

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AUTHORIZING CONTINUED PARTICIPATION IN THE SANTA CLARA COUNTY ABANDONED VEHICLE ABATEMENT SERVICE AUTHORITY**

**WHEREAS**, California Vehicle Code Sections 9250.7 and 2271 provide for the establishment of a service authority for abandoned vehicle abatement, and the imposition of a \$1 surcharge on vehicle registration fees in the county (the Fee), if the County Board of Supervisors, and the majority of the cities within the county adopt resolutions supporting such action; and

**WHEREAS**, in December of 2001, the City Council adopted Resolution No. 7134 approving the City’s continued participation in the Santa Clara County Abandoned Vehicle Abatement Service Authority (the AVASA) and the imposition of the Fee; and

**WHEREAS**, pursuant to applicable law, the imposition of the Fee was limited to a period of 10 years and was set to expire on April 30, 2012; and

**WHEREAS**, state law permits the Fee to be extended in 10-year increments, if the County Board of Supervisors, by a two-thirds vote, 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 City, because of the inherent cost savings, desires to continue participating in the AVASA Program.

**NOW, THEREFORE**, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The City Council approves the continued participation in the existing “Agreement for Santa Clara County Abandoned Vehicle Abatement Service Authority” and the collection, by the Department of Motor Vehicles, of one-dollar (\$1.00) vehicle registration fee for this purpose.
3. The City Council requests the extension of the Santa Clara County Abandoned Vehicle Abatement Service Authority (AVASA) for another 10-year term, beginning in May 2012.
4. The City Council authorizes the City Manager’s continued participation as a member of the Santa Clara County Abandoned Vehicle Abatement Service Authority and the City Manager’s execution, on behalf of the City, of any documents necessary to accomplish the purposes of this Resolution.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Jose S. Esteves, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael J. Ogaz, City Attorney