



Legislation Text

File #: 19-402, **Version:** 1

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SUBJECT: Adoption of Resolution Extending the Participation in the Abandoned Vehicle Abatement Program (AVA) with Merced County Association of Governments (MCAG) for the Period of August 1, 2020 Through July 31, 2030

REPORT IN BRIEF

Considers approving a resolution between the Merced County Association of Governments (MCAG) and the City of Merced to continue to participate in the Abandoned Vehicle Abatement program (AVA) for an additional 10 year period. (See attachment 1)

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving **Resolution 2019-45**, a Resolution of the City Council of the City of Merced, California, establishing service authority for abandoned vehicle abatement; and,
- B. Authorizing the City Manager or the Assistant City Manager to execute the agreement; and,
- C. Authorizing the Finance Officer to make the appropriate budget adjustments.

ALTERNATIVES

- 1. Approve, as recommended by staff; or
- 2. Approve, subject to other than recommended by staff; or
- 3. Deny; or,
- 4. Refer to staff for a reconsideration of specific items; or,
- 5. Continue to a future City Council meeting.

AUTHORITY

Merced Municipal Code 8.34, "Vehicle Abatement"
California Vehicle Code 22710

CITY COUNCIL PRIORITIES

As provided for in the 2019-20 Adopted Budget

DISCUSSION

The Merced County Association of Governments (MCAG) has contacted the City of Merced regarding an extension of the abandoned vehicle abatement program (AVA). Merced County

Association of Governments (MCAG) indicated that there is an expressed interest in continuation of this program.

Section 22710 of the California Vehicle Code (CVC) allows counties to form a Service Authority for the "abatement, removal, or disposal as a public nuisance of any abandoned, wrecked, dismantled, or inoperative vehicle ... from private or public property". Section 22710 allows for the imposition of an annual one-dollar (\$1.00) vehicle registration fee on all vehicles registered in Merced County, including city jurisdictions.

Continuation of the Service Authority, imposition of the one-dollar registration fee, and adoption of the Plan will require a two-thirds vote by the Board of Supervisors, and a vote in favor by the majority of the cities having a majority of the incorporated population. The Abandoned Vehicle Abatement Program Plan requires each participating jurisdiction adopt an ordinance consistent with sections 22660 and 22661 of the California Vehicle Code (CVC) and that the plan provide an estimate of the number of vehicles to be abated on a county wide basis.

In accordance with section 22710(d)(6) of the California Vehicle Code (CVC), the funds generated via the vehicle registration fee will be disbursed quarterly with 50% of those funds being allocated to a jurisdiction based on the percentage of vehicles abated by that jurisdiction out of the total number of abandoned vehicles abated by all jurisdictions. Forty percent of the funds will be disbursed based on population and the remaining 10% will be divided evenly among the seven jurisdictions.

The Merced City Attorney's Office has updated section 8.34 of the Merced Municipal Code so the ordinance will remain consistent with Sections 22660 and 22651 of the California Vehicle Code (CVC)

IMPACT ON CITY RESOURCES

This program has been successful for the Police Department and Code Enforcement as an additional tool in abating blight from properties as it relates to abandoned or dismantled vehicles. This program allows a funding stream to compensate the City of Merced for the time taken to address and abate qualifying vehicles. The self-funding nature of this program places minimal impact on city resources, and in fact, has proven to be a valuable tool in the effort reduce blight and unsafe conditions.

ATTACHMENTS

1. Merced County HR2043 AVA Resolution
2. Merced Municipal Code Ordinance Adopted July 21, 2008
3. Resolution 2008-54 adopted July 7, 2008
4. Merced Municipal Code 8.34
5. California Vehicle Code 22710
6. Resolution 2019-45