

File No. 161167

Committee Item No. 12

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

Date December 7, 2016

Board of Supervisors Meeting

Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Fire Commission Resolution</u> |
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Completed by: Linda Wong Date December 2, 2016
Completed by: Linda Wong Date _____

1 [Accept and Expend Gift - Pastor Revocable Trust - Firefighting Equipment Purchase -
2 \$72,400]

3 **Resolution authorizing the Fire Department to accept and expend a donation of \$72,400**
4 **to purchase firefighting equipment, pursuant to the terms of the administration of the**
5 **Pastor Revocable Trust and the estate of Russell Pastor.**

6
7 WHEREAS, The San Francisco Fire Department was contacted by the Law Offices of
8 Corey & Corey; and

9 WHEREAS, The San Francisco Fire Department learned that it was listed as a
10 beneficiary of the Pastor Revocable Trust and the estate of Russell Pastor and pursuant to
11 the trust was to receive a share of the estate; and

12 WHEREAS, The San Francisco Fire Department received two checks totaling the
13 amount of \$72,400 from the Law Offices of Corey & Corey as a distribution of the estate; and

14 WHEREAS, Upon acceptance of these funds, the San Francisco Fire Department will
15 use the funds to purchase firefighting equipment per the terms of the trust; and

16 WHEREAS, At its regular meeting on Wednesday, February 10th, 2016, the Fire
17 Commission voted to recommend that the Board of Supervisors approve the gift and
18 authorize the Chief of the Fire Department to accept the donation to the Department; and

19 WHEREAS, The Fire Commission Resolution is on file with the Clerk of the Board of
20 Supervisors in File No. 161167, which is hereby declared to be a part of this resolution as if
21 set forth fully herein; now, therefore, be it

22 **RESOLVED**, That the Board of Supervisors approves the donation and authorizes the
23 Chief of the Fire Department to accept and expend \$72,400 pursuant to the terms of the
24 administration of the Pastor Revocable Trust and the estate of Russell Pastor.

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Recommended:

Joanne Hayes White
JOANNE HAYES-WHITE, Fire Chief

03/18/2016

Approved: Edwin M. Lee

for EDWIN M. LEE, Mayor

Approved: Ben Rosenfield

for BEN ROSENFELD, Controller

File Number: _____
(Provided by Clerk of Board of Supervisors)

Grant Ordinance Information Form
(Effective July 2011)

Purpose: Accompanies proposed Board of Supervisors ordinances authorizing a Department to accept and expend grant funds.

The following describes the grant referred to in the accompanying resolution:

1. Grant Title: Gift of one donation of \$72,400.00
2. Department: Fire Department
3. Contact Person: Mark Corso Telephone: 415-558-3417
4. Grant Approval Status (check one):
 Approved by funding agency Not yet approved
5. Amount of Grant Funding Approved or Applied for: \$ 72,400.00
6. a. Matching Funds Required: \$ 0
b. Source(s) of matching funds (if applicable): N/A
7. a. Grant Source Agency: Gift from individuals – Estate of Russell Pastor
b. Grant Pass-Through Agency (if applicable): N/A
8. Proposed Grant Project Summary: The Estate of Russell Pastor has donated \$72,400.00 to the San Francisco Fire Department.
9. Grant Project Schedule, as allowed in approval documents, or as proposed:
N/A – One-time donation
10. Number of new positions created and funded: 0
11. Explain the disposition of employees once the grant ends? N/A
12. a. Amount budgeted for contractual services: N/A
b. Will contractual services be put out to bid? N/A
c. If so, will contract services help to further the goals of the Department's Local Business Enterprise (LBE) requirements? N/A
d. Is this likely to be a one-time or ongoing request for contracting out? N/A
13. a. Does the budget include indirect costs?
 Yes No
b. 1. If yes, how much? \$0
b. 2. How was the amount calculated?
c. 1. If no, why are indirect costs not included?
 Not allowed by granting agency To maximize use of grant funds on direct services
 Other (please explain): One-time donation
c. 2. If no indirect costs are included, what would have been the indirect costs? None

14. Any other significant grant requirements or comments:

****Disability Access Checklist****

15. This Grant is intended for activities at (check all that apply):

- | | | |
|--|---|---|
| <input type="checkbox"/> Existing Site(s) | <input type="checkbox"/> Existing Structure(s) | <input checked="" type="checkbox"/> Existing Program(s) or Service(s) |
| <input type="checkbox"/> Rehabilitated Site(s) | <input type="checkbox"/> Rehabilitated Structure(s) | <input type="checkbox"/> New Program(s) or Service(s) |
| <input type="checkbox"/> New Site(s) | <input type="checkbox"/> New Structure(s) | |

16. The Departmental ADA Coordinator or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local access laws and regulations and will allow the full inclusion of persons with disabilities, or will require unreasonable hardship exceptions, as described in the comments section:

Comments:

Departmental ADA Coordinator or Mayor's Office of Disability Reviewer:

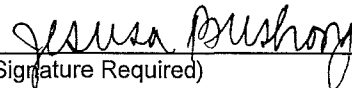
Jesusa Bushong

(Name)

HR Director

(Title)

Date Reviewed: 7/11/16


(Signature Required)

Overall Department Head or Designee Approval:

Mark Corso

(Name)

Chief Financial Officer

(Title)

Date Reviewed: 7/7/16


(Signature Required)

San Francisco Fire Department Gift Budget

Donation - \$72,400 donation to the SFFD

Budget:

	<u>Item</u>	<u>Description</u>	<u>Cash Value</u>	<u>Index</u>	<u>Grant</u>
Donation		Cash Donation	\$ 72,400	310063	FCG313
		Total:	\$ 72,400		



A PROFESSIONAL CORPORATION

300 Montgomery Street
Suite 500
San Francisco, CA 94104
(415) 777-5266 • (415) 777-5265 Fax

October 7, 2015

Mark Corso- Chief Financial Officer
San Francisco Fire Department
682 2nd street
San Francisco, CA 94107

Re: Administration of the Pastor Revocable Trust

Dear Mr. Corso:

As you know, The San Francisco Fire Department is one of the beneficiaries of Pastor Revocable Trust.

Enclosed is a check in the amount of \$ 4,400.00 which represents The San Francisco Fire Department's remaining 2% interest in the Trust. Please sign and date the Acknowledgment of Receipt and return it to my office in the enclosed, self-addressed envelope.

Please call if you have any questions.

Sincerely,

Joseph P. Corey
JPC/ds

Enclosures/

JIC 310063

Grant: TCGIFT

GL: 223

Subsid: YEA CCR

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4,400.00 +

001

4,400.00 * +

Trans Description: Receipt in advance from Pastor Revocable Trust

(P)



A PROFESSIONAL CORPORATION

300 Montgomery Street
Suite 500
San Francisco, CA 94104
(415) 777-5266 • (415) 777-5265 Fax

July 17, 2015

Mark Corso-Chief Financial Officer
San Francisco Fire Department
682 2nd street
San Francisco, CA 94107

Re: Administration of the Pastor Revocable Trust

Dear Mark Corso:

As you know, the San Francisco Fire Department is one of the beneficiaries of Pastor Revocable Trust and the estate of Russell Pastor. The administration of the estate is now virtually complete and the Trustee is now prepared to make a distribution to each beneficiary.

Enclosed is the Beneficiary Accounting for your review. Once you have completed a careful review, please sign and date the Acknowledgment of Receipt of Accounting and return it to my office in the enclosed, self-addressed envelope.

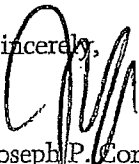
The Trustee will be making a preliminary distribution of \$ 3,400,000.00 to the beneficiaries. When I receive the signed Acknowledgment and Receipt, the Trustee will forward a check to The San Francisco Fire Department in the amount of \$ 68,000.00. This will represent the San Francisco Fire Department's initial 2% interest in the Trust.

It is important to note the trust estate will not be fully distributed at this time. We will keep a reserve to account for any unexpected expenses, bills or liabilities that may arise in the next couple of months.

Also, approximately \$ 200,000 of the estate was held in accounts not titled in the name of the Pastor Revocable Trust. As such, those accounts are now subject to the Probate Court. While we have petitioned the Court to have that money released to the Trustee, it is possible that a full Probate of that portion of the estate may be necessary. In that case, the release of that money to the beneficiaries may take up to one year. We will keep you informed either way.

Please call if you have any questions.

Sincerely,



Joseph P. Corey
JPC/ds

Enclosures/

Los Angeles • San Francisco

Front Item Number 0000073

Q	PASTOR REVOCABLE TRUST	REF ID: A12345	228
DATE	LEONARD P. SHAPIRO		
PRIVATE	1000 MARKET ST.		
CLIENT	SAN FRANCISCO, CA 94102		
DATE TO SERVE: SAN FRANCISCO PASTOR CENTRAL 18 11/17/71 FROM: THOMAS FOR MURDER AND ATTEMPTED MURDER OF MARTIN LUTHER KING, JR.			
Approved Date: 11/17/71 Signature: <i>David Shapiro</i>			

Front Item Number 0000073

Back

CHIAI COMPANY 14100 1431 14th St San Francisco, CA 94103 Tel: 415/771-1111 Fax: 415/771-1112	Ref: 78 Ref: 015680 Date: 11/17/71
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Back



PASTOR REVOCABLE TRUST
 LEONARD P. SHAPIRO
 106 EVERSON ST.
 SAN FRANCISCO, CA 94131-2637


99-7162
 322 41512

130

CHASE
 PRIVATE
 CLIENT

DATE 8/19/15

PAY TO THE ORDER OF SAN FRANCISCO FIRE DEPARTMENT \$ 68,000.00

SIXTY EIGHT THOUSAND AND 00/100 DOLLARS  Security Features include: Microprint

JPMorgan Chase Bank, N.A.

MEMO _____

Leonard P. Shapiro RP

+

1 EDWARD E. COREY (STATE BAR #124900)
2 JOSEPH P. COREY (STATE BAR #154514)
3 COREY & COREY, A Professional Corporation
4 300 Montgomery Street, Suite 500
5 San Francisco, CA 94104
6 (415) 777-5266
7 jpc@corey-corey.com

ENDORSED
FILED
Superior Court of California
County of San Francisco

MAY 15 2015

CLERK OF THE COURT
BY: KURT KYAUK
Deputy Clerk

8 Attorneys for LEONARD P. SHAPIRO, Trustee

9 SUPERIOR COURT FOR THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF SAN FRANCISCO

PTR-15-298774

11 In re) CASE NO. PTR-15-298774
12) PETITION FOR ORDER CONFIRMING
13 PASTOR REVOCABLE TRUST, DATED) SUCCESSOR TRUSTEE AND TRUST
14 January 18, 1994) ASSETS; MEMORANDUM OF POINTS
15) AND AUTHORITIES; DECLARATION
16) OF JOSEPH P. COREY; VERIFICATION
17) OF LEONARD P. SHAPIRO
18)
19) C.C.P. §§ 850(a)(3) and 17200.1
20)
21) DATE: JUL 14 2015
22) TIME: 9:00 a.m.
23) DEPARTMENT: PROBATE, Room 203

24 The Trustee LEONARD P. SHAPIRO herein petitions this Court for an ORDER
25 CONFIRMING SUCCESSOR TRUSTEE AND CONFIRMING TRUST ASSETS.

26 Said motion will be based on the following: 1) the Decedent RUSSELL R. PASTOR
27 intended that all of his assets either be part of his Revocable Living Trust or that they pass
28 automatically to named beneficiaries; 2) the Decedent declared that all of the assets on the Exhibit
A to his Revocable Living Trust were assets of his Trust; 3) the Decedent specifically identified the
assets at issue in the Exhibit A to both modifications to his Revocable Living Trust; 4) the Decedent
successfully transferred 96% of his estate to the Trust (or designated a beneficiary); and 5) the
Decedent believed that his Wells Fargo and JP Morgan Chase bank accounts were properly titled in

1 the name of his Revocable Living Trust.

2 Said motion will be based on this notice, the memorandum of points and authorities
3 set forth below, the provisions of Probate Code §§ 850(a)(3) and 17200.1, the holding of Estate of
4 Halvard L. Heggstad (1993) 16 Cal. App.4th 943, the attached declaration of Joseph P. Corey, the
5 attached Verification of Leonard P. Shapiro and the complete files and records in this action.

6 DATED: May 4, 2015

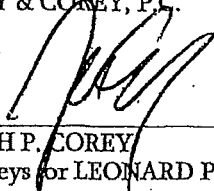
COREY & COREY, P.C.

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By 

JOSEPH P. COREY
Attorneys for LEONARD P. SHAPIRO,
Trustee.

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1 MEMORANDUM OF POINTS AND AUTHORITIES

2 I: FACTUAL BACKGROUND

3 Russell R. Pastor (hereinafter the "Decedent") died on January 4, 2015. (A true and
4 correct copy of the Death Certificate is attached hereto as Exhibit "A").

5 On January 18, 1994, the Decedent executed the PASTOR REVOCABLE TRUST
6 (hereinafter the "Trust"). (A true and correct copy of the Trust is attached hereto as Exhibit "B").

7 The Decedent modified his Trust twice, the first time on May 6, 2002, and the
8 second time September 4, 2013. (A true and correct copy of the Modifications are attached hereto
9 as Exhibits "C" and "D").

10 Pursuant to the terms of the Trust, Leonard P. Shapiro is now the acting Trustee.

11 The Decedent was very concerned about making sure that his estate would avoid
12 Probate upon his death. Toward that end, he took several steps to re-title his assets in the name of
13 his Revocable Living Trust:

14 1) On January 20, 1994, two days after he signed his Revocable Living
15 Trust, he a) wrote a letter to Merrill Lynch, asking them to re-title his brokerage account (A true
16 and correct copy of the letter to Merrill Lynch is attached hereto as Exhibit "E") and b) visited
17 Wells Fargo in person to make sure they re-titled his bank accounts there (A true and correct copy
18 of the letter from Wells Fargo confirming his request is attached hereto as Exhibit "F");

19 2) He transferred his California Lottery Prize to his Trust with an
20 Assignment. (A true and correct copy of the Declaration By Russell R. Pastor and Assignment of
21 California Lottery Prize to the Pastor Revocable Trust is attached hereto as Exhibit "G");

22 3) He transferred his real property to his Trust; (A true and correct
23 copy of the Grant Deed is attached hereto as Exhibit "H");

24 4) He specifically listed the assets he intended to make part of his
25 Revocable Living Trust on the Exhibit A to the First Modification to Pastor Revocable Trust, Dated
26 January 18, 1994, and on the Exhibit A to the Second Modification to Pastor Revocable Trust, Dated
27 January 18, 1994. (See Exhibits "C" and "D").

28

1 In Article I, Paragraph (A) of the Pastor Revocable Trust, Dated January 18, 1994,
2 entitled "Designation of Trust Property", the Decedent declared: "The Trustee . . . declares that he
3 has set aside and holds in trust all of his property that he may describe in Exhibit A, attached to this
4 instrument".

5 The Exhibit "A" to the Decedent's Second (and final) Modification to the Pastor
6 Revocable trust, lists the trust property as follows:

7 EXHIBIT A

8 PROPERTY OF
9 RUSSELL R. PASTOR

10 Bank Accounts: CITIBANK
11 138 West Portal Avenue
12 SF CA 94127
13 Acct. #: 040012438459
14 Acct. #: 040010431720
15
16 Wells Fargo Bank
17 145 West Portal Avenue
18 SF CA 94127
19 Acct. #: 0078499274
20 Safety Deposit Box:—(Client Privilege)
21
22 JP Morgan Chase Bank
23 98 West Portal Avenue
24 SF CA 94127
25 Acct. #: 393-321465-7
26 Acct. #: 000000928049601
27 Acct. #: CA2-286770
28
29 Stocks/Funds: Merrill Lynch
30 800 California Street
31 SF CA 94108
32 Acct. #: 270-56X36
33 Acct. #: 040132497234
34
35 American Century Investments
36 PO Box 419311
37 Kansas City, MO 64141-6311

38 In spite of all of the Decedent's efforts to either title the accounts in the name of his
39 trust or to specifically designate a beneficiary, the Trustee discovered after the Decedent's death
40 that the Wells Fargo Bank Account (Acct. #: 0078499274) and the two smaller JP Morgan Chase
41 (Acct. #: 393-321465-7 and Acct. #: 000000928049601) were not titled in the name of the Trust.

1 These accounts, together, are valued at approximately \$ 201,574.21, or around 4% of the Decedent's
2 estate.

3 The Decedent also executed a pour over will, directing that all of his property
4 (regardless of how it was titled) is to be distributed under the terms of the Pastor Revocable Trust.
5 (A true and correct copy of Decedent's pourover will is attached hereto as Exhibit "T").

6 With this Petition, the Trustee requests that these three (3) accounts be confirmed
7 as assets of the Pastor Revocable Trust, Dated, January 18, 1994.

8 II. LEGAL ARGUMENT

9 A. The Court May Confirm the Wells Fargo and JP Morgan Chase Accounts
10 As Assets of the Pastor Revocable Trust.

11 Probate Code § 850 (a)(3) states in relevant part:

12 (a) The following persons may file a petition requesting that the court make an
13 order under this part.

14 (3) The Trustee or any interested person in any of the following cases:

15 (A) Where the trustee is in possession of, or holds title to, real or
16 personal property, and the property, or some interest, is claimed to belong to another.

17 (B) Where the trustee has a claim to real or personal property, title
18 to or possession of which is held by another.

19 As a proceeding regarding the "internal affairs of the trust or to determine the
20 existence of the trust", Probate Code § 17200.1 confers jurisdiction on this Probate Court. In this
21 instance, the Trustee is attempting to collect assets held by two financial institutions, so that those
22 assets can be distributed according to the terms of the Pastor Revocable Trust without formal
23 probate.

24 B. The Decedent Declared that the Wells Fargo and JP Morgan Chase Accounts
25 Were Assets of the Pastor Revocable Trust, In Compliance with the Holding of
26 Estate of Heggstad.

27 In Estate of Halvard L. Heggstad (1993) 16 Cal. App.4th 943, the court held that real
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1 property may be considered part of a revocable trust, without actual conveyance of title to the
2 Trust, as long as the Settlor made a valid declaration of trust and a statement that he held the
3 property as trustee. Heggstad, at 946. In Heggstad, the Settlor identified the disputed, untitled
4 property on the Schedule A of his trust. The court found such an identification was a proper
5 manifestation of his intent to create a trust. Heggstad, at 948. To create an express trust, there
6 must be a competent trustor, trust intent, trust property, trust purpose and a beneficiary. Heggstad,
7 at 947.

8 While the Heggstad court holding specifically dealt with real property, the
9 reasoning of Heggstad was extended to personal property by the Second Appellate District in
10 Kucker v. Kucker (2011) 192 Cal.App. 4th 90. In Kucker, a decedent used a general assignment to
11 transfer all of his shares in 11 specified corporations to his revocable trust. Upon his death, it was
12 discovered that the shares of one particular corporation (3,017 shares of "Medco" which had been
13 lost) were not specifically identified in the general assignment. Nevertheless, the Court held that a
14 general assignment was sufficient to include all of his stock, even that which wasn't specifically
15 listed.

16 Relying on Heggstad, Kucker stated:

17 "The Heggstad Court also stated that the probate courts' jurisdiction over trusts
18 includes the 'court's inherent power to decide all incidental issues necessary to carry
19 out its express powers to supervise the administration of the trust' (*Id.*, at p. 951).

20 This power included power to add shares of stock to the trust that were omitted
21 because the shares were lost."

22 Kucker v. Kucker, at p.

23 In the case at hand, the Decedent Russell R. Pastor (unlike the decedent in Kucker)
24 specifically identified the Wells Fargo and JP Morgan chase accounts on his Exhibit A, including
25 account numbers. He also explicitly declared them part of his Trust.

26 Further, at the time the original trust was executed on January 19, 1994, Russell
27 R. Pastor was a competent trustor, had intent to create a trust, had ownership interest in property
28

1 that he intended to convey to the trust, and specifically named beneficiaries of the trust (See
2 Heggstad, at p. 947).

3 1. The Decedent Russell R. Pastor clearly intended to transfer the Wells
4 Fargo and JP Morgan Chase accounts to his Revocable Trust.

5 Russell R. Pastor manifested his intent to convey his property to the trust by
6 declaring himself Trustee and by declaring that all his property ("separate property of Russell R.
7 Pastor") on the Exhibit A was part of his Trust. (See Heggstad, at p. 947).

8 Russell R. Pastor further manifested his intent by going to great lengths to actually
9 re-title all of his assets into the name of his trust, including his Merrill Lynch account, the Wells
10 Fargo account (within 2 days of executing his Trust), the Citibank Account, his California Lottery
11 Prize and his real and personal property. The assets that are not currently titled in the trust, which
12 are the subject of this Petition, amount to only 4% of the total estate value of over \$ 4.5 m. At the
13 time of his death, the Decedent believed that ALL of his accounts were properly titled. It would
14 have been odd for the Decedent to go to the effort of protecting 96% of his estate from probate,
15 only to leave 4% out of the Trust. He clearly intended for his entire estate to avoid probate.

16 Based upon all of the above mentioned facts, and the holdings of Heggstad and
17 Kucker, Petitioner requests that this Court confirm that the Wells Fargo Account Acct.
18 No. 0078499274 , and JP Morgan Chase Account Nos. 393-321465-7 and 000000928049601 are
19 assets subject to the PASTOR REVOCABLE TRUST, Dated January 18, 1994, and under the control
20 of Leonard P. Shapiro as Trustee.

21 III. CONCLUSION

22 Petitioner believes that the Wells Fargo and JP Morgan Chase accounts should be
23 subject to his control as Trustee based upon 1) the specific intent of the Decedent to make those
24 assets a part of the Trust; 2) the Decedent's Declaration that the assets on Exhibit A were part of his
25 Trust; 3) the fact that the decedent transferred 96% of his assets to the Trust, and had no reason
26 not to transfer the other 4%; and 4) the probate of these assets, when the Settlor's intent to include
27 them in his Trust estate was clear, would be a waste of this Court's time and resources and an
28

1 unnecessary expense to the estate.

2 The names, and addresses of the beneficiaries of the RUSSELL R. PASTOR
3 REVOCABLE TRUST, Dated January 18, 1994, and the relationship to the Settlor are as follows:

4 Nancy Biller 1611 Fallen Timber Road Elizabeth, PA 15037 Niece	George Pastor 7062 Camp Falls Court Winston, GA 30187 Nephew	Leonard Shapiro 106 Everson Street San Francisco, CA 94131 Friend/Partner
7 Joyce Slatterback Senior Sweet Home 9579 Sea Cliff Way Elk Grove, CA 95758 Cousin	San Francisco Fire Department Mark Corso CFO 698 2 nd Street, San Francisco, CA 94107 Charity	San Francisco AIDS Foundation Rebecca Solak, Development Director 1035 Market Street, Suite 400 San Francisco, CA 94103 Charity
10 Salvation Army San Francisco Enrique Ovando Donor Relations Director 832 Folsom Street SF, CA 94107 Charity	California University, Pennsylvania Gordon M. Core Director of Planned Giving 250 University Avenue California, Pennsylvania 15419 Charity	

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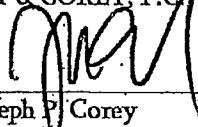
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WHEREFORE, Petitioner prays for and Order of this Court that:

1. THE PASTOR REVOCABLE TRUST, Dated January 18, 1994, is valid;
2. Wells Fargo Account Acct. No. 0078499274 and JP Morgan Chase Account Nos. 393-321465-7 and 000000928049601 are assets of the PASTOR REVOCABLE TRUST, Dated January 18, 1994, and are subject to the management and control of LEONARD P. SHAPIRO, as Trustee of the PASTOR REVOCABLE TRUST, Dated January 18, 1994.
3. Such other orders as the Court deems just and proper.

DATED: April 21, 2015

COREY & COREY, P.C.


By: Joseph P. Corey
Attorneys for Petitioner LEONARD P. SHAPIRO
Trustee

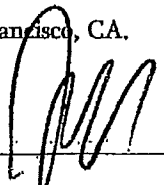
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DECLARATION OF JOSEPH P. COREY

I am an attorney at law duly licensed to practice before all of the courts in the State of California. I make this declaration based upon my own personal knowledge and could and would testify to the facts herein if called upon as a witness to do so.

1. A true and correct copy of the Death Certificate of Russell R. Pastor is attached hereto as Exhibit "A".
2. A true and correct copy of the Pastor Revocable Trust is attached hereto as Exhibit "B".
3. A true and correct copy of the first modification to the Pastor Revocable Trust (dated May 6, 2002) is attached hereto as Exhibit "C".
4. A true and correct copy of the second modification to the PASTOR REVOCABLE TRUST (dated September 4, 2015) is attached hereto as Exhibit "D".
5. A true and correct copy of the letter to Merrill Lynch from the decedent, dated January 20, 1994, is attached hereto as Exhibit "E".
6. A true and correct copy of the letter from Wells Fargo to the decedent, dated January 20, 1994, is attached hereto as Exhibit "F".
7. A true and correct copy of the Declaration By Russell R. Pastor and Assignment of California Lottery Prize to the Pastor Revocable Trust is attached hereto as Exhibit "G".
8. A true and correct copy of the Grant Deed is attached hereto as Exhibit "H".
9. A true and correct copy of Decedent's pourover will is attached hereto as Exhibit "I".

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on May 4, 2015 at San Francisco, CA.



JOSEPH P. COREY

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VERIFICATION

I, LEONARD P. SHAPIRO, declare:

I am the Petitioner herein. I have read the foregoing PETITION FOR ORDER CONFIRMING SUCCESSOR TRUSTEE AND TRUST ASSETS; MEMORANDUM OF POINTS AND AUTHORITIES; DECLARATION. The statements made in the Petition are true and correct based upon my personal knowledge.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on April 14, 2015, at San Francisco, California.

Leonard P. Shapiro

LEONARD P. SHAPIRO

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

I, Joseph P. Corey, am employed in the aforesaid County, State of California; I am over the age of 18 years and not a party to the within action; my business address is 300 Montgomery Street, Suite 500, San Francisco, California 94104.

On May ____, 2015, I served the foregoing PETITION FOR ORDER CONFIRMING SUCCESSOR TRUSTEE AND TRUST ASSETS; MEMORANDUM OF POINTS AND AUTHORITIES on the interested parties in this action by placing a true copy thereof, enclosed in a sealed envelope, addressed as follows:

Nancy Biller 1611 Fallen Timber Road Elizabeth, PA 15037	George Pastor 7062 Camp Falls Court Winston, GA 30187	Leonard Shapiro 106 Everson Street San Francisco, CA 94131
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Joyce Slaterback Senior Sweet Home 9579 Sea Cliff Way Elk Grove, CA 95758	San Francisco Fire Department Mark Corso CFO 698 2 nd Street, San Francisco, CA 94107	San Francisco AIDS Foundation Rebecca Solak, Development Director 1035 Market Street, Suite 400 San Francisco, CA 94103
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Salvation Army San Francisco Enrique Ovando Donor Relations Director 832 Folsom Street SF, CA 94107	California University, Pennsylvania Gordon M. Core Director of Planned Giving 250 University Avenue California, Pennsylvania 15419
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X BY MAIL

X I placed such envelope for deposit in the U.S. Mail for service by the United States Postal Service, with postage thereon fully prepaid.

X (State) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May ____, 2015, at San Francisco, California.

Signature of Declarant

FIRE COMMISSION
City and County of San Francisco
Edwin M. Lee, Mayor

Francee Covington, *President*
Ken Cleaveland, *Vice President*
Stephen A. Nakajo, *Commissioner*
Michael Hardeman, *Commissioner*



698 Second Street
San Francisco, CA 94107
Telephone 415.558.3451
Fax 415.558.3413
Maureen Conefrey, *Secretary*

RESOLUTION 2016-04

**RESOLUTION RECOMMENDING THAT THE BOARD OF SUPERVISORS
AUTHORIZE THE SAN FRANCISCO FIRE DEPARTMENT TO ACCEPT A
GIFT OF \$72,400.00 FROM THE PASTOR REVOCABLE TRUST TO BE
ALLOCATED FOR THE PURCHASE OF FIREFIGHTING EQUIPMENT**

WHEREAS, The San Francisco Fire Department was contacted by the Law Offices of Corey & Corey; and,

WHEREAS, The San Francisco Fire Department learned that it was listed as a beneficiary of the Pastor Revocable Trust and the estate of Russell Pastor and pursuant to the trust was to receive a share of the estate; and


WHEREAS, The San Francisco Fire Department received two checks totaling the amount of \$72,400.00 from the Law Offices of Corey & Corey as a distribution of the estate; and

WHEREAS, Upon acceptance of these funds, the San Francisco Fire Department will use the funds to purchase firefighting equipment; now, therefore, be it

RESOLVED, that the Fire Commission hereby recommends that the Board of Supervisors approve and authorize the Chief of the Fire Department to accept \$72,400.00 pursuant to the Order for Final Distribution of the Pastor Revocable Trust for the San Francisco Fire Department's Gift Fund

Adopted at the Regular Meeting of the San Francisco Fire Commission on February 10, 2016.

