



Legislation Text

File #: 21-37, Version: 1

Memorandum

Date: February 9, 2021

To: The Honorable Bruno Sabatier, Chair, Lake County Board of Supervisors

From: Anita L. Grant, County Counsel
Jonathan Louie, Deputy County Counsel

Subject: Consideration of Resolution Accepting Bequest of Real Property And Funds From The John T. Klaus 1994 Trust To The County Of Lake

Executive Summary: (include fiscal and staffing impact narrative):

As the Board of Supervisors was made aware several months ago, the John T. Klaus 1994 Trust wishes to make a very generous bequest to the County of Lake, by and through the Lake County Public Services Department, of certain real properties located in Clearlake Oaks, consisting of approximately 620 acres, to be used for and maintained as a public park. Said bequest is made with certain conditions to which your Board must agree:

1. The public park shall be named the John T. Klaus Park;
2. One-third of the land at the rear end of this public park shall be reserved as a refuge for wildlife;
3. Areas of this public park shall be set aside and developed for sporting and athletic activities for youth.

The John T. Klaus 1994 Trust further provides that the remaining parcels of real property in the Trust Estate described in Schedule A of said Trust are to be sold and the net proceeds from such sale(s) are to be distributed to the County of Lake Public Services Department, Park and Recreations Division, subject to the following conditions:

1. Said proceeds, along with any fees generated by activities on the park properties, shall be held in an account, which shall be maintained separate and apart from any County of Lake general fund or Lake County Public Services Department fund; and
2. An independent auditor/accountant shall review this separate account on a yearly basis to determine whether the above-described funds are being used solely for the improvements and maintenance costs of the John T. Klaus Park and the results of this review must be provided to the Trustee of the John T. Klaus 1994 Trust on a yearly basis.

A resolution has been prepared for your Board's review and consideration, the adoption of which shall result in the acceptance of the above-described bequests subject to the conditions herein

stated.

The Public Services Department reports that preliminary title reports have been collected and a Phase 1 Environmental Site Assessment (ESA) is underway. Should the Board accept the bequest, Public Services staff will establish the appropriate finance mechanisms to accept receipt of the assets and begin park planning efforts.

If not budgeted, fill in the blanks below only:

Estimated Cost: _____ Amount Budgeted: _____ Additional Requested: _____ Future Annual Cost: _____

Consistency with Vision 2028 and/or Fiscal Crisis Management Plan (check all that apply):

- | | | | |
|--|--|---|---|
| <input type="checkbox"/> Well-being of Residents | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Infrastructure | <input type="checkbox"/> Not applicable |
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Disaster Recovery | <input type="checkbox"/> County Workforce | <input type="checkbox"/> <i>Technology Upgrades</i> |
| <input type="checkbox"/> Community Collaboration | <input type="checkbox"/> Business Process Efficiency | <input type="checkbox"/> Clear Lake | <input type="checkbox"/> <i>Revenue Generation</i> |
| | | | <input type="checkbox"/> <i>Cost Savings</i> |

If request for exemption from competitive bid in accordance with County Code Chapter 2 Sec. 2-38, fill in blanks below:

Which exemption is being requested?
How long has Agreement been in place?
When was purchase last rebid?
Reason for request to waive bid?

Recommended Action: