

RESOLUTION NO. 2116


A RESOLUTION APPROVING THE FORMATION AND PARTICIPATION
OF THE CITY OF SOLEDAD IN THE MONTEREY COUNTY
VEHICLE ABATEMENT SERVICE AUTHORITY

BE IT RESOLVED by the City Council of the City of Soledad hereby approves the formation of the Monterey County Vehicle Abatement Service Authority and authorizes the City's participation in the County Vehicle Abatement Service Authority under the rules and regulations promulgated by the State of California.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to take such action as is deemed necessary to establish the City's membership in the Monterey County Vehicle Abatement Service Authority.

PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 23rd day of September, 1991, by the following vote:

AYES, and in favor thereof, Council Members: Fabian Barrera, Ben Jimenez, Jr., Fred Ledesma, Mayor Pro Tem John Holguin, Mayor Joe Ledesma
NOES, Councilmembers: None
ABSENT, Councilmembers: None


MAYOR OF THE CITY OF SOLEDAD

ATTEST:


CITY CLERK OF THE CITY OF SOLEDAD

AGREEMENT FOR MONTEREY COUNTY ABANDONED
VEHICLE ABATEMENT SERVICE AUTHORITY

1. PARTIES. The parties to this Agreement are the County of Monterey and those cities within the County that have elected to create and participate in the Monterey County Abandoned Vehicle Abatement Service Authority as provided herein.

2. PURPOSE AND AUTHORITY. The purpose of this agreement is to establish a service authority for the abatement of abandoned vehicles in Monterey County pursuant to Vehicle Code Section 22710 and Government Code Section 6500 et seq.

3. CREATION. Upon the effective date of this Agreement, there is hereby created, the Monterey County Abandoned Vehicle Abatement Service Authority ("Authority") as a separate public entity and distinct from the member jurisdictions to implement this Agreement in accordance with Vehicle Code Section 22710.

4. BOARD OF DIRECTORS. The Authority shall be governed by the Board of Directors, to be appointed as follows: One representative from each jurisdiction in the County electing to become a member of the Authority.

5. POWERS AND DUTIES.

a. Contracts and Acts. Pursuant to Vehicle Code Section 22710(b), the Authority may contract and may undertake any act convenient or necessary to carry out and law relating to the Authority, including acts necessary to ensure that the vehicle registration fee authorized by Vehicle Code Section 9250.7 is used in accordance with the requirements of Vehicle Code Section 22710.

b. Ordinance. Pursuant to Vehicle Code Section 22710(c)(1), the Authority shall adopt an ordinance establishing procedures for the abatement, removal and disposal, as public nuisances, of abandoned, wrecked, dismantled, or inoperative vehicles or parts thereof, from private or public property; and for the recovery, pursuant to Section 25845 or 38773.5 of the Government Code, or assumption by the Service Authority, of costs of administration and of that removal and disposal. The actual removal and disposal of vehicles shall be undertaken by either the County, a City, or the Department of the California Highway Patrol ("CHP"), pursuant to the contract with the Authority.

c. Program and Plan. Pursuant to Vehicle Code Section 22710(d), the Authority shall implement an abandoned vehicle abatement program and plan following approval of the program and plan by the County of Monterey and a majority of the cities having a majority of the incorporated population and participating as members of the Authority. The program and plan shall be consistent with guidelines prepared by the CHP.

d. Fee. Pursuant to Vehicle Code Section 9250.7, the Authority shall impose a service fee of one dollar (\$1.00) on vehicles registered to an owner with an address in the County, including the incorporated cities.

e. Restriction. The manner of exercising powers granted by the Authority by this agreement shall be subject to the same restrictions as are imposed upon the County of Monterey and participating member agencies, in their exercise of similar powers.

6. STAFF. Pursuant to Vehicle Code Section 22710(c), the Authority shall be staffed by each member agency.

7. AUDIT. There shall be strict accountability of all Authority funds. The County Auditor shall be the auditor for the Authority. The Auditor shall report all receipts and disbursements to the Authority, and make or contract to make an annual audit of the Authority pursuant to the requirements of Government Code Section 6505. The Authority shall compensate the County Auditor for reasonable charges incurred in the performance of said audit.

8. FUNDS. The funds received by the Authority from the one dollar (\$1.00) registration fee shall be used in accordance with Vehicle Code Section 22710(c)(2), and shall be distributed to the cities and the County for their use in accordance with Vehicle Code Section 22710(c)(2).

9. DEBTS AND LIABILITIES. The debts, liabilities, and obligations of the Authority shall not be the debts, liabilities, and obligations of the member jurisdictions, or any of them.

10. AMENDMENT. This Agreement may be amended upon the approval of a majority of the member agencies having a majority of the population. For purposes of this section, the population of the County is defined as all of the population residing within the unincorporated areas of the County of Monterey.

11. TERMINATION BY MEMBERS. Subject to Vehicle Code Section 22710, this Agreement may be terminated by member jurisdictions as follows:

a. Individual Member Jurisdictions. A member jurisdiction may terminate its participation in this Agreement and the Authority effective on the first day of any fiscal year provided that such jurisdiction shall give one year's prior written notice of such termination to the Authority and the other member jurisdictions. Notice of termination may be rescinded upon written notice to the Authority and the other member jurisdictions at any time before the effective date of termination.

b. Majority. This Agreement may be terminated

at any time by a majority of the member jurisdictions voting to dissolve Authority.

12. TERMINATION. The Authority shall cease to exist on the date that all revenue received by the Authority pursuant to Vehicle Code Section 9250.7 have been expended.

13. EFFECTIVE DATE. This Agreement becomes effective upon approval of the County Board of Supervisors by two-thirds vote, and a majority of the cities having a majority of the incorporated population within the County.

County of Monterey

City of Marina

City of Carmel

City of Monterey

City of Del Rey Oaks

City of Pacific Grove

City of Gonzales

City of Salinas

City of Greenfield

City of Sand City

City of King City

City of Seaside

[Handwritten Signature]

City of Soledad