AGENDA ITEM 16.1
TO: Mayor and City Council

FROM: Blair Ulring, Interim Chief of Police

SUBJECT: PUBLIC HEARING - EXTEND ABANDONED VEHICLE ABATEMENT PROGRAM

RECOMMENDATION

At the conclusion of the Public Hearing, it is recommended that the City Council adopt a resolution as follows:

1. Authorizing the City of Stockton to extend the joint powers agreement with San Joaquin County to continue the San Joaquin County Abandoned Vehicle Abatement (SJC AVA) Service Authority for the abatement of abandoned vehicles in San Joaquin County pursuant to Section 22710 of the California Vehicle Code (VC);

2. Authorizing the City Manager to execute an agreement for a ten-year extension of the Abandoned Vehicle Abatement Program administered by the Police Department’s Neighborhood Services Section (NSS), with the SJC AVA Service Authority; and

3. Authorizing the continuation of a fee of one dollar ($1) per registered vehicle to be collected by the Department of Motor Vehicles and placed in an Abandoned Vehicle Trust Fund at the State level to be distributed proportionally to County Service Authorities to cover costs; and

4. Appointing Richard Dean to serve as the City of Stockton’s representative on the SJC AVA Service Authority Board.

Summary

The current Abandoned Vehicle Abatement Program is set to expire on April 30, 2012. New legislation allows local service authorities to extend the program every ten years with the approval of the County of San Joaquin and majority of the cities comprising a majority of the population of the incorporated areas. The current participating entities in our local service authority are the County of San Joaquin, and the Cities of Escalon, Lodi, Lathrop, Manteca, Ripon, Stockton, and Tracy. Over the past ten years, the NSS has been allocated over $2.3 million to remove 29,538 abandoned vehicles. Adoption of the attached resolution is the first step towards the extension of this important program which is needed to diminish blight in our city from the prevalent problem of abandoned and/or inoperative vehicles.
DISCUSSION

Background

In 1990, the California State Legislature enacted legislation allowing for the creation of county-based vehicle service authorities, pursuant to the provisions of California Vehicle Code (VC) section 22710. In July 2001, that became effective in January 2002, the SJC AVA Service Authority was formed and imposed a one dollar annual vehicle registration fee on vehicles registered to an owner with an address in San Joaquin County.

Vehicle registration fees are collected by the Department of Motor Vehicles and allocated to San Joaquin County by the State Controller’s Office pursuant to VC section 9250.7. Fees are then allocated to the eight (8) participating entities. Half of the fee is allocated based on the percentage of vehicles abated in relation to the total number of vehicles abated by the SJC AVA Service Authority as a whole and the other 50 percent is allocated based on population and geographic area, as determined by the service authority. The current participating entities are the County of San Joaquin, and Cities of Escalon, Lodi, Lathrop, Manteca, Ripon, Stockton, and Tracy. Since the inception of the program, the service authority has received over $4.7 million, which has allowed staff to abate approximately 51,219 abandoned vehicles.

Present Situation

The current program is set to expire on April 30, 2012. New legislation allows local service authorities to extend the program every ten years with the approval of the County and majority of the cities comprising a majority of the population of the incorporated areas. The NSS has been a member of the SJC AVA Service Authority from its formation. To continue the program for another ten years, the participating entity must, by resolution, extend their participation in the program. For the last three fiscal years, there has been one Code Enforcement Officer and one clerical support person dedicated to abandoned vehicle abatement. The number of abandoned vehicles in the City limits exceeds what the current staffing levels can address.

Public Notification
The public was notified of this agenda item in the newspaper on October 3, 2011, and October 10, 2011.

FINANCIAL SUMMARY

Section 22710(c) VC restricts the money received by an Authority to be used only for the abatement, removal and disposal of any abandoned, wrecked, dismantled, or inoperative vehicle or part from public or private property when the vehicle is deemed a public nuisance. Revenues must be spent, or used to offset expenses, relative to the
removal and disposal of abandoned vehicles. The NSS has been allocated $2,381,003.12 to remove 29,538 vehicles during the last ten years. The cost to remove the same abandoned vehicles over that equivalent period was $2,528,167.21. The net average per vehicle abatement cost to remove the blight of 29,538 abandoned vehicles was $85.59.

A table listing the previous fee allocations, expenses, number of vehicles removed, and the average abatement cost is set forth below. During the years when the NSS had more Code Enforcement Officers assigned to the program, the expenditures exceeded the funding and the number of vehicles removed was significantly greater. Recent staffing shortages have hindered our ability to maximize the number of vehicles removed and available revenue.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Fee Allocation</th>
<th>Expenses</th>
<th>Vehicles Removed</th>
<th>Average Abatement Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001/02</td>
<td>35,627.44</td>
<td>78,109.89</td>
<td>2,364</td>
<td>33.04</td>
</tr>
<tr>
<td>2002/03</td>
<td>180,469.71</td>
<td>194,714.38</td>
<td>4,004</td>
<td>48.63</td>
</tr>
<tr>
<td>2003/04</td>
<td>238,396.51</td>
<td>259,979.41</td>
<td>5,317</td>
<td>48.90</td>
</tr>
<tr>
<td>2004/05</td>
<td>265,511.41</td>
<td>335,124.37</td>
<td>3,996</td>
<td>83.86</td>
</tr>
<tr>
<td>2005/06</td>
<td>288,594.48</td>
<td>277,138.48</td>
<td>3,975</td>
<td>69.72</td>
</tr>
<tr>
<td>2006/07</td>
<td>255,789.09</td>
<td>344,013.04</td>
<td>3,332</td>
<td>103.25</td>
</tr>
<tr>
<td>2007/08</td>
<td>331,354.35</td>
<td>368,786.52</td>
<td>4,130</td>
<td>89.29</td>
</tr>
<tr>
<td>2008/09</td>
<td>282,795.73</td>
<td>232,685.16</td>
<td>1,937</td>
<td>120.13</td>
</tr>
<tr>
<td>2009/10</td>
<td>270,730.30</td>
<td>246,413.96</td>
<td>1,630</td>
<td>151.17</td>
</tr>
<tr>
<td>2010/11</td>
<td>231,734.10</td>
<td>191,202.00</td>
<td>1,217</td>
<td>157.11</td>
</tr>
<tr>
<td>Totals</td>
<td>$2,381,003.12</td>
<td>$2,528,167.21</td>
<td>29,538</td>
<td>$85.59</td>
</tr>
</tbody>
</table>

It is anticipated that by extending this program another ten years, the General Fund will subsidize the abandoned vehicle abatement program in a similar manner and year-to-year expenses will be budgeted in the Police Department’s Neighborhood Services Section fiscal year allocation.

Respectfully submitted,

[Signature]

BLAIR ULRING
INTERIM CHIEF OF POLICE

APPROVED

[Signature]

BOB DEIS
CITY MANAGER

BU:ba
RESOLUTION AUTHORIZING THE EXTENSION OF THE ABANDONED VEHICLE ABATEMENT PROGRAM UNTIL APRIL 2022

The San Joaquin County Abandoned Vehicle Abatement (SJC AVA) Service Authority was formed in 2001 and the program has contributed over $4.7 million and allowed for the abatement of 51,219 abandoned vehicles throughout San Joaquin County; and

Neighborhood Services has been allocated $2,381,003.12 to remove 29,538 vehicles during the last ten years. The cost to remove the same abandoned vehicles over that equivalent period was $2,528,167.21. The net average abatement cost to remove the blight of 29,538 abandoned vehicles was $85.59; and

The SJC AVA Service Authority Fee Program is set to expire in April 2012 and new legislation allows for an extension of the program with the approval of the County and most of the cities comprising a majority of the population of the incorporated areas; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. The City of Stockton is authorized to extend the joint powers agreement with San Joaquin County to continue the SJC AVA Service Authority for the abatement of abandoned vehicles in San Joaquin County pursuant to Section 22710 of the California Vehicle Code.

2. The City Manager is authorized to execute an agreement for a ten-year extension of the Abandoned Vehicle Abatement Program with the SJC AVA Service Authority.

3. A fee of $1 per registered vehicle is authorized to be collected by the Department of Motor Vehicles and placed in an Abandoned Vehicle Trust Fund at the State level to be distributed proportionally to County Service Authorities to cover costs.
4. Richard Dean is appointed to serve as the City of Stockton's representative on the SJC AVA Service Authority Board.

5. The City Manager is authorized to take whatever actions are necessary to carry out the purpose and intent of this resolution.

PASSED, APPROVED, and ADOPTED October 18, 2011.

________________________________________
ANN JOHNSTON, Mayor
of the City of Stockton

ATTEST:

________________________________________
BONNIE PAIGE, City Clerk
of the City of Stockton