Sheriff recommends that the Board of Supervisors:

1. Ratify a Waiver of Judicial Accounting, Acknowledgment, Release, and Refunding Agreement from First Republic Trust Company acting as the trustee for The Alfred Wasthuber Living Trust where the Solano County Sheriff's Office Animal Care is listed as a beneficiary; and
2. Authorize the Sheriff to deposit the distribution of \$147,830.49 into the Animal Care Facility donation account to be utilized for enhanced shelter operations.

SUMMARY:

Alfred Wasthuber, a former resident of Rio Vista and a cat lover, died on September 3, 2018. In his living trust, he specified that the Solano County Sheriff's Office Animal Care (Animal Care) was to receive 6% of the remaining cash distribution of his estate. The distribution amount, as determined by First Republic Trust Company, the successor trustee for The Alfred Wasthuber Living Trust, is \$147,830.49.

The Sheriff's Office has signed the Waiver of Judicial Accounting, Acknowledgment, Release, and Refunding Agreement (Agreement) and is awaiting the distribution of \$147,830.49. Once received, the Sheriff's Office will deposit the distribution into the Animal Care Facility donation account to be utilized in accordance with existing Animal Care Facility Procedure regarding donations.

FINANCIAL IMPACT :

The distribution to be received from The Alfred Wasthuber Living Trust of \$147,830.49 will be deposited into the Animal Care Facility donation account and utilized to enhance shelter operations and improve the lives of animals in Solano County. The balance in the donation account as of July 1, 2019 was \$70,175.43. Donations amounting to \$16,844.50 were received thus far in FY2019/20, with \$42,688.04 transferred to the Animal Care budget to cover costs for adoptions, spay and neuters and microchipping for members of the public and rescue and foster programs. The current balance in the donation account is \$44,331.89.

The cost associated with preparing the agenda item is nominal and absorbed by the department's FY2019/20 Adopted Budget.

DISCUSSION :

On November 21, 2018, First Republic Trust Company, the successor trustee for The Alfred Wasthuber Living Trust, notified Animal Care of Mr. Wasthuber's death and that Animal Care had been named a beneficiary of Mr. Wasthuber's estate.

The Sheriff's Office received the Agreement on December 6, 2019 from First Republic Trust Company, indicating that Animal Care was to receive \$147,830.49 from the Alfred Wasthuber Living Trust pending signature from the Sheriff's Office. In December 2019, after consultation with County Counsel and County Counsel's review of the Agreement, the Sheriff's Office signed the Agreement and submitted it to First Republic Trust Company. The Sheriff's Office is now asking the Board of Supervisors to ratify the Agreement.

The Sheriff's Office, upon ratification by the Board of Supervisors, will deposit the distribution of \$147,830.49 into the Animal Care Facility donation account upon receipt. The Animal Care Facility donation account was established in 2018 in collaboration with the Auditor-Controller's Office and the procedure for receiving donations was issued by the Sheriff's Office on March 14, 2018. The Animal Care Facility is a tax-exempt organization under the umbrella of the Internal Revenue Code Section 170(c)(1) status of the County of Solano, and is authorized to accept donations made for a public purpose related to providing necessary care for and enriching the lives of animals within the community and in the County's care. Donations received by the Animal Care Facility are deposited into the Animal Care Facility's donation account and are used solely for animal enrichment to ensure the animals in the facility's care obtain a more pleasant quality of life while in the shelter environment, to raise public awareness on the benefits of spay and neutering pets, and to provide assistance to low-income pet owners in certain aspects of pet care.

Monetary donations are received from in-person donations at the Animal Care Facility, via mail, internet submission on the County's website, through the County's licensing vendor PetData at the time residents license their pets, Amazon Smile, donation boxes at events, corporate donations or the bequeathment of funds as part of an estate or gift in trust and deposited into the Animal Care Facility donation account. Funds in the donation account are used to offset animal enrichment expenses that benefit the animals of Solano County and are utilized at the discretion of the Animal Care Manager to offset promotional adoption specials, microchips for rescue organizations, Spay It Forward program, Hip To Be Tipped program. The funds received from The Alfred Wasthuber Living Trust distribution will be utilized in accordance with the current donation procedure.

ALTERNATIVES :

The Board can choose not to ratify the Waiver of Judicial Accounting, Acknowledgment, Release, and Refunding Agreement; however, this alternative is not recommended as donated funds will be used to offset animal enrichment expenses that benefit the animals of Solano County.

OTHER AGENCY INVOLVEMENT :

County Counsel has reviewed and approved the waiver as to form.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION