



**SAN RAFAEL CITY COUNCIL AGENDA REPORT**

**Department: Parking Services Division**

**Prepared by: Jim Myhers, Parking Services  
Division Manager**

**City Manager Approval:** \_\_\_\_\_

**TOPIC: RENEWAL OF ABANDONED VEHICLE ENFORCEMENT PROGRAM**

**SUBJECT: RESOLUTION APPROVING THE REQUEST TO EXTEND THE MARIN COUNTY  
ABANDONED VEHICLE ABATEMENT PROGRAM SERVICE AUTHORITY SERVICE  
FEE THROUGH APRIL 30, 2032**

**RECOMMENDATION:**

Adopt Resolution extending the Abandoned Vehicle Abatement Program Service Authority service fee through April 30, 2032.

**BACKGROUND:**

California Vehicle Code section 22710 allows for the establishment of a service authority for the abatement of abandoned vehicles and authorizes such service authority to impose a one dollar service fee per vehicle at the time of registration ("service fee"), to support the program. Per that code, Marin County along with the cities and towns in Marin County created the Marin County Abandoned Vehicle Abatement Program Service Authority in October 1991 and imposed the authorized vehicle service fee. The program is administered by the Marin General Services Authority (MGSA), formerly called the Marin Street Light Acquisition JPA.

California Vehicle Code section 9250.7 provides that the service fee imposed by the service authority shall remain in effect for 10 years and may be extended by the same process by which it was created. The vehicle service fee imposed by the MGSA is scheduled to expire on April 30, 2022 and its renewal requires the County Board of Supervisors and the majority of cities having the majority of the population within the county to adopt resolutions approving extending the fee.

**ANALYSIS:**

San Rafael Municipal Code 5.40.030 states that "No person who owns or has possession, custody or control of any vehicle shall park or leave the vehicle standing upon any street or alley for more than seventy-two (72) consecutive hours, or for longer than any shorter maximum time indicated on posted signs." The majority of San Rafael has time limits of 72 hours while some parts of East San Rafael have shorter limits of 24 hours.

San Rafael has 1.25 full time employees dedicated to the abatement of abandoned vehicles. Those employees respond to calls for service received electronically or by telephone and the majority of the service calls are for vehicles parked in excess of 72 hours on a city street.

**FOR CITY CLERK ONLY**

**Council Meeting:** \_\_\_\_\_

**Disposition:** \_\_\_\_\_

For the Fiscal Year ending on June 30<sup>th</sup>, 2021 the San Rafael abatement program officers have warned 2,224 vehicles for being abandoned and towed 233 vehicles. Most of the vehicles were towed for being abandoned and the balance were towed for being inoperative (missing engines, transmissions, doors etc.) or for expired registration more than 6 months.

Staff has prepared a resolution approving extension of the Abandoned Vehicle Abatement Program service fee for another 10 years, through April 30, 2032. If the service fee is not renewed, Parking Services will not have the financial resources to continue the abatement program using dedicated staff, and cars reported as abandoned or inoperative will remain on city streets for a significantly longer period of time.

**FISCAL IMPACT:**

San Rafael Parking Services receives reimbursement from the MGSA on a quarterly basis based on the enforcement activities from the previous quarter. Reimbursements average between \$17,000-\$20,000 per quarter over the last several years. Reimbursements are disbursed based on a previously agreed upon formula that takes into consideration the number of vehicles abated, population and location.

**OPTIONS:**

The City Council has the following options to consider on this matter:

1. Adopt resolution as written approving a 10-year extension of the service fee.
2. Adopt resolution with modifications.
3. Direct staff to return with more information.
4. Take no action.

**RECOMMENDED ACTION:**

Adopt the resolution approving the request to extend the Marin County Abandoned Vehicle Abatement Program Service Authority service fee through April 30, 2032.

**ATTACHMENTS:**

Resolution Approving the Request to Extend the Marin County Abandoned Vehicle Abatement Program Service Authority Service Fee through April 30, 2032

**RESOLUTION NO.**

**RESOLUTION OF THE CITY OF SAN RAFAEL CITY COUNCIL APPROVING THE REQUEST TO EXTEND THE MARIN COUNTY ABANDONED VEHICLE ABATEMENT PROGRAM SERVICE AUTHORITY SERVICE FEE THROUGH APRIL 30, 2032**

**WHEREAS**, the Marin County Abandoned Vehicle Abatement Program Service Authority was formed in 1991 pursuant to California Vehicle Code Section 22710; and

**WHEREAS**, pursuant to California Vehicle Code 9250.7, the Service Authority imposes a one dollar (1\$) annual service fee on motor vehicles to owners residing in Marin County, to be collected as part of the vehicle registration fees; and

**WHEREAS**, existing authority to collect the one dollar service fee is set to expire at the end of April 2022; and

**WHEREAS**, California Vehicle Code 9250.7 has been amended to allow for a 10-year extension of the service fee upon approval by two-thirds of the members of the Board of Supervisors and subsequent confirmation by the city councils of a majority of the incorporated cities in the County comprising a majority of the incorporated population; and

**WHEREAS**, the City of San Rafael has previously adopted a resolution authorizing an extension of the service fee; and

**WHEREAS**, it is desirable to the residents of San Rafael that the vehicle abatement program continue;

**NOW, THEREFORE BE IT RESOLVED** that the San Rafael City Council does hereby approve the request to extend the Marin County Abandoned Vehicle Abatement Program Service Authority Service Fee through April 30, 2032.

I, Lindsay Lara, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the San Rafael City Council held on the 16<sup>th</sup> day of August 2021, by the following vote to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

LINDSAY LARA, City Clerk