

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING (1) THE CITY OF SAN JOSE TO CONTINUE ITS PARTICIPATION IN THE SANTA CLARA COUNTY ABANDONED VEHICLE ABATEMENT SERVICE AUTHORITY PROGRAM; (2) EXTENDING THE COLLECTION OF THE ONE DOLLAR (\$1.00) VEHICLE REGISTRATION FEE BY THE CALIFORNIA DEPARTMENT OF MOTOR VEHICLES TO FUND THE PROGRAM FOR A PERIOD OF TEN (10) YEARS FROM MAY 1, 2022 TO APRIL 30, 2032; AND (3) AUTHORIZING THE CITY MANAGER OR DESIGNEE TO PARTICIPATE AS A MEMBER OF THE SANTA CLARA COUNTY ABANDONED VEHICLE ABATEMENT SERVICE AUTHORITY

WHEREAS, Sections 9250.7 and 22710 of the California Vehicle Code provide for the establishment of a service authority for abandoned vehicle abatement and a one dollar vehicle registration fee in any county where the county board of supervisors, by a two-thirds vote, and a majority of the cities within the county having a majority of the population have adopted resolutions providing for the establishment of the authority and imposition of the fee; and

WHEREAS, in 1991, Santa Clara County established the Santa Clara County Abandoned Vehicle Abatement Service Authority (“AVASA”) program and the City Council of the City of San José (“City Council”) adopted Resolution No. 63337 on November 5, 1991 authorizing the City of San José’s (“City”) participation in the Santa Clara County AVASA program and collection of the one dollar vehicle registration fee by the California Department of Motor Vehicles in accordance with Sections 9250.7 and 22710 of the California Vehicle Code; and

WHEREAS, participation in the AVASA program is approved in 10-year increments and on January 8, 2002, the City Council adopted Resolution No. 70787 authorizing the City’s continued participation in the Santa Clara County AVASA program and extension

of the one dollar vehicle registration fee from May 1, 2002 to April 30, 2012 in accordance with Section 9250.7 of the California Vehicle Code; and

WHEREAS, on September 13, 2011, the City Council adopted Resolution No. 75983 authorizing the City's continued participation in the Santa Clara County AVASA program and extension of the one dollar vehicle registration fee from May 1, 2012 to April 30, 2022; and

WHEREAS, abandoned, inoperable, wrecked, and dismantled vehicles, or parts thereof, pose a health and safety hazard and public nuisances; and

WHEREAS, the City Council finds that an abandoned vehicle abatement service program is needed to provide for the proper removal and disposal of abandoned vehicles, and assist law enforcement and code enforcement personnel in abatement of abandoned vehicles; and

WHEREAS, the City desires to continue its participation in the Santa Clara County AVASA Program, extend the collection of the One Dollar (\$1.00) vehicle registration fee by the DMV to fund the Santa Clara County AVASA program from May 1, 2022 to April 30, 2032, and authorize the City Manager or designee to continue to participate as a member of the Santa Clara County AVASA;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The City Council of the City of San José hereby approves the City of San José's continued participation in the Santa Clara County Abandoned Vehicle Abatement Service Authority Program for a period of ten (10) years from May 1, 2022 to April 30, 2032; and

2. The City Council of the City of San José hereby approves the extension of the one dollar (\$1.00) vehicle registration fee collected by the California Department of Motor Vehicles pursuant to Sections 9250.7(g) and 22710 of the California Vehicle Code for a term of ten (10) years from May 1, 2022 to April 30, 2032; and
3. The City Manager or designee is authorized to continue to participate as a member of the Santa Clara County Abandoned Vehicle Abatement Service Authority.

ADOPTED this ____ day of _____, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk