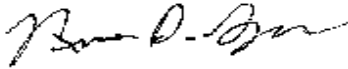


City of Calistoga

Staff Report

TO: Honorable Mayor and City Council
FROM: Michael Kirn, Public Works Director/City Engineer
DATE: September 15, 2015
SUBJECT: Consideration of a Resolution Supporting Renewal of the Napa County Abandoned Vehicle Abatement Authority Fee for an Additional 10 years from May 31, 2016 to May 31, 2026

APPROVAL FOR FORWARDING:



RICHARD D. SPITLER, CITY MANAGER

1
2 **ISSUE:** Consideration of a Resolution supporting renewal of the Napa County
3 Abandoned Vehicle Abatement Authority (Authority) fee for an additional 10 years from
4 May 31, 2016 to May 31, 2026.

5
6 **RECOMMENDATION:** Adopt the Resolution.

7
8 **BACKGROUND/DISCUSSION:** Since 1996, jurisdictions in Napa County have taken
9 advantage of California Vehicle Code Section (CVC) 9250.7 (Attachment 2) that
10 authorizes each County to implement an Authority for a 10-year period. Administered
11 by the Napa County Transportation and Planning Agency (NCTPA), the Authority
12 obtains funding through a \$1.00 fee on each vehicle registered in Napa County to
13 remove or dispose any abandoned, wrecked, dismantled, or inoperative vehicle or part
14 form public or private property when the vehicle is deemed to be a public nuisance.
15 Funds are disbursed to each jurisdiction in Napa County based upon per capita resident
16 population.

17
18 The program must be renewed every 10 years in accordance with Section 9250.7(g) of
19 the CVC. The Napa County program was renewed in 2006 by a majority of cities and
20 the Board of Supervisors. The renewed program expires on May 31, 2016 and in order
21 to be renewed requires a two-thirds vote of the board of supervisors, and a majority of

22 the cities - having a majority of the incorporated population within the county – to adopt
 23 resolutions supporting the renewal of the fee.

24 According to the NCTPA, since FY 2007/08 the Authority has received \$1,025,257
 25 funding abatement of 2,126 vehicles - an average of 266 abatements per year. A
 26 recent change in the CVC limits the use of these funds to abatement efforts only, and
 27 not the purchase of capital items in support of abatement activities such as computers,
 28 cameras, vehicles, etc.

29
 30 **Table 1** identifies payments received by each jurisdiction over the last eight years and
 31 **Table 2** identifies the number of vehicles abated in each jurisdiction.

32
 33 **Table 1**
 34 **Payments Received by Jurisdiction**

Jurisdiction	FY2015	FY2014	FY2013	FY2012	FY2011	FY2010	FY2009	FY2008	Total
American Canyon	\$15,987	\$14,177	\$12,655	\$12,098	\$13,447	\$19,153	\$15,179	\$13,494	\$116,190
Calistoga	\$10,280	\$6,245	\$5,000	\$5,126	\$3,614	\$4,032	\$3,553	\$3,574	\$41,424
Napa	\$69,174	\$70,084	\$87,470	\$91,661	\$75,614	\$82,139	\$84,383	\$85,564	\$646,089
Napa County	\$3,885	\$33,375	\$16,226	\$17,617	\$24,897	\$15,475	\$22,378	\$26,284	\$160,137
St. Helena	\$4,400	\$6,564	\$5,309	\$6,038	\$3,588	\$4,188	\$3,610	\$3,518	\$37,215
Yountville	\$968	\$5,181	\$4,734	\$3,622	\$2,385	\$2,687	\$2,352	\$2,270	\$24,199
TOTAL	\$104,693	\$135,628	\$131,395	\$136,162	\$123,545	\$127,674	\$131,455	\$134,705	\$1,025,257

36
 37
 38 **Table 2**
 39 **Vehicles Abated by Jurisdiction**

Jurisdiction	FY2015	FY2014	FY2013	FY2012	FY2011	FY2010	FY2009	FY2008	Total
American Canyon	84	6	5	8	21	38	37	50	249
Calistoga	22	4	4	5	10	5	5	9	64
Napa	94	50	86	105	329	167	248	419	1,498
Napa County	4	30	4	5	45	4	43	104	239
St. Helena	4	4	4	6	5	5	4	5	37
Yountville	7	4	5	4	5	4	4	6	39
TOTAL	215	98	108	133	415	223	341	593	2,126

41
 42
 43 **CONSISTENCY WITH CITY COUNCIL GOALS AND OBJECTIVES:** Abating nuisance
 44 vehicles on public and private property furthers Council Goal 5 – Enhance Calistoga’s
 45 small town character by making it attractive and safe; Objective 4 – Provide a code
 46 enforcement program that is efficient, readily understandable and predictable. Goal 4 -
 47 The renewal of the Authority provides critical funding to abate unsightly vehicles.
 48 Abatement of abandoned vehicles also eliminates potential environmental risks
 49 associated with leaking fluids and oils that can contaminate storm water.

50

51
52 **ENVIRONMENTAL ANALYSIS:** The recommended action is exempt from CEQA
53 pursuant to CEQA Guidelines Sections 15307 and 15308 which exempt actions taken
54 by a regulatory agency as authorized by state law or local ordinance to assure the
55 maintenance, restoration, or enhancement of a natural resource or protection of the
56 environment where the regulatory process involves procedures for protection of the
57 environment.

58
59 **FISCAL IMPACT:** The Authority reimburses the City on average about \$5,000 per year
60 for code enforcement efforts associated with abatement of abandoned vehicles. If the
61 Authority is not renewed the City would have two options:

- 62
63 • Use the General Fund to cover the cost of the program
64 • Eliminate the program

65
66 **ATTACHMENTS:**

- 67
68 1. Resolution
69 2. California Vehicle Code Section 9250.7

70

RESOLUTION NO. 2015- XXX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA,
COUNTY OF NAPA, STATE OF CALIFORNIA, SUPPORTING RENEWAL
OF THE NAPA COUNTY ABANDONED VEHICLE ABATEMENT
AUTHORITY FEE FOR AN ADDITIONAL 10 YEARS FROM
MAY 31, 2016 TO MAY 31, 2026**

WHEREAS, Since 1996, jurisdictions in Napa County have taken advantage of California Vehicle Code Section 9250.7 that authorizes each County to implement an abandoned Vehicle Abatement Authority (Authority) for a 10-year period; and

WHEREAS, the Napa County Transportation and Planning Agency (NCTPA), administers and funds the Authority through a \$1.00 fee on each vehicle registered in Napa County; and

WHEREAS, Authority funds are disbursed to each jurisdiction in Napa County to remove or dispose any abandoned, wrecked, dismantled, or inoperative vehicle or part from public or private property when the vehicle is deemed to be a public nuisance; and

WHEREAS, abating nuisance vehicles on public and private property furthers the Goals of the City Council to provide an effective code enforcement program and protects the environment from potential risks associated with leaking fluids and oils;

WHEREAS, the current program is scheduled to expire on May 31, 2016 unless renewed for an additional 10 years; and

WHEREAS, in accordance with Vehicle Code Section 9250.7(g); the 10-year renewal requires a two-thirds vote of the board of supervisors, and a majority of the cities having a majority of the incorporated population within the county adopt resolutions providing for the extension of the fee; and

WHEREAS, the renewal of the program is exempt from CEQA pursuant to CEQA Guidelines Sections 5307 and 15308 which exempt actions taken by a regulatory agency as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource or protection of the environment where the regulatory process involves procedures for protection of the environment.

WHEREAS, the City Council has considered all information related to this matter, as presented at the September 15, 2015 City Council meeting, including any supporting reports by City staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Calistoga that it supports the renewal of the Napa County Abandoned Vehicle Abatement Authority fee for an additional 10 years from May 31, 2016 to May 31, 2026 and authorizes the City's NCTPA representatives to vote in support of any actions necessary to renew the program.

48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Calistoga at a regular meeting held this **15th day of September 2015**, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

CHRIS CANNING, Mayor

ATTEST:

KATHY FLAMSON, City Clerk