



Legislation Text

File #: 2019-1320, **Version:** 1

To: Board of Supervisors of Sonoma County
Department or Agency Name(s): Sheriff's Office
Staff Name and Phone Number: Marta Peavey, 565-3928
Vote Requirement: Majority
Supervisorial District(s): Countywide

Title:

Transfer of Unclaimed Funds to County General Fund

Recommended Action:

Approve the Resolution of the Board of Supervisors of County of Sonoma providing authority to the Sheriff to transfer unclaimed funds totaling \$22,304.70 to the County General Fund, per California Government Code 50055.

Executive Summary:

Unclaimed money consists of funds which are not the property of the County but remain in the County Treasury for one year when the depositor's name is unknown, or three or more years without a claim being filed by the legal owners. The Sheriff's Office intends to transfer unclaimed funds currently held in trust to the County General Fund, and is therefore requesting the Board to provide the necessary authority for the transfer. The Board previously delegated authority to the County Treasurer to transfer unclaimed funds of \$5,000 or less to the County General Fund. This item requests the Board's approval to transfer unclaimed funds that exceed the \$5,000 delegated authority threshold.

Discussion:

Unclaimed money consists of funds which are not the property of the County but remain in the County Treasury for one year when the depositor's name is unknown, or three or more years without a claim being filed by the legal owners.

California Government code Section 50055 provides that individual items of unknown depositors, held in the County Treasury that remain unclaimed for one year become the property of the County. California Government code Section 50050 provides that individual items with known depositor names, held in the County Treasury, and remain unclaimed for three years become the property of the County after a notice has been published once a week for two successive weeks in a newspaper of general circulation.

California Government Code Section 50053 states that when any such money becomes the property of the County and is in a special fund, the legislative body may transfer it to the general fund. California Government Code Section 50057 states that for individual items in the amount of five thousand dollars (\$5,000) or less, the legislative body of any county may, by resolution, authorize the County Treasurer to perform on its behalf any

act required or authorized to be performed by it under Sections 50050, 50053 and 50055.

On November 13, 2012, the Board approved the delegation of the authority to the County Treasurer to transfer, on the Board's behalf, unclaimed funds in the amount of five thousand dollars (\$5,000) or less to the County's General Fund. California Government Code Section 50056 states the responsibilities of the treasurer as provided under this article may be delegated by the Treasurer to the department that maintains the supporting records of the unclaimed money based on the initial receipt or deposit of that money. The County Treasurer delegated the authority to the Sheriff's Office. Unclaimed funds in excess of \$5,000 per individual are not covered by this delegated authority and require Board approval to transfer. There is \$22,304.70 of unclaimed funds in excess of \$5,000 per individual which meet the above criteria currently held in trust by the Sheriff's Office.

The Sheriff's Office published a notice of unclaimed funds in satisfaction of the requirement of Government Code Section 50051, in the Press Democrat newspaper on April 23 and 30, 2019. The designated dates to claim have passed. These funds consisted of unclaimed property in the Seized Trust, Sheriff's Trust, and the Civil Bureau Trust. Of these published amounts, there was one (1) amount greater than five thousand dollars (\$5,000), for \$5,085.00 which was not claimed and one (1) amount for \$17,219.70 that was not published because the depositor's name was unknown. These funds require Board approval to transfer to the County's General Fund.

Unclaimed funds are held in Trust while staff complete the process of turning over unclaimed property to the County. Once the process is completed, and the Board has approved this Resolution, the funds will be transferred to the Sheriff's budget through either a budget resolution or the County's standard annual budget adoption process. The Sheriff's Office has submitted a Budget Resolution dated 9/24/19 that will request the Board's approval to add budgetary appropriations needed to transfer the accumulated balance of unclaimed funds to the General Fund in order to address critical one-time operational needs in Fiscal Year 2019-20.

Prior Board Actions:

On 11/13/12, the Board of Supervisors approved a resolution delegating the authority to the County Treasurer to transfer, on the Board's behalf, unclaimed funds of five thousand dollars (\$5,000) or less to the County General Fund.

FISCAL SUMMARY

Expenditures	FY 19-20 Adopted	FY20-21 Projected	FY 21-22 Projected
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			

Fees/Other	22,304.70		
Use of Fund Balance			
Contingencies			
Total Sources	22,304.70		

Narrative Explanation of Fiscal Impacts:

The \$22,304.70 of unclaimed funds revenue was not included in the Sheriff's FY 19-20 Adopted Budget due to the unknown timing and amounts of the claiming process at the time the budget was being developed. Upon approval of the attached Resolution, the total \$22,304.70 of unclaimed funds will be available to be transferred to the General Fund through future budget adjustments or through the County's standard budget process. Provided that this Resolution is approved, the Sheriff's Office will submit a Budget Resolution dated 9/24/19 that will request the Board's approval to add budgetary appropriations needed to transfer the accumulated balance of unclaimed funds to the Sheriff's Office operational budget in order to address critical one-time operational needs in Fiscal Year 2019-20.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

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Attachments:

Resolution of the Board of Supervisors

Related Items "On File" with the Clerk of the Board:

Proof of publication