



## Western Riverside Council of Governments Administration & Finance Committee

### AGENDA

Wednesday, July 13, 2022  
12:00 PM

Western Riverside Council of Governments  
3390 University Avenue, Suite 200  
Riverside, CA 92501

#### [Join Zoom Meeting](#)

Meeting ID: 845 5138 1060

Password: 071322

Dial in: (669) 900 9128 U.S.

#### **SPECIAL NOTICE – COVID-19 RELATED PROCEDURES IN EFFECT**

Due to the State or local recommendations for social distancing resulting from the threat of Novel Coronavirus (COVID-19), this meeting is being held via Zoom under Assembly Bill (AB) 361 (Government Code Section 54953). Pursuant to AB 361, WRCOG does not need to make a physical location available for members of the public to observe a public meeting and offer public comment. AB 361 allows WRCOG to hold Committee meetings via teleconferencing or other electronic means and allows for members of the public to observe and address the committee telephonically or electronically.

In addition to commenting at the Committee meeting, members of the public may also submit written comments before or during the meeting, prior to the close of public comment to [snelson@wrcog.us](mailto:snelson@wrcog.us).

Any member of the public requiring a reasonable accommodation to participate in this meeting in light of this announcement shall contact Suzy Nelson 72 hours prior to the meeting at (951) 405-6703 or [snelson@wrcog.us](mailto:snelson@wrcog.us). Later requests accommodated to the extent feasible.

The Committee may take any action on any item listed on the agenda, regardless of the Requested Action.

1. CALL TO ORDER (Crystal Ruiz, Chair)
2. PLEDGE OF ALLEGIANCE

**3. ROLL CALL**

**4. PUBLIC COMMENTS**

At this time members of the public can address the Committee regarding any items within the subject matter jurisdiction of the Committee that are not separately listed on this agenda. Members of the public will have an opportunity to speak on agenda items at the time the item is called for discussion. No action may be taken on items not listed on the agenda unless authorized by law. Whenever possible, lengthy testimony should be presented to the Committee in writing and only pertinent points presented orally.

**5. CONSENT CALENDAR**

All items listed under the Consent Calendar are considered to be routine and may be enacted by one motion. Prior to the motion to consider any action by the Committee, any public comments on any of the Consent Items will be heard. There will be no separate action unless members of the Committee request specific items be removed from the Consent Calendar.

**A. Summary Minutes from the June 8, 2022, Administration & Finance Committee Meeting**

**Requested Action(s):** 1. Approve the Summary Minutes from the June 8, 2022, Administration & Finance Committee meeting.

**B. Finance Department Activities Update**

**Requested Action(s):** 1. Receive and file.

**6. REPORTS / DISCUSSION**

Members of the public will have an opportunity to speak on agenda items at the time the item is called for discussion.

**A. PACE Programs Activities Update: Adoption of Unclaimed Refund Policy and Procedure**

**Requested Action(s):** 1. Recommend that the Executive Committee adopt Resolution Number 21-22; A Resolution of the Western Riverside Council of Governments adopting an Unclaimed Refund Check Policy and Procedure.

**B. Fiscal Year 2021/2022 TUMF Collection Update**

**Requested Action(s):** 1. Receive and file.

**7. REPORT FROM THE EXECUTIVE DIRECTOR**

Dr. Kurt Wilson

**8. ITEMS FOR FUTURE AGENDAS ~ Members**

Members are invited to suggest additional items to be brought forward for discussion at future Committee meetings.

**9. GENERAL ANNOUNCEMENTS ~ Members**

Members are invited to announce items / activities which may be of general interest to the Committee.

**10. CLOSED SESSION**

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: Executive Director

**CONFERENCE WITH LABOR NEGOTIATORS** pursuant to Section 54957.6

Agency designated representatives: Chair and General Counsel

Unrepresented employee: Executive Director

**11. NEXT MEETING**

The Administration & Finance Committee is DARK in the month of August. The next Committee meeting is scheduled for September 14, 2022, at 12:00 p.m., on the Zoom platform with the option for Committee members to attend in person at the WRCOG office.

**12. ADJOURNMENT**

# Administration & Finance Committee

## Minutes

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### 1. CALL TO ORDER

The meeting of the WRCOG Administration & Finance Committee was called to order by Chair Karen Spiegel at 12:00 p.m., on June 8, 2022, on the Zoom platform.

### 2. PLEDGE OF ALLEGIANCE

Casey Dailey, WRCOG Director of Energy & Environmental, led members and guests in the Pledge of Allegiance.

### 3. ROLL CALL

- City of Jurupa Valley - Chris Barajas
- City of Lake Elsinore - Brian Tisdale
- City of Menifee - Matt Liesemeyer
- City of Norco - Kevin Bash
- City of Perris - Rita Rogers
- City of San Jacinto - Crystal Ruiz
- City of Wildomar - Ben Benoit
- County of Riverside, District 2 - Karen Spiegel (Chair)
- County of Riverside, District 3 - Chuck Washington

### 4. PUBLIC COMMENTS

There were no public comments.

**5. CONSENT CALENDAR** – (Wildomar / Menifee) 9 yes; 0 no; 0 abstention. Items 5.A and 5.B were approved.

#### **A. Summary Minutes from the May 11, 2022, Administration & Finance Committee Meeting**

**Action:**

1. Approved the Summary Minutes from the May 11, 2022, Administration & Finance Committee meeting.

#### **B. Finance Department Activities Update**

**Action:**

1. Received and filed.

### 6. REPORTS / DISCUSSION

## **A. I-REN Partner Program and Operational Agreements**

Casey Dailey, WRCOG Director of Energy & Environmental Programs, reported that WRCOG, CVAG (Coachella Valley Association of Governments), and SANBAG (San Bernardino Associated Governments) - COGs - have developed a Memorandum of Agreement (MOA) which identifies the budget approved by the California Public Utilities Commission for each sector, authorizes a new I-REN Executive Committee, which will approve all contracts and agreements, and authorizes WRCOG as Administrative Lead COG the authority to serve as administrator for all invoicing, contracts, and agreements.

The Executive Committee will be made of up of up to three elected officials from each COG, selected by that COG. The Committee will meet on a quarterly basis and be subject to Brown Act requirements.

The three COGs also developed a Governance & Operations Charter as an attachment to the MOA which establishes how the formation of the I-REN Executive Committee can be formed, how often it meets, its responsibilities, how the votes of the I-REN Executive Committee members are valued, and the responsibilities of I-REN's member COGs and their respective staff.

Each COG is responsible for determining who will represent their COG on the I-REN Executive Committee. Representation can be determined by nomination, appointment or volunteer and selection. At the March 9, 2022, Administration & Finance Committee meeting, Mayor Chris Barajas (Jurupa Valley) and Mayor Crystal Ruiz (San Jacinto) volunteered to serve on the I-REN Executive Committee. One vacancy remains.

Each COG will provide one Program Manager as the lead person for that COG to serve as the primary point of contact and to make program decisions on behalf of their COG. Each I-REN program will have a team consisting of at least one representative from each COG as well as consultants and/or technical assistance providers and industry specialists.

A Program Agreement is being finalized between the I-REN member COGs, SoCal Gas, and Southern California Edison, and defines how I-REN funds are transferred from one agency to the other, naming SoCal Gas as the fiscal agent. The Program Agreement describes the roles of the Administrative Lead COG and the Investor Owned Utilities, and the deliverables expected of them including invoicing, reporting, and regulatory filing.

One of the areas still under negotiation between WRCOG and SoCal Gas is the ability to have a drawdown account established so that WRCOG will have the ability to draw down on a portion of funds, as WRCOG will be processing invoices from the other COGs.

### **Actions:**

1. Recommended that the Executive Committee approve the Memorandum of Agreement for the I-REN and authorize the Executive Director to take necessary and appropriate actions to carry out the purpose and intent of the motion.
2. Recommended that the Executive Committee approve the Program Agreement substantially as to form between I-REN Member Council of Governments, SoCal Gas, and SCE and allow the Executive Director to make minor revisions or edits for clarification after consultation with legal counsel.

3. Recommended that the Executive Committee approve the selection of Mayor Chris Barajas, City of Jurupa Valley, and Mayor Crystal Ruiz, City of San Jacinto, to the I-REN Executive Committee and recommended Jacque Casillas (Corona) for the final WRCOG seat on the I-REN Executive Committee.

(Jurupa Valley / Perris) 9 yes; 0 no; 0 abstention. Item 6.A was approved.

## **B. Potential Amendment to the Beaumont Settlement Agreement**

Chris Gray, WRCOG Deputy Executive Director, reported that in 2017, the City of Beaumont and WRCOG recently entered into an agreement to settle a long-standing dispute related to the collection of TUMF.

This agreement includes a provision which requires the City of Beaumont to provide a portion of its Measure A funds which it receives on an annual basis to WRCOG. The total amount of funds to be provided is \$9.4M. These payments are schedule to occur in 2022 and would occur until the full repayment.

Measure A is a 1/2 cent sales tax for transportation improvements, and the Riverside County Transportation Commission (RCTC) distributes these funds annually.

The City of Beaumont receives approximately \$1.5M annually from RCTC, and has inquired if WRCOG would consider a lump sum payment in lieu of annual payments. Per the Settlement Agreement, RCTC will provide 60% of Beaumont's Measure A funds to WRCOG, starting five years after adoption of the Settlement Agreement. This equates to approximately \$900k per year.

### **Action:**

1. Directed the Executive Director to begin negotiations with the City of Beaumont in regards to the Measure A payments specified in the Settlement Agreement.

(Wildomar / Jurupa Valley) 9 yes; 0 no; 0 abstention. Item 6.B was approved.

## **7. REPORT FROM THE EXECUTIVE COMMITTEE CHAIR**

Chair Spiegel reported that she is looking forward to General Assembly.

## **8. REPORT FROM THE EXECUTIVE DIRECTOR**

Dr. Wilson reported that preparations for General Assembly are coming along well.

## **9. ITEMS FOR FUTURE AGENDAS**

There were no requests for items for future agendas.

## **10. GENERAL ANNOUNCEMENTS**

Committee member Kevin Bash announced that the City of Norco is unveiling its Gold Star Family

Monument on June 12, 2022.

## **11. CLOSED SESSION**

CONFERENCE WITH LEGAL COUNSEL - Existing litigation pursuant to Government Code Section 54956.9(d)(1): Two cases

Case Numbers:

- RIC 1904645 (Norton Rose)
- EDCV 20-2164-GW-KKx (AIG)

There were no reportable actions.

## **12. NEXT MEETING**

The next Administration & Finance Committee meeting is scheduled for Wednesday, July 13, 2022, at 12:00 p.m., on the Zoom platform with the option for Committee members to attend in person.

## **13. ADJOURNMENT**

The meeting of the Administration & Finance Committee adjourned at 1:05 p.m.



# Western Riverside Council of Governments Administration & Finance Committee

## Staff Report

**Subject:** Finance Department Activities Update  
**Contact:** Andrew Ruiz, Chief Financial Officer, [aruiz@wrcog.us](mailto:aruiz@wrcog.us), (951) 405-6740  
**Date:** July 13, 2022

### **Requested Action(s):**

1. Receive and file.

### **Purpose:**

The purpose of this item is to provide an update on the Agency financials through May 2022.

### **WRCOG 2022-2027 Strategic Plan Goal:**

Goal #3 - Ensure fiscal solvency and stability of the Western Riverside Council of Governments.

### **Background:**

On January 12, 2022, the Executive Committee adopted a new Strategic Plan with specific fiscal-related goals:

1. Maintain sound, responsible fiscal policies.
2. Develop a process to vet fiscal impact(s) and potential risk(s) for all new programs and projects.
3. Provide detailed financial statements for public review online.

As staff begin to work on meeting these goals, they will seek input through WRCOG's Committee structure regarding updates and to ensure these goals are being met.

### **Financial Report Summary Through May 2022**

The Agency's Financial Report summary through May 2022, a monthly overview of WRCOG's financial statements in the form of combined Agency revenues and costs, is provided as Attachment 1. Please note that the Financial Summary Report will be undergoing a complete change in the coming months, with more detail, in alignment with Strategic Plan Goal #3.

### **Fiscal Year 2021/2022 Year End and Agency Audit**

Fiscal Year 2022 has now ended and staff are beginning to work on closing the Agency's books. WRCOG utilizes the services of the audit firm Van Lant and Fankhanel (VLF) to conduct its financial audit. During Fiscal Year 2021/2022, an RFP was released for financial auditing services as a Government Finance Officers Association (GFOA) best practice, as WRCOG has utilized auditing firm



Rogers, Anderson, Malody and Scott, LLC for the past five years. WRCOG ended up selecting a new audit firm to conduct its audits based on the results of the RFP.

In July, VLF will be conducting the first phase of the audit, known as the interim audit, which involves preliminary audit work that is conducted prior to the books being fully closed. The interim audit tasks are conducted in order to gain an understanding of the Agency's processes during the year and to compress the period needed to complete the final audit after the books have been closed. The final audit is scheduled for October 2022.

**Prior Action(s):**

None.

**Fiscal Impact:**

This item is for informational purposes only; therefore, there is no fiscal impact.

**Attachment(s):**

[Attachment 1 - May 2022 Financials](#)



Western Riverside Council of Governments

Budget to Actuals

For Month Ending May 31, 2022

	Approved Budget 6/30/2022	Actual Thru 5/31/2022	Remaining Budget 6/30/2022
<b>Total Agency</b>			
<b>Revenues</b>			
Member Dues	286,640	294,410	(7,770)
Interest Revenue - Other	17,500	2,843	14,657
Overhead Transfer In	2,000,000	1,758,154	241,846
TUMF Commercial	4,800,000	913,362	3,886,638
TUMF Retail	4,800,000	4,092,089	707,911
TUMF Industrial	7,680,000	11,108,653	(3,428,653)
TUMF Single Family	19,200,000	41,635,258	(22,435,258)
TUMF Multi Family	9,600,000	4,086,558	5,513,442
TUMF Commerical - Admin Fee	200,000	38,057	161,943
TUMF Retail - Admin Fee	200,000	170,504	29,496
TUMF Industrial - Admin Fee	320,000	462,861	(142,861)
TUMF Single Family - Admin Fee	800,000	1,734,802	(934,802)
TUMF Multi-Family - Admin	400,000	170,273	229,727
TUMF Beaumont Settlement	-	25,000	(25,000)
Grant Revenue	1,663,000	579,265	1,083,735
LTF Revenue	750,000	866,250	(116,250)
RIVTAM	50,000	45,300	4,700
Fellowship Revenue	100,000	180,824	(80,824)
PACE Admin Revenue	3,179,548	2,300,598	878,950
Clean Cities Revenue	240,000	253,764	(13,764)
Solid Waste Revenue	112,970	160,202	(47,232)
Used Oil Grants	168,023	168,023	-
Gas Co. Prtnrshp Revenue	108,400	63,749	44,651
Regional Streetlights Revenue	211,725	146,759	64,966
PACE Commercial Sponsor Revenue	400,000	334,077	65,923
<b>Total Revenues</b>	<b>\$ 58,598,569</b>	<b>\$ 71,680,796</b>	<b>\$ (13,082,227)</b>
<b>Expenses</b>			
Salaries & Wages - Fulltime	2,745,899	2,221,757	524,142
Fringe Benefits	1,319,884	1,097,799	222,085
Overhead Allocation	1,682,458	1,542,253	140,205
General Legal Services	1,868,100	1,626,083	242,017
Audit Svcs - Professional Fees	35,000	30,125	4,875
Bank Fees	33,885	87,560	(53,675)
Commissioners Per Diem	57,500	47,600	9,900
Parking Cost	20,000	20,079	(79)
Office Lease	350,000	306,124	43,876
Fuel Expense	1,500	123	1,377
Parking Validations	15,450	3,759	11,691
Staff Recognition	1,000	423	577
Coffee and Supplies	3,000	2,409	591
Event Support	95,737	51,467	44,270
Meeting Support Services	5,250	362	4,888
Program/Office Supplies	13,700	18,180	(4,480)
Misc. Office Equipment	1,000	873	127
Supplies/Materials	33,540	27,573	5,967
Computer Equipment/Supplies	2,000	5,218	(3,218)
Computer Software	102,000	69,005	32,995
Rent/Lease Equipment	15,000	8,674	6,326
Membership Dues	31,750	18,627	13,123
Subscriptions/Publications	4,250	9,880	(5,630)



