

**THIS PRINT COVERS CALENDAR ITEM NO. : 10.3**

**SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY**

**DIVISION:** Finance & Information Technology

**BRIEF DESCRIPTION:**

Requesting that the San Francisco Board of Supervisors transfer an amount not to exceed \$6.1 million for overpayments and duplicate payments received by the City for parking and transit violations issued between January 1, 1994 to June 30, 2012, that are currently held in the SFMTA's Municipal Transportation Fund to the General Fund for the City and County of San Francisco.

**SUMMARY:**

- California Government Code Section 50050 authorizes the Board of Supervisors to transfer unclaimed funds, that have remained unclaimed for three or more years, to the City's General Fund after required notice is posted
- The SFMTA has identified approximately \$6.1 million in unclaimed funds, that have remained unclaimed for three or more years, for overpayments and duplicate payments for parking and transit violations issued between January 1, 1994 to June 30, 2012 that are eligible for transfer. The final amount available for transfer will be determined prior to May 1.
- The SFMTA, under the authority delegated by the City Treasurer, posted notice in the City's official newspaper to provide an opportunity for the public to claim a refund and notice to the public that any remaining unclaimed money would become the City's property on March 4, 2016.
- The period for filing a claim to request a refund expired on March 3, 2016.
- The Mayor's Budget office is considering one time uses for these funds.

**ENCLOSURES:**

1. SFMTAB Resolution

**APPROVALS:**

**DATE**

DIRECTOR \_\_\_\_\_ 3/29/16

SECRETARY R. Boomer \_\_\_\_\_ 3/29/16

**ASSIGNED SFMTAB CALENDAR DATE:** April 5, 2016

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### **PURPOSE**

Requesting that the San Francisco Board of Supervisors transfer an amount not to exceed \$6.1 million for overpayments and duplicate payments received for parking and transit violations issued between January 1, 1994 to June 30, 2012 that are currently held in the SFMTA's Municipal Transportation Fund to the General Fund for the City and County of San Francisco.

### **GOAL**

This item supports the following Strategic Plan Goal.

Goal 3: Improve the environment and quality of life in San Francisco.

### **DESCRIPTION**

The SFMTA has identified approximately \$6.1 million in unclaimed funds for overpayments and duplicate payments received by the City for parking and transit violations issued between January 1, 1994 to June 30, 2012, that are currently held in the SFMTA's Municipal Transportation Fund, to the General Fund for the City and County of San Francisco. California Government Code sections 50050, et seq. authorizes the Board of Supervisors to transfer any remaining unclaimed funds with a corresponding name or in an amount in excess of \$15.00, that have remained unclaimed for three or more years, to the City's General Fund, after required notice is posted indicating that the money will become the property of the City on a designated date not less than forty-five days nor more than sixty days after the first publication of the notice, or after one year for overpayments made with no corresponding name or in an amount less than \$15.00.

The SFMTA, under the authority delegated by the City Treasurer as provided by state law, posted the required notice on January 5, 2016 and January 12, 2016 in the City's official newspaper to provide an opportunity for the public to claim a refund of any identified overpayment or duplicate payment made between January 1, 1994 to June 30, 2012 and notice to the public that any remaining unclaimed money would become the City's property on March 4, 2016. Additional announcements were made in various social media and news outlets. Claim forms to request a refund were made available on the SFMTA website or by phone. The SFMTA received and processed more than 3,000 claim forms in response to the posted notice and additional outreach efforts. The deadline to file a claim to request a refund expired March 3, 2016.

The final amount available for transfer will be determined prior to May 1. The Mayor's Budget office is considering one time uses of these funds and will decide on the uses of these funds as part of the Mayor's Budget subject to approval by the Board of Supervisors.

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## **PUBLIC OUTREACH**

In addition to the notice required by state law, the SFMTA created a dedicated webpage with a list of customer names who are eligible for a refund and provided an online claim form to request a refund. Announcements were also made through social media and various news outlets.

## **ALTERNATIVES CONSIDERED**

The requirements for transferring unclaimed funds are established by state law.

## **FUNDING IMPACT**

As of March 1, 2016, the SFMTA has processed approximately \$1.2 million in refunds as a result of this notice period. The final amount available for transfer will be determined prior to May 1 when the SFMTA Budget is due to the Board of Supervisors and Mayor. Based on the claims received to date, it is estimated that the transfer will be between \$4-\$5 million. The entire \$6.1 million has been set aside by the SFMTA in reserve and will not have a budgetary impact.

## **PUBLISHED NOTICE**

California Government Code sections 50050, et seq. require that the City's Treasurer, or an agency that has been delegated this authority, publish notice before unclaimed funds with a corresponding name or in an amount in excess of \$15.00 may be transferred by the San Francisco Board of Supervisors to the City's General Fund. The notice must be published once a week for two consecutive weeks and must state the amount of money, the fund in which it is held, and that it is proposed that the money will become the property of the local agency on a designated date not less than forty-five days nor more than sixty days after the first publication of the notice. The SFMTA received delegated authority from the City Treasurer on December 22, 2105 to publish this notice and, in compliance with state law, advertisements were placed in the City's official newspaper, the San Francisco Chronicle, on January 5, 2016 and January 12, 2016.

## **ENVIRONMENTAL REVIEW**

The proposed transfer of funds for overpayments and duplicate payments for traffic and parking violations to the City's General Fund is not a project subject to environmental review under Title 14 of the California Code of Regulations Section 15378.

## **OTHER APPROVALS RECEIVED OR STILL REQUIRED**

Approval of the San Francisco Board of Supervisors is required to transfer these funds from the SFMTA's Municipal Transportation Fund to the General Fund for the City and County of San Francisco.

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The Mayor's Budget office is considering one time uses of these funds and will decide on the uses of these funds as part of the Mayor's Budget subject to approval by the Board of Supervisors.

The City Attorney has reviewed this calendar item.

**RECOMMENDATION**

Requesting that the San Francisco Board of Supervisors transfer an amount not to exceed \$6.1 million for overpayments and duplicate payments received by the City for parking and transit violations issued between January 1, 1994 to June 30, 2012, that are currently held in the SFMTA's Municipal Transportation Fund, to the General Fund for the City and County of San Francisco.

SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS

RESOLUTION No. \_\_\_\_\_

WHEREAS, SFMTA has identified approximately \$6.1 million in unclaimed funds for overpayments and duplicate payments received by the City for parking and transit violations issued between January 1, 1994 to June 30, 2012, that are currently held in the SFMTA's Municipal Transportation Fund; and to the General Fund for the City and County of San Francisco; and

WHEREAS, California Government Code Sections 50050, et seq. authorize the San Francisco Board of Supervisors to transfer unclaimed funds, that have remained unclaimed for three or more years, to the City's General Fund after required notice is posted indicating that the money will become the property of the City on a designated date not less than forty-five days nor more than sixty days after the first publication of the notice; and

WHEREAS, Unclaimed funds in accounts with no corresponding name or in an amount less than \$15.00 can be transferred after one year by the San Francisco Board of Supervisors to the City's General Fund; and

WHEREAS, The SFMTA, under the authority delegated by the City Treasurer as provided by state law, posted the required notice on January 5, 2016 and January 12, 2016 in the City's official newspaper to provide an opportunity for the public to claim a refund of any identified overpayment or duplicate payment made between January 1, 1994 to June 30, 2012 and notice to the public that any remaining unclaimed money would become the City's property on March 4, 2016; and

WHEREAS, Additional announcements were made in various social media and news outlets; and

WHEREAS, Claim forms to request a refund were made available on the SFMTA website or by phone; and

WHEREAS, The deadline to file a claim to request a refund expired on March 3, 2016; and

WHEREAS, The proposed transfer of funds for overpayments and duplicate payments for traffic and parking violations to the City's General Fund is not a project subject to environmental review under Title 14 of the California Code of Regulations Section 15378; now, therefore be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors requests that the San Francisco Board of Supervisors transfer an amount not to exceed \$6.1 million for overpayments and duplicate payments received by the City for parking and transit violations issued between January 1, 1994 to June 30, 2012, that are currently held in the

SFMTA's Municipal Transportation Fund, to the General Fund for the City and County of San Francisco.

I certify that the foregoing resolution was adopted by the Municipal Transportation Agency Board of Directors at their meeting of April 5, 2016.

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Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency