



SFMTA
Municipal
Transportation
Agency

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Edward D. Reiskin, *Director of Transportation*

April 12, 2018

**The Honorable Members of the Board of Supervisors
City and County of San Francisco
1 Dr. Carlton Goodlett Place, Room 244
San Francisco, CA 94102**

Subject: Requesting Approval of a Resolution Approving a Transfer in an Amount up to \$4,000,000 for Unclaimed Customer Overpayments for Parking and Transit Violations Received by the SFMTA Between the Period of 1995 to 2014 to the City's General Fund.

Honorable Members of the Board of Supervisors:

The San Francisco Municipal Transportation Agency (SFMTA) requests that the San Francisco Board of Supervisors approve an resolution for the transfer in amount up to \$4,000,000 for unclaimed customer overpayments for parking and transit vioations received by the SFMTA between the period of 1995 to 2015 to the City's General Fund.

Background

In November, 2017 the SFMTA identified and publicly noticed approximately \$600,000 in unclaimed funds resulting from customer overpayments and multiple payments for parking and transit violations received by the SFMTA between fiscal years 1995 and 2014. The California Government Code authorizes a local governmental entity to transfer unclaimed funds to their city's general fund after three years, and after public notice is provided, or after one year for accounts with no name or less than \$15.00. The transfer amount includes unclaimed funds from the 2017 posting period, in addition to approximately \$3.4 million carried forward from the 2015 posting period. The carryover was a result of higher than estimated overpayment accounts that exceeded the value approved in the transfer resolution. Approximately \$13,000 of the \$400,000 identified for escheatment during this period is associated with citation accounts which fall below the posting threshold.

The SFMTA, by authority delegated by the City Treasurer, posted notice in accordance with the Government Code on November 16, 2017 and November 23, 2017, in the City's official newspaper accounts with overpayments of \$15.00 or more and where a customer name was identified. Additional announcements were made in various social media and news outlets. The SFMTA created a dedicated webpage with a list of customer names and corresponding amounts for eligible refunds and provided claim forms for requesting a refund that could be submitted via the SFMTA's website or over phone. The SFMTA processed approximately 350 claims submitted by the public for overpayments and duplicate or multiple payments received by the SFMTA. The deadline to file a claim expired December 14, 2017.

On April 3, 2018, the SFMTA Board of Directors adopted Resolution No. 180403-050, approving the transfer of unclaimed overpayments for parking and transit violations to the City's General Fund and recommending the Board of Supervisors adopt a resolution authorizing this action.

Published Notice

California Government Code Sections 50050 and 50051 requires the Treasurer of the local jurisdiction to publish notice before unclaimed funds may be transferred 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 delegation of authority from the City Treasurer and, in compliance with California Government Code Section 50050 and 50051, advertisements were placed in the City's official newspaper, the San Francisco Chronicle, on November 16, 2017 and November 23, 2017 and January 5, 2016 and January 12, 2016 for the carryover portion of the transfer.

Environmental Review

On January 17, 2018, the SFMTA, under authority delegated by the Planning Department, determined that the transfer of unclaimed overpayments and duplicate or multiple payments for parking and transit violations to the City's General Fund is not defined as a "project" under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b).

A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors and is incorporated herein by reference.

Recommendation

SFMTA requests that the Board of Supervisors approve a resolution authorizing the transfer of up to \$4,000,000 for unclaimed customer overpayments for parking and transit violations received by the SFMTA between the period of 1995 to 2015 to the City's General Fund.

Sincerely,



Edward D. Reiskin
Director of Transportation