Western Riverside Council of Governments

Budget to Actuals

For Month Ending May 31, 2022

	Approved Budget 6/30/2022	Actual Thru 5/31/2022	Remaining Budget 6/30/2022
<b>Total Agency</b>			
Postage	5,350	5,431	(81)
Other Household Expenses	3,250	1,724	1,526
Storage	5,000	4,993	7
Recording Fee	10,000	16,322	(6,322)
Printing Services	4,000	1,712	2,288
Computer Hardware	16,500	3,542	12,958
Communications - Regular Phone	16,000	16,627	(627)
Communications - Cellular Phones	13,500	11,182	2,318
Communications - Computer Services	53,000	22,976	30,024
Equipment Maintenance	10,500	8,223	2,277
Insurance - Errors & Omissions	15,000	9,335	5,665
Insurance - Gen/Busi Liab/Auto	99,500	70,869	28,631
WRCOG Auto Insurance	4,500	2,802	1,698
TUMF Project Reimbursement	46,080,000	13,134,072	32,945,928
Seminars/Conferences	9,650	6,577	3,073
Travel - Mileage Reimbursement	9,500	3,679	5,821
Travel - Ground Transportation	2,300	1,061	1,239
Travel - Airfare	4,250	3,820	430
Lodging	3,800	2,401	1,399
Meals	7,400	4,310	3,090
Other Incidentals	5,000	3,624	1,376
Training	7,500	10,485	(2,985)
Consulting Labor	2,924,616	1,544,890	1,379,726
<b>Total Expenses</b>	<b>\$ 57,513,228</b>	<b>\$ 22,328,631</b>	<b>\$ 36,226,352</b>



# Western Riverside Council of Governments Administration & Finance Committee

## Staff Report

**Subject:** PACE Programs Activities Update: Adoption of Unclaimed Refund Policy and Procedure

**Contact:** Casey Dailey, Director of Energy & Environmental Programs, [cdailey@wrcog.us](mailto:cdailey@wrcog.us), (951) 405-6720

**Date:** July 13, 2022

### **Requested Action(s):**

1. Recommend that the Executive Committee adopt Resolution Number 21-22; A Resolution of the Western Riverside Council of Governments adopting an Unclaimed Refund Check Policy and Procedure.

### **Purpose:**

The purpose of this item is to recommend the adoption of Resolution Number 21-22, which will create an Unclaimed Refund Check Policy and Procedure for the PACE and HERO Programs.

### **WRCOG 2022-2027 Strategic Plan Goal:**

Goal #3 - Ensure fiscal solvency and stability of the Western Riverside Council of Governments.

### **Background:**

*WRCOG's PACE Programs provide financing to property owners to implement energy saving, renewable energy, water conservation, and seismic strengthening improvements. Improvements installed utilizing PACE financing are secured by placing a lien on the underlying property and are paid back through a line item charge on the secured property tax bill. The Program was initiated in December 2011 and was expanded in 2014 to allow jurisdictions throughout the state to join and allow property owners in these jurisdictions to participate.*

### **Unclaimed Refunds**

In 2012, WRCOG began issuing bonds to finance residential PACE home improvements. PACE assessments are paid as a secured assessment line item on the property tax bill which is paid twice a year. When a property owner makes a prepayment or pays off the assessment prior to paying their property tax bill, and if the county in which the assessment was levied cannot make a correction to remove or adjust the PACE amount, it results in an over payment of the PACE assessment. When this occurs, the property owners are owed a refund for the difference. The refunds are issued by WRCOG after the counties disburse the funds collected through the property tax payments. A majority of refunds are processed in February after the first property tax installment are paid and then again in June after the second property tax installment are paid.

Refund process:

1. WRCOG receives the refund list for the property owners that overpaid their PACE assessment on their property tax bill.
2. WRCOG processes the refunds.
3. WRCOG mails out the refunds to each property owner on the list.
  - a. In some instances, before a check is returned to WRCOG as undeliverable, a Post Office may attempt to deliver the check more than once if the address is not clear, if there is no forwarding address, or if the property owner requests to have the check held.
  - b. In cases where the property owners notify WRCOG that their refund was not received (lost mail, not delivered, stolen, etc.), WRCOG will re-issue the refund and mail it back out. Sometimes, the property owners opt to pick up the check at WRCOG's office.
  - c. If the refund check was not received after the second time it was mailed out, WRCOG will re-issue the check and send it via certified mail.

After attempting to deliver the refund checks multiple times, some refunds are returned to WRCOG or remain unclaimed, where they reside in a WRCOG pass-through account. In 2020, staff began working with Bond Counsel to identify what to do with these funds or if they could be moved elsewhere. At that time, it was identified by WRCOG's Bond Counsel that:

"Any individual item of less than fifteen dollars (\$15), which is unclaimed for a period of one (1) year, may be transferred to WRCOG's PACE Reserve Account in accordance with California Government Code Section 50055. Items fifteen dollars (\$15) and over, unclaimed for more than three (3) years, will be processed in accordance with California Government Code Sections 50050-500256 and may become the property of WRCOG at anytime after the three-year period."

In 2020, there were no unclaimed refunds that met the three-year requirement. Since there was nothing that could be done with the funds, the funds were left in the pass-through account to keep separate from agency funds. However, by June 2022, staff identified that 175 refunds have been unclaimed for over three years. All current unclaimed refunds are from residential assessments. The total amount of these refunds is \$238,889.93. By December 2022, it is estimated that there will be 290 unclaimed refunds, totaling an estimated amount of \$398,119.

WRCOG's Bond Counsel identified that WRCOG has two options at the time a refund goes unclaimed for three years:

1. WRCOG can develop an Unclaimed Refund Check Policy and Procedure in order to claim the aged refunds.
2. WRCOG would remit all unclaimed funds to the state in which then the state will exercise its right to take ownership of the unclaimed assets.

In accordance with State law, the Policy (Attachment 2) requires that notice must be given as follows:

1. Annually, for all refunds that have been deemed as unclaimed for three years or more, WRCOG must publish a notice of the unclaimed refund checks in a newspaper of general circulation;
2. The notice must be published once a week for two consecutive weeks;
3. The notice must state the amount of money that is unclaimed;

4. The notice must state where the money is being held;
5. A statement announcing that the money will be come property of WRCOG after 45 days of the first publication; and
6. There must be a contact number and/or website where to submit the inquiry or claim.

If a property owner wants to claim the funds, they must file a claim with WRCOG. The property owner must include their name, phone number, address, proof of identity, amount of the claim, the grounds on which the claim is founded, and any other information required by WRCOG. The claim must be made before the date the unclaimed refund check funds become property of WRCOG. After the claim has been received by WRCOG, it will be up to WRCOG to determine if the claim is accepted or rejected. If the claim is accepted, WRCOG will issue a new refund check and send it to the claimant. If the claim is rejected, the claimant can file in court to serve WRCOG with a verified complaint. This must be done within 30 days from the date the rejection notice was received.

If there are no claims received, the unclaimed refund money becomes property of WRCOG. The Executive Committee would be required to adopt a resolution to formally transfer the unclaimed funds to the General Fund. The resolution will include a list of all the property owners or entities having unclaimed refund checks. Adoption of the resolution allows WRCOG to then transfer the unclaimed funds to its General Fund.

**Prior Action(s):**

None.

**Fiscal Impact:**

Any individual item \$15.00 or less, which is unclaimed for a period of one year, may be transferred to WRCOG's PACE Reserve Account under WRCOG's General Fund. Items \$15.00 and over, unclaimed for more than three years, may become the property of WRCOG and also transferred to WRCOG's PACE Reserve Account. As of June 2022, there are \$238,889.93 in unclaimed refunds that would be subject to this policy. If any funds are transferred to the PACE Reserve Account, the change will be reflected in a future budget amendment.

**Attachment(s):**

[Attachment 1 - Resolution Number 21-22 Unclaimed Refund Check Policy and Procedure](#)

[Attachment 2 - Exhibit "A" Unclaimed Refund Check Policy and Procedure](#)

## RESOLUTION NUMBER 21-22

### A RESOLUTION OF THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS ADOPTING AN UNCLAIMED REFUND CHECK POLICY AND PROCEDURE

**WHEREAS**, the Executive Committee of the Western Riverside Council of Governments (“WRCOG”) has established the Energy Efficiency and Water Conservation Program for Western Riverside County (commonly referred to as the “WRCOG PACE Program”) and the California HERO Program (the “CA HERO Program,” collectively with the WRCOG PACE Program, the “Programs”) for the purpose financing the installation of authorized improvements (“Eligible Improvements”) on commercial and residential properties (“Commercial Properties”) located within the program area of the Programs (the “Program Area”) as authorized under and defined by the Program; and

**WHEREAS**, on occasion, WRCOG occasionally issues refund checks related to the WRCOG PACE Program; and

**WHEREAS**, on occasion, taxpayers fail to cash or otherwise collect the refund checks issued (Unclaimed Refund Checks); and

**WHEREAS**, California Government Code Section 50055 allows for Unclaimed Refund Checks of less than fifteen dollars, which are unclaimed for a period of one year, to be transferred to WRCOG’s PACE Reserve Account. Unclaimed Refund Checks fifteen dollars and over, unclaimed for more than three years, may also become the property of WRCOG at any time after the three-year period, under California Government Code Sections 50050-50056; and

**WHEREAS**, WRCOG seeks to add a new policy entitled “Unclaimed Refund Check Policy and Procedure” (“Policy”), attached hereto as Exhibit “A”, in order to address the process for transferring Unclaimed Refund Checks to WRCOG’s PACE Reserve Account; and

**WHEREAS**, the proposed Policy has been submitted to the WRCOG Executive Committee for consideration and action.

**NOW, THEREFORE, BE IT RESOLVED**, by the Executive Committee of the Western Riverside Council of Governments as follows:

Section 1. Authorization to Adopt Policy. The Executive Committee hereby adopts the Unclaimed Refund Check Policy and Procedure.

Section 2. Effective Date. This Resolution shall take effect upon the date of its adoption.

**PASSED AND ADOPTED** at a Meeting of the Executive Committee of the Western Riverside Council of Governments held August 1, 2022.

\_\_\_\_\_  
Crystal Ruiz, Chair  
WRCOG Executive Committee

\_\_\_\_\_  
Dr. Kurt Wilson, Secretary  
WRCOG Executive Committee

Approved as to form:

\_\_\_\_\_  
Best Best & Krieger, LLP  
Bond Counsel

AYES: \_\_\_\_\_      NAYS: \_\_\_\_\_      ABSENT: \_\_\_\_\_      ABSTAIN: \_\_\_\_\_



**EXHIBIT "A"**

**Unclaimed Refund Checks Policy and Procedure**

## **UNCLAIMED REFUND CHECK POLICY AND PROCEDURE**

### **Purpose**

The purpose of this Policy is to provide guidance on the handling of unclaimed refunds in compliance with California Government Code.

### **Policy**

Any individual item of less than fifteen dollars, which is unclaimed for a period of one year, may be transferred to WRCOG's PACE Reserve Account in accordance with California Government Code Section 50055. Items fifteen dollars and over, unclaimed for more than three years, will be processed in accordance with California Government Code Sections 50050-50056 and may become the property of WRCOG at any time after the three-year period. The Finance Department is responsible for complying with this Policy.

### **Definitions**

Refund Check – unclaimed refund checks that were issued as a part of the California HERO or other WRCOG programs that remain uncashed for a period of more than six months from the date the check was issued.

### **Procedure**

- A. Refund Checks under fifteen dollars:
  - 1. On a monthly basis, all Refund Checks under fifteen dollars, unclaimed for a period of one year or more, will be identified by the Finance Department.
  - 2. A Refund Check report will be created by the Finance Department to reverse each check to WRCOG to be distributed to WRCOG's PACE Reserve Account.
  
- B. Refund Checks fifteen dollars and over:
  - 1. On an annual basis, all checks fifteen dollars and over, unclaimed for more than three years, will be identified by the Finance Department.
  - 2. A notice will be published once a week for two consecutive weeks in a local newspaper of general circulation.
  - 3. The notice will contain the following information:
    - a. The amount of money;
    - b. The fund where the money is being held;
    - c. Statement announcing that the money shall become the property of WRCOG on a date that is forty-five days after the first publication of the notice;
    - d. Payee name and check amount;
    - e. A contact number or website address to make an inquiry or claim.

4. If the payee, their heir, beneficiary, or duly appointed representative claim ownership of the money before it becomes property of WRCOG, a written claim must be filed with WRCOG. Any claim must be filed before the date that the money becomes the property of WRCOG. Proof substantiating the claim will need to be in a writing, which consists of:
  - a. Claimant's name, address, and telephone number;
  - b. Proof of identity (driver's license, social security card, or birth certificate);
  - c. The amount of the claim; and
  - d. The grounds on which the claim is founded.
5. WRCOG will determine whether to accept or reject the claim and will provide notice to the claimant of the decision. If the claim is accepted, the money may be released to the claimant. If the claim is rejected, the claimant will have thirty days from the date the notice is received to file in court and serve WRCOG with a verified complaint. Therefore, WRCOG shall withhold the release of the portion of the unclaimed money until the time passes to file an action in court. If a court action is filed, WRCOG shall withhold the release of the portion of the unclaimed money until a final decision is rendered by the court.
6. Proof of publication of the notice published once a week for two consecutive weeks in a local newspaper of general circulation is to be retained for period of up to seven years as verification that the notice was placed in the publication and ran for two consecutive weeks.
7. Upon close of business on the forty-fifth day after the publication of the first notice in a local newspaper of general circulation, the unclaimed check amounts will revert to WRCOG, except as otherwise provided in paragraph B(5).
8. After the money reverts to WRCOG, the Executive Committee may authorize its transfer to the PACE Reserve Account.

## **RELATED DOCUMENTS**

Government Code Sections 50050 through 50056.



# Western Riverside Council of Governments Administration & Finance Committee

## Staff Report

**Subject:** Fiscal Year 2021/2022 TUMF Collection Update  
**Contact:** Chris Gray, WRCOG Deputy Executive Director, [cgray@wrcog.us](mailto:cgray@wrcog.us), (951) 405-6710  
**Date:** July 13, 2022

### **Requested Action(s):**

1. Receive and file.

### **Purpose:**

The purpose of this item is to provide an update on TUMF revenue for Fiscal Year 2021/2022.

### **WRCOG 2022-2027 Strategic Plan Goal:**

Goal #5 - Develop projects and programs that improve infrastructure and sustainable development in our subregion.

### **Background:**

*WRCOG's TUMF Program is a regional fee program designed to provide transportation and transit infrastructure that mitigates the impact of new growth in Western Riverside County.*

### **Fiscal Year 2021/2022 Revenue Update**

As of July 1, 2022, WRCOG has collected \$68.2M. A breakdown of monthly collections by member agency is provided as Attachment 1. The top five member agencies in terms of collections are:

1. Riverside County - \$13.6M
2. City of Menifee - \$11.6M
3. City of Beaumont - \$6.2M
4. City of Hemet - \$6.1M
5. Moreno Valley - \$4.3M

The recent year has seen a significant increase in revenues for the following member agencies:

- Norco (\$9,810 in 2021 to \$1,902,382 in 2022)
- Banning (\$198,917 in 2021 to \$1,061,580 in 2022)
- Jurupa Valley (\$1,376,634 in 2021 to \$4,170,252 in 2022)
- Hemet (\$2,053,186 in 2021 to \$6,167,668 in 2022)

In comparison, other members agencies have seen a significant drop in revenues such as Eastvale

(90% decrease) and Calimesa (80% decrease).

TUMF revenues are also reported by Zone. A breakdown of revenues by Zones are as follows:

- Northwest Zone (Corona, Eastvale, Jurupa Valley, Norco, Riverside, Riverside County) - \$19M
- Central Zone (March JPA, Menifee, Moreno Valley, Perris, Riverside County) - \$19M
- Hemet/San Jacinto Zone (Hemet, San Jacinto, Riverside County)- \$12M
- Southwest Zone (Canyon Lake, Lake Elsinore, Wildomar, Murrieta, Temecula, Riverside County) - \$11M
- Pass Zone (Banning, Beaumont, Calimesa, Riverside County) - \$7.4M

Based on the data above, several items should be noted. First, development appears to be slowing in the Southwest and Northwest Zones, which account for a significant share of TUMF revenues in previous years. Second, development has been intensifying in the Central, Hemet/San Jacinto, and Pass Zones when compared to recent trends. For example, the Hemet/San Jacinto Zone revenues have nearly doubled (\$7M to \$12M).

What has not changed is the relative distribution of revenue by land use type. As in previous years, Single-family residential accounts for the majority of collections (68%). Much of this development is occurring in Hemet, Menifee, San Jacinto, and unincorporated Riverside County. Industrial development accounts for 16% of all revenue collections. Agencies which have experienced significant industrial development include Banning, March JPA, Moreno Valley, and Norco. Multi-family residential (7%), retail (7%), and service (1%) account for the remaining collections.

WRCOG will continue to process payments from member agencies and project applicants in July 2022, which will be reflected in the Fiscal Year 2021/2022 totals. Staff anticipate total collections for the year will be between \$72M and \$75M. An updated total of collections will be provided to the Executive Committee in subsequent months.

**Prior Action(s):**

None.

**Fiscal Impact:**

The Adopted Fiscal Year 2021/2022 WRCOG Budget anticipated TUMF revenues of \$48M with collections now projected to be \$72M to \$75M. A 4th quarter budget amendment will be prepared to reflect this increase in revenues once all payments have been process. TUMF revenue is allocated between the TUMF Zones (45.7%), RCTC (45.7%), RTA (3.1%), RCA (1.47%), and WRCOG (4%) based on the 2017 TUMF Nexus Study. This additional revenue will be distributed per the adopted Nexus Study formula. TUMF revenue and expenditures are associated with Fund 220 for its programmatic costs and Fund 110 for its administrative costs.

**Attachment(s):**

[Attachment 1 - TUMF Revenue Fiscal Year 2021/2022](#)

**TUMF Program Revenue FY 2021/2022**

Jurisdiction	Fiscal Year 2021	2021 July	2021 August	2021 September	2021 October	2021 November	2021 December	2022 January	2022 February	2022 March	2022 April	2022 May	2022 June	Fiscal Year 2022
<b>Banning</b>	\$198,917	\$158,680	\$0	\$0	\$902,900	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,061,580
<b>Beaumont</b>	\$2,285,448	\$539,550	\$734,317	\$570,666	\$0	\$675,951	\$0	\$500,526	\$936,697	\$424,368	\$1,870,869	\$0	\$0	\$6,252,945
<b>Calimesa</b>	\$184,526	\$0	\$0	\$0	\$26,550	\$0	\$0	\$0	\$0	\$0	\$0	\$9,352	\$0	\$35,902
<b>Canyon Lake</b>	\$77,484	\$0	\$0	\$0	\$0	\$0	\$0	\$20,208	\$0	\$0	\$0	\$10,104	\$0	\$30,312
<b>Corona</b>	\$1,676,856	\$176,926	\$457,413	\$176,580	\$1,320,941	\$169,601	\$12,935	\$429,506	\$0	\$0	\$222,288	\$10,104	\$0	\$2,976,294
<b>Eastvale</b>	\$2,162,096	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$111,647	\$173,397	\$0	\$0	\$285,044
<b>Hemet</b>	\$2,053,186	\$225,630	\$941,760	\$784,800	\$451,260	\$313,920	\$323,730	\$1,535,808	\$608,353	\$232,392	\$750,015	\$0	\$0	\$6,167,668
<b>Jurupa Valley</b>	\$1,376,634	\$196,200	\$294,300	\$832,425	\$343,909	\$9,810	\$101,040	\$297,691	\$949,776	\$751,045	\$394,056	\$0	\$0	\$4,170,252
<b>Lake Elsinore</b>	\$3,423,722	\$166,200	\$221,553	\$233,818	\$615,312	\$176,580	\$206,010	\$33,987	\$623	\$690,581	\$323,346	\$505,200	\$0	\$3,173,210
<b>March JPA</b>	\$486,117	\$0	\$0	\$0	\$0	\$0	\$681,731	\$0	\$0	\$0	\$766,510	\$0	\$0	\$1,448,241
<b>Menifee</b>	\$13,411,526	\$1,059,209	\$779,716	\$1,057,668	\$362,970	\$1,155,266	\$471,360	\$3,499,813	\$382,080	\$1,641,924	\$460,402	\$707,280	\$0	\$11,577,689
<b>Moreno Valley</b>	\$6,482,253	\$362,970	\$292,731	\$412,020	\$98,100	\$147,150	\$290,958	\$404,160	\$151,560	\$1,760,824	\$283,695	\$109,143	\$0	\$4,313,311
<b>Murrieta</b>	\$2,454,886	\$0	\$9,810	\$0	\$147,074	\$86,478	\$103,842	\$1,295,293	\$196,230	\$106,888	\$52,640	\$10,000	\$0	\$2,008,255
<b>Norco</b>	\$9,810	\$0	\$9,810	\$1,879,995	\$0	\$9,810	\$0	\$0	\$2,768	\$0	\$0	\$0	\$0	\$1,902,382
<b>Perris</b>	\$2,623,341	\$512,190	\$3,187	\$95,444	\$0	\$432,304	\$0	\$405,178	\$663,074	\$262,236	\$0	\$131,352	\$0	\$2,504,965
<b>Riverside</b>	\$1,802,323	\$12,743	\$1,091,624	\$739,530	\$186,390	\$86,726	\$151,560	\$0	\$444,576	\$33,055	\$171,768	\$0	\$0	\$2,917,972
<b>San Jacinto</b>	\$2,241,640	\$274,680	\$58,860	\$0	\$228,528	\$0	\$58,860	\$0	\$0	\$573,928	\$106,888	\$0	\$0	\$1,301,744
<b>Temecula</b>	\$974,536	\$13,658	\$238,748	\$102,214	\$0	\$9,810	\$419,264	\$330,417	\$506,660	\$0	\$0	\$230,300	\$0	\$1,851,071
<b>Wildomar</b>	\$372,630	\$19,620	\$0	\$0	\$186,390	\$9,810	\$0	\$40,416	\$50,520	-\$6,891	\$60,624	\$303,120	\$0	\$663,609
<b>County Central</b>	\$210,624	\$19,620	\$29,430	\$0	\$9,810	\$49,050	\$9,810	\$9,810	\$0	\$151,560	\$0	\$0	\$0	\$279,090
<b>County Hemet/S.J.</b>	\$2,817,534	\$19,256	\$0	\$0	\$845,165	\$751,455	\$83,900	\$421,370	\$0	\$1,617,902	\$0	\$827,984	\$0	\$4,567,032
<b>County Northwest</b>	\$7,818,421	\$376,752	\$402,210	\$0	\$78,480	\$426,165	\$39,240	\$39,240	\$0	\$3,599,405	\$0	\$422,520	\$0	\$5,384,013
<b>County Pass</b>	\$115,728	\$9,875	\$0	\$0	\$0	\$19,620	\$9,810	\$19,620	\$0	\$10,104	\$0	\$10,104	\$0	\$79,133
<b>County Southwest</b>	\$5,637,231	\$355,887	\$208,806	\$0	\$454,268	\$1,014,650	\$112,521	\$104,318	\$0	\$496,833	\$0	\$535,169	\$0	\$3,282,453
<b>Total</b>	<b>\$60,897,467</b>	<b>\$ 4,499,645</b>	<b>\$5,774,275</b>	<b>\$ 6,885,159</b>	<b>\$ 6,258,048</b>	<b>\$5,544,156</b>	<b>\$ 3,076,571</b>	<b>\$ 9,387,362</b>	<b>\$4,892,917</b>	<b>\$12,457,803</b>	<b>\$5,636,499</b>	<b>\$ 3,821,732</b>	<b>\$ -</b>	<b>\$68,234,166</b>