



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO COUNCIL

SUBJECT

Adopt a Resolution Authorizing Participation in the Santa Clara County Abandoned Vehicle Abatement Authority for an Additional Ten Years and Continue Collection of a One Dollar Fee to Fund the Authority

BACKGROUND

The California Vehicle Code (CVC) Sections 9250.7 and 22710 authorize the establishment of a service authority for the abatement of abandoned vehicles by California counties. It also provides for the imposition of a one-dollar (\$1.00) vehicle registration fee, if the Board of Supervisors, by a two-thirds vote, and a majority of the cities having a majority of the incorporated population within the county, have adopted resolutions providing for the establishment of the authority.

The funds collected by the authority are used to reimburse member cities for costs related to the abatement of abandoned vehicles. The reimbursement is based on city population and the number of abandoned vehicles abated. The reimbursement can be used to cover personnel costs and other direct costs related to the abatement of vehicles.

The Santa Clara County Abandoned Vehicle Abatement Service Authority ("AVASA") was established in 1991 to provide County law enforcement agencies with resources to facilitate the proper removal and disposal of abandoned vehicles. Revenue for the program is collected by the Department of Motor Vehicles pursuant to CVC 9250.7 at a rate of \$1.00 per vehicle for vehicles registered with an address in Santa Clara County. AVASA then uses program revenue to reimburse participating agencies in the county, based on a formula that allocates 50% of available funding based on the jurisdiction's population percentage and the other 50% based on the jurisdiction's percentage of vehicles abated county-wide.

The City's participation in the program was authorized by City Council on October 29, 1991, when Council adopted Resolution No.199-91 authorizing the City of Sunnyvale's participation in AVASA for a 10-year period.

On January 15, 2002, City Council authorized the City's continued participation in AVASA for an additional 10-year period by adopting Resolution No.103-02. On August 9, 2011, City Council authorized the City's continued participation in AVASA for an additional 10-year period by adopting Resolution No 494-11, through April of 2022.

Santa Clara County's AVASA Program sunsets on April 30, 2022; however, the Santa Clara County Board of Supervisors adopted Resolution BOS-2021-80 on June 8, 2021, extending the County's participation in the AVASA program and approving imposition of a \$1.00 vehicle registration fee, to be in effect for 10 years (Attachment 1).

Staff recommends Council adopt the attached resolution, authorizing the City's continued participation in the Santa Clara County Abandoned Vehicle Abatement Service Authority ("AVASA") for an additional 10-year period, through April, 2032.

EXISTING POLICY

Resolution No. 494-11 - Resolution authorizing the City of Sunnyvale's continued participation in the Santa Clara County Abandoned Vehicle Abatement Service Authority ("AVASA") from March 31, 2012 through April 30, 2022.

General Plan Chapter 4 - Land Use and Transportation, Policy LT-4.1a: Support a robust code enforcement program to maintain and enhance the appearance of neighborhoods and commercial districts and encourage property and area cleanup and beautification projects.

General Plan Chapter 6 - Safety and Noise, Policy SN-3.4: Reduce crime and fear by strengthening the police/community partnership.

ENVIRONMENTAL REVIEW

The action being considered does not require review under the California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that it may have an impact on the environment (CEQA Guidelines Section 15061(b)(3)) and is not considered a project pursuant to CEQA Guidelines Section 15378(b)(4) because it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

DISCUSSION

One of the most frequent types of non-emergency calls for service received by the Sunnyvale Department of Public Safety is the request to abate abandoned vehicles. In addition, abandoned vehicle complaints represent the highest percentage of Access Sunnyvale service requests. Abatement involves the removal of wrecked, dismantled, or inoperative vehicles which have been abandoned on both public and private property. Unless removed, these vehicles pose a health and safety hazard and are a public nuisance.

Adoption of a Resolution by the City Council is required for overall continuation of the AVASA Program and for the City's continued participation in the program.

The County of Santa Clara and 15 cities and towns are currently participating in this program. Adoption of this resolution would reauthorize the City's participation in the AVASA Program until April 30, 2032.

The AVASA Board of Directors is attempting to get all resolutions adopted and provide certified copies to the California Department of Motor Vehicles in Sacramento no later than August 1, 2021. This would assure a seamless transition of the AVASA Program beyond the current sunset date of March 31, 2022. There are approximately 39 other counties that will also be seeking continuation of their respective programs during this same time period.

FISCAL IMPACT

This program provides State reimbursement for ongoing abatement costs that would otherwise be carried by the City for vehicle abatement. The reimbursement amount fluctuates with changes in the total number of vehicles and changes in the local population.

Over the last ten years (FY2010/11 - FY2019/20), City staff have abated 21,845 vehicles and collected \$1,687,675 from AVASA for expenses related to the removal of abandoned, wrecked, dismantled, or inoperative vehicles from public and private property. Countywide, 167,832 vehicles were abated during the same period.

During FY2019/20, \$180,669 was received by the City from AVASA program activities. The AVASA reimbursement is incorporated in the budget annually and a \$123,118 reimbursement has been included in the FY2021/22 budget plan. The reimbursement amount is sufficient to cover the direct costs of vehicle abatement.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

RECOMMENDATION

Adopt a Resolution Authorizing Participation in the Santa Clara County Abandoned Vehicle Abatement Authority for an Additional Ten Years and Continue Collection of a One Dollar Fee to Fund the Authority.

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Reviewed by: Phan S. Ngo, Director, Department of Public Safety

Reviewed by: Jaqui Guzmán, Deputy City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Santa Clara County Resolution BOS-2021-80
2. Proposed Resolution