Ayes: 4
Nays: 0


Maureen Conefrey, Commission Secretary

Introduction Form

By a Member of the Board of Supervisors or the Mayor

2016 OCT 25
Time stamp
for meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

Supervisor Scott Wiener

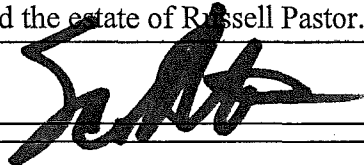
Subject:

Accept And Expend Gift – Pastor Revocable Trust - \$72,400.00

The text is listed below or attached:

Resolution authorizing the San Francisco Fire Department to accept and expend a donation of \$72,400.00 pursuant to the terms of the Administration of the Pastor Revocable Trust and the estate of Russell Pastor.

Signature of Sponsoring Supervisor:



For Clerk's Use Only:

SAN FRANCISCO  **FIRE DEPARTMENT**

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Mark Corso, Finance, San Francisco Fire Department
DATE: July 20, 2016
SUBJECT: Accept and Expend Resolution for Gift

GIFT TITLE: Cash Donation for the SFFD – Pastor Revocable Trust

Attached please find the original and 4 copies of each of the following:

Proposed gift ordinance; original signed by Department, Mayor, Controller

Grant (gift) information form, including disability checklist

Gift budget

Grant application

Letter of Intent or grant award letter from funding agency

Other (Explain): San Francisco Fire Commission Resolution 2016-04 requesting approval by the Board of Supervisors

Special Timeline Requirements: N/A

Departmental representative to receive a copy of the adopted ordinance:

Name: Mark Corso Phone: 558-3417

Interoffice Mail Address: 698 Second Street, San Francisco 94107

Certified copy required Yes

No

Lew, Lisa (BOS)

From: Lew, Lisa (BOS)
Sent: Tuesday, November 29, 2016 11:59 AM
To: Karunaratne, Kanishka (BOS); Cretan, Jeff (BOS)
Cc: Somera, Alisa (BOS)
Subject: RE: Transfer two items


This is to confirm that we have transferred the sponsorship from Supervisor Wiener to Supervisor Farrell on the following files:

File No. 161167

File No. 161075

Lisa Lew

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
P 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

 Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.

From: Somera, Alisa (BOS)
Sent: Tuesday, November 29, 2016 10:35 AM
To: Karunaratne, Kanishka (BOS) <kanishka.karunaratne@sfgov.org>; Cretan, Jeff (BOS) <jeff.cretan@sfgov.org>; Lew, Lisa (BOS) <lisa.lew@sfgov.org>
Subject: RE: Transfer two items

Lisa will transfer the files today.

Lisa... can you please transfer the below two files, per the request of the sponsor and concurrence of Kanishka. Thanks!

Alisa Somera

Legislative Deputy Director
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
415.554.7711 direct | 415.554.5163 fax
alisa.somera@sfgov.org

 Click [HERE](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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**From:** Karunaratne, Kanishka (BOS)  
**Sent:** Tuesday, November 29, 2016 9:50 AM  
**To:** Cretan, Jeff (BOS) <[jeff.cretan@sfgov.org](mailto:jeff.cretan@sfgov.org)>; Somera, Alisa (BOS) <[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)>  
**Subject:** RE: Transfer two items

Yes, please.

Kanishka

Kanishka Karunaratne  
Legislative Aide  
Office of Supervisor Mark Farrell  
City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Phone: (415) 554-7720  
Fax: (415) 554-7843

**From:** Cretan, Jeff (BOS)  
**Sent:** Monday, November 28, 2016 2:09 PM  
**To:** Somera, Alisa (BOS) <[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)>  
**Cc:** Karunaratne, Kanishka (BOS) <[kanishka.karunaratne@sfgov.org](mailto:kanishka.karunaratne@sfgov.org)>  
**Subject:** Transfer two items

Hi Alisa,

Can you transfer the sponsorship of the two following resolutions from Supervisor Wiener to Supervisor Farrell?

161167  
161075

Jeff Cretan  
Legislative Aide  
Office of Supervisor Scott Wiener  
(415) 554-6968