

RESOLUTION NO. 2021-122

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
ACCEPTING \$236,290 CASH DONATION FROM THE ANNEMARIE SHEIN LIVING TRUST,
SAID TRUST STIPULATED HALF OF THE \$236,290 (\$118,145) BE DIRECTED TO THE
POLICE DEPARTMENT AND HALF (\$118,145) BE DIRECTED TO THE FIRE
DEPARTMENT, APPROPRIATING THE UNANTICIPATED REVENUES TO THE FY 2021-22
POLICE DEPARTMENT AND FIRE DEPARTMENT BUDGETS FOR PURCHASE OF
EQUIPMENT AND/OR SUPPORT OF PROGRAM FUNDING SPECIFIC TO THE POLICE
DEPARTMENT AND FIRE DEPARTMENT TO ENHANCE CITY OF MARINA PUBLIC
SAFETY, AND AUTHORIZING FINANCE DIRECTOR TO MAKE NECESSARY
ACCOUNTING AND BUDGETARY ENTRIES

WHEREAS, the Marina Police Department and Fire Department each received a cash donation from the Annemarie Shein Living Trust in the amount of \$118,145 and said funds are to be used exclusively by the Police Department and Fire Department, and;

WHEREAS, the Police Department and Fire Department will utilize the donated funds for the purchase of equipment and/or support of program funding, and;

WHEREAS, the Police Department and Fire Department will use the Trust funds for purchase of equipment and/or support of program funding specific to the Police Department and Fire Department to enhance the safety of the residents, businesses, and visitors of the City of Marina.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina hereby:

1. Accepts the cash donation in the amount of \$236,250 from the Annemarie Shein Living Trust with half the funds, \$118,145, (“**EXHIBIT A**”) going to the Police Department Budget and the other half \$118,145 (“**EXHIBIT B**”) going to the Fire Department Budget; and;
2. Appropriating the revenues to the FY 2021-22 Police Department and Fire Department Budgets for purchase of equipment and/or support of program funding to the Police Department that enhances the safety of the residents, businesses, and visitors of the City of Marina, and;
3. Authorizes the Finance Director to make necessary accounting and budgetary entries.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting held on the 7th day of December 2021 by the following vote:

AYES, COUNCIL MEMBERS: Medina Dirksen, Burnett, Berkley, Biala, Delgado

NOES, COUNCIL MEMBERS: None

ABSENT, COUNCIL MEMBERS: None

ABSTAIN, COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

FENTON & KELLER

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

2801 MONTEREY-SALINAS HIGHWAY

POST OFFICE BOX 791

MONTEREY, CALIFORNIA 93942-0791

TELEPHONE (831) 373-1241

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BRIAN D. CALL
TROY A. KINGSHAVEN
JOHN E. KESECKER
ELIZABETH R. LEITZINGER
ANDREW B. KREEFT
KENNETH S. KLEINKOPF
ALEX J. LORCA

SHARILYN R. PAYNE
CAROL S. HILBURN
DERRIC G. OLIVER
SUSANNAH L. ASHTON
MARCO A. LUCIDO
GLADYS RODRIGUEZ-MORALES
SAMUEL B. BEIDERWELL
BRADLEY J. LEVANG
ASHLEY E. CAMERON
TYLER C. MORAN
CHRISTOPHER M. LONG
SERGIO H. PARRA

LEWIS L. FENTON
1925-2005

OF COUNSEL
CHARLES R. KELLER
THOMAS H. JAMISON
JOHN S. BRIDGES

TROY A. KINGSHAVEN

October 26, 2021

TKingshaven@fentonkeller.com
ext. 241

City of Marina Police Department
211 Hillcrest Avenue
Marina, CA 93933

Re: Distribution from the Annemarie Shein Living Trust, dated April 14, 2006
Our File: 35647.34797

Dear Marina Police Department:

The purpose of this letter is to notify you that the administration of the Annemarie Shein Trust, dated April 14, 2006, as amended and restated (the "Trust") is nearly concluded. The Trustee is distributing most of the Trust estate but is withholding a reserve for final expenses. The remaining balance of the reserve will be distributed to the beneficiaries, pursuant to their respective pro rata interests, once the trustee determines there are no remaining expenses.

Enclosed please find the following items:

1. Check number 2044 in the amount of \$118,145.00 representing City of Marina Police Department's pro rata share of the Trust's net proceeds, and.
2. Corresponding Receipt on Distribution for signature by an authorized representative of City of Marina Police Department.

Please return the signed Receipt on Distribution in the enclosed postage paid envelope. In the event you have any questions concerning this letter or any of the enclosed documents, please do not hesitate to contact me.

City of Marina Police Department
October 26, 2021
Page 2

Very truly yours,

FENTON & KELLER
A Professional Corporation

Troy A. Kingshaven

Troy A. Kingshaven

TAK:ldh
Enclosures

RECEIPT ON DISTRIBUTION

The undersigned hereby acknowledges receipt of check number 2043 in the amount of One Hundred Eighteen Thousand One Hundred Forty Five Dollars (\$118,145.00) from Judith Fletchall, Trustee of the Annemarie Shein Living Trust dated April 14, 2006 (the "Trust"), which represents distribution of City of Marina Fire Department's portion of the Trust net proceeds pursuant to Article Four, Paragraph B(3) of the Trust.

CITY OF MARINA FIRE DEPARTMENT

Date: 10-27-21

By: BRYAN WHITTAKER

Name: _____

Title: DET. SGT.

THE ANNEMARIE SHEIN LIVING TRUST
JUDITH FLETCHALL, TRUSTEE

90-3842/1222

2044

SEASIDE, CA 93955

DATE 10-26-21

PAY TO
THE ORDER OF

City Marina Police Dept. \$ 118,145.00
One hundred eighteen thousand one hundred
forty five 00/100 DOLLARS



**Mechanics
Bank**

P.O. Box 6002
Arroyo Grande, CA 93421-6002
Customer Service 800-942-6222

MEMO

Security Features
Included
Details on Back

SPECIALTY GRAY

FENTON & KELLER

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ATTORNEYS AT LAW

2801 MONTEREY-SALINAS HIGHWAY

POST OFFICE BOX 791

MONTEREY, CALIFORNIA 93942-0791

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TROY A. KINGSHAVEN

October 27, 2021

TKingshaven@fentonkeller.com
ext. 241

City of Marina Fire Department
211 Hillcrest Avenue
Marina, CA 93933

Re: Distribution from the Annemarie Shein Living Trust, dated April 14, 2006
Our File: 35647.34797

Dear Marina Fire Department:

The purpose of this letter is to notify you that the administration of the Annemarie Shein Trust, dated April 14, 2006, as amended and restated (the "Trust") is nearly concluded. The Trustee is distributing most of the Trust estate but is withholding a reserve for final expenses. The remaining balance of the reserve will be distributed to the beneficiaries, pursuant to their respective pro rata interests, once the trustee determines there are no remaining expenses.

Enclosed please find the following items:

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City of Marina Fire Department
October 26, 2021
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Very truly yours,

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A Professional Corporation

Troy A. Kingshaven

Troy A. Kingshaven

TAK:ldh
Enclosures

RECEIPT ON DISTRIBUTION

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CITY OF MARINA POLICE DEPARTMENT

Date: 10-27-21

By: BRYAN WHITTAKER

Name: _____

Title: DET. SGT.

THE ANNEMARIE SHEIN LIVING TRUST		90-3842/1222	2043
JUDITH FLETCHALL, TRUSTEE		DATE <u>10-26-21</u>	
SEASIDE, CA 93955			
PAY TO THE ORDER OF	<u>City Marina Fire Dept.</u>	\$ <u>118,145.00</u>	
<u>One hundred eighteen thousand one hundred</u>		DOLLARS	
<u>forty five</u>		<u>00/100</u>	
 Mechanics Bank			
P.O. Box 6002 Arroyo Grande, CA 93421-6002 Customer Service 800-942-6222			
MEMO			

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of December 7, 2021

**RECOMMENDATION TO CONSIDER ADOPTING RESOLUTION NO. 2021-,
ACCEPTING \$236,290 CASH DONATION FROM THE ANNEMARIE SHEIN
LIVING TRUST, SAID TRUST STIPULATED HALF OF THE \$236,290
(\$118,145) BE DIRECTED TO THE POLICE DEPARTMENT AND HALF
(\$118,145) BE DIRECTED TO THE FIRE DEPARTMENT, APPROPRIATING
THE UNANTICIPATED REVENUES TO THE FY 2021-22 POLICE
DEPARTMENT AND FIRE DEPARTMENT BUDGETS FOR PURCHASE OF
EQUIPMENT AND OR SUPPORT OF PROGRAMS SPECIFIC TO THE
POLICE DEPARTMENT AND FIRE DEPARTMENT TO ENHANCE CITY
OF MARINA PUBLIC SAFETY, AND AUTHORIZING FINANCE DIRECTOR
TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES**

RECOMMENDATION:

It is recommended that the City Council:

1. Consider adopting Resolution No. 2021-, accepting \$236,290 cash donation from the Annemarie Shein Living Trust, said Trust stipulated half of the \$236,290 (\$118,145) be directed to the Police Department, and half (\$118.145) be directed to the Fire Department, and;
2. Appropriating the unanticipated revenues to the FY 2021-22 Police Department Budget and Fire Department Budget for purchase of equipment or program funding specific to the Marina Police Department and Fire Department to enhance City of Marina public safety, and;
3. Authorizing Finance Director to make necessary accounting and budgetary entries.

BACKGROUND:

On October 27, 2021, the Police Department and Fire Department received notification and checks (“EXHIBIT A”) & (“EXHIBIT B”) respectively, from the Annemarie Shein, Living Trust donating \$118,145 to the Police Department and \$118,145 to the Fire Department. The total amount donated by the Trust is \$236,290. The trust paperwork received did not specify how or for what purpose the funds were to be spent, only that the funds were directed to the Police and Fire Departments.

The Police Department and Fire Department intend to utilize the funds received from the Trust to purchase equipment and/or support program funding that normally would not be within reach of their respective budgets.

The Police Department and Fire Department want to thank Ms. Annemarie Shein for her generous donation as well the Annemarie Shein Living Trust.

ANALYSIS:

The Annemarie Shein Living Trust letter and checks specifically indicate the donation is for the use of the Police Department and Fire Department. To that end, the Departments intend to utilize the funds to enhance its capabilities through purchase of equipment and support of Department specific programs that directly benefit the safety and wellbeing of the residents, businesses, and visitors of the City of Marina.

Each Department will conduct an analysis of its operations to determine where best to utilize the Trust funds to determine where the funds will most greatly enhance safety within the City.

FISCAL IMPACT:

Should City Council approve acceptance of the Annemarie Shein Living Trust funds the City will receive \$236,290 in unanticipated General Fund revenues. Half of the funds, \$118,145, are to be directed to the Police Department and the other half to the Fire Department.

Said funds will be entered into the Police Department and Fire Department budgets as follows:

1. Police Department FY 2021-2022 Budget, Revenue Account #100.210.000.00-5870.700 – Contributions Police and expended through the FY 2021-2022 Police Department Budget, Expense Account #100.210.000.00-6400.740 – Material & Suppl Special Dept Suppl.
2. Fire Department FY 2021-2022 Budget, Revenue Account #100.250.000.00-5880.500 - Other Revenues Misc and expended through the FY 2021-2022 Fire Department Expense Account #100.250.000.00-6400.739 - Material & Suppl Special Dept Exp-Fire Prevent.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Richard J. Janicki, Jr.
Management Analyst
Marina Police Department
City of Marina

REVIEWED/CONCUR:

Tina Nieto
Chief of Police
City of Marina

Layne Long
City Manager
City of Marina