

February 19, 2013
Police

**TITLE: ADOPT A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION
IN THE ALAMEDA COUNTY ABANDONED VEHICLE ABATEMENT
AUTHORITY**

SUMMARY:

The City of Pleasanton has been a member of the Alameda County Abandoned Vehicle Abatement Authority since its inception in 1993. The Abandoned Vehicle Abatement Authority has established a program, the Alameda County Abandoned Vehicle Abatement Program, to remove and abate abandoned vehicles within the County. Although the Program is set to expire in May 2013, legislation allows for its extension for up to 10 years if approval is obtained from Alameda County and a majority of the cities having a majority of the incorporated population; Pleasanton is among these cities.

RECOMMENDATION

Adopt the attached resolution authorizing the City's continued participation in the Alameda County Abandoned Vehicle Abatement Authority and supporting the Program's extension until 2023.

FINANCIAL STATEMENT

The extension of the Abandoned Vehicle Abatement Authority and its Abandoned Vehicle Abatement Program will provide the Police Department continued funding for an additional ten years to abate abandoned vehicles.

DISCUSSION

Vehicle abatement enhances a city's aesthetics and traffic flow. In 1990, the California State Legislature enacted legislation to encourage vehicle abatement by allowing for the creation of county-based abandoned vehicle service authorities. The Legislature also imposed a one dollar vehicle registration fee to be used by the service authorities for the abatement, removal, or the disposal as a public nuisance of any abandoned, wrecked, dismantled, or inoperative vehicle or part of the vehicle from private or public property (California Vehicle Code §§ 9250.7 and 22710)

The Alameda County Abandoned Vehicle Abatement Authority (AVA) and its Abandoned Vehicle Abatement Program were established in 1993. The current participating agencies are the County of Alameda and all cities in the County, except Albany and Emeryville. The AVA has imposed a one dollar annual vehicle registration fee on each vehicle registered to an owner with an address in the County. The vehicle registration fees are collected by the Department of Motor Vehicles and allocated to the service authorities, such as the AVA, by the State Controller's Office pursuant to Section 9250.7 of the California Vehicle Code. Fees are then allocated to the service authorities' participating agencies, such as the City of Pleasanton, based on an adopted formula involving their individual percentage of vehicles abated, population and land area in relation to the totals for these factors in the service authorities.

Since the Abandoned Vehicle Abatement Program's inception in 1993, the AVA has received approximately \$22.8 million dollars in registration fees, which have allowed the participating agencies to abate approximately 363,000 abandoned vehicles. As for Pleasanton, the City annually abates approximately 50 abandoned vehicles and receives approximately \$29,000 from the Alameda County Abandoned Vehicle Abatement Fund. The fees received by the City pay for approximately 50% of the cost of the vehicle abatement program within Pleasanton; the remainder of the cost is paid from the General Fund. Because some of the costs for vehicle abatement are paid by the Program, funds are freed for other essential law enforcement activities.

If the County and other cities continue the AVA, but Pleasanton chooses not to participate, the one dollar fee will still be collected for each vehicle registered to an owner with an address in Pleasanton and deposited in the AVA fund, but the City of Pleasanton will not receive any of the funds.


The current program is set to expire at the end of May 2013. Legislation allows the local service authorities to extend the program every 10 years with the approval of the County and a majority of the cities comprising a majority of the population of the incorporated areas. Adoption of the attached resolution will assist in extending this important program.

Submitted by:



Dave C. Spiller
Police Chief

Fiscal Review:



Emily Wagner
Director of Finance

Approved by:



Nelson Fialho
City Manager

Attachments:

1. Proposed Resolution

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLEASANTON
AUTHORIZING THE CITY'S CONTINUED PARTICIPATION IN THE ALAMEDA
COUNTY VEHICLE ABATEMENT AUTHORITY AND SUPPORTING THE
PROGRAM'S EXTENSION**

WHEREAS, the Alameda County Abandoned Vehicle Abatement Authority was formed in 1993 and the City of Pleasanton has been a member since its inception; and

WHEREAS, since 1993, the Alameda County Abandoned Vehicle Abatement Authority has provided approximately \$22.8 million county-wide to support participating agencies in the abatement of approximately 363,000 abandoned vehicles in Alameda County; and

WHEREAS, the City of Pleasanton annually abates approximately 50 vehicles and receives approximately \$29,000 from the Alameda County Abandoned Vehicle Abatement Fund; and

WHEREAS, the Alameda County Abandoned Vehicle Abatement Program is set to expire on May 31, 2013; and

WHEREAS, legislation allows for an extension of the Program with the approval of the County and a majority of the cities comprising a majority of the population of the incorporated areas; and

WHEREAS, it is desirable to the City of Pleasanton to have the Program continue; and

WHEREAS, the City Council of the City of Pleasanton has considered the proposed extension of the Alameda County Abandoned Vehicle Abatement Authority and Abandoned Vehicle Abatement Program.

NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES RESOLVE, DECLARE, DETERMINE AND ORDER THE FOLLOWING:

SECTION 1: Supports the extension of the Alameda County Abandoned Vehicle Abatement Authority and Abandoned Vehicle Abatement Program until May 31, 2023.

SECTION 2: This resolution shall become effective immediately upon its passage.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Pleasanton at a regular meeting held on February 19, 2013

I, Karen Diaz, City Clerk of the City of Pleasanton, California, certify that the foregoing resolution was adopted by the City Council at a regular meeting held on the 19th day of February, 2013, by the following vote:

Ayes:

Noes:

Absent:

Karen Diaz, City Clerk

APPROVED AS TO FORM:

Jonathan P. Lowell, City Attorney