



# AGENDA REPORT

**TO:** Jestin D. Johnson  
City Administrator

**FROM:** Darren Allison  
Interim Chief, OPD

**SUBJECT:** Alameda County Abandoned Vehicle  
Abatement Authority (AVA)

**DATE:** June 20, 2023

City Administrator Approval

  
Jestin Johnson (Jun 30, 2023 10:34 PDT)

Date: Jun 30, 2023

## **RECOMMENDATION**

**Staff Recommends That The City Council Approve A Resolution Authorizing: 1) The Extension Of The Alameda County Vehicle Abatement Authority (AVA) Until May 31, 2033; 2) The City Administrator To Continue The Oakland Police Department's Participation In The AVA; And 3) Authorizing The City Administrator To Accept The City Of Oakland's Share Of California State Vehicle Registration Service Fee Funds As Authorized By Vehicle Code Section 9250.7 And Distributed Through The AVA.**

## **EXECUTIVE SUMMARY**

Staff has prepared a report and resolution authorizing OPD's participation in the AVA Authority and the acceptance of Oakland's share of California state vehicle registration service fee funds.

The City Council authorized the participation of OPD and the acceptance of Oakland's share of California state vehicle registration service fee funds beginning in 1992 through 2013 with the passage of Resolutions Nos. 68678, 72853, and 77419 C.M.S.

The objective of this program is to reduce the number of abandoned vehicles (on private property) from Oakland neighborhoods and thus also reduce blight.

## **REASON FOR URGENCY**

Staff will continue to operate the Vehicle Abatement Program in the City of Oakland in accordance with OPD's policy.

Public Safety Committee  
July 11, 2023

**BACKGROUND / LEGISLATIVE HISTORY**

In 1990, the California State Legislature enacted legislation allowing for the creation of county- based vehicle abatement authorities, pursuant to the provisions of Section 22710 of the Vehicle Code. In 1993, AVA was formed, which allowed for the collection of a one dollar (\$1.00) annual vehicle registration service fee on vehicles registered in Alameda County. All cities and the unincorporated County are participating members of the AVA. The current program expired May 2023.

The AVA Program is designed to remove vehicles abandoned on private property that create blight and negatively impact the quality of life. The City of Oakland has been an active participant in this thirty-year-old program.

Vehicle registration fees are collected by the Department of Motor Vehicles and allocated to the AVA by the State Controller's Office pursuant to Section 925\_0.7 VC. Fees are then allocated to the AVA participating agencies based on an adopted formula involving their individual percentage of vehicles abated, population and land area in relation to the totals for these factors in the AVA as a whole.

Through the AVA, the City of Oakland receives approximately \$325,000, which it uses to support staff who respond to complaints of abandoned vehicles and abate the blight. The City of Oakland expects to continue to receive approximately \$325,000 per year for the next ten years and will use it to continue to support staff in this abatement effort.

The last implementation of the program was approved by the City Council on September 10, 2002, by Resolution No. 77419 C.M.S. The City Council's approval for the City to participate in the AVA expired on May 31, 2023; therefore, the City is seeking an extension of this approval.

**ANALYSIS AND POLICY ALTERNATIVES**

Since inception of the AVA, the City of Oakland received approximately \$9.75 million (**Table 1**) ; representing about 39% of the total share AVA receives from the State to administer the program. The individual cities' shares are based on a formula set forth by the AVA. According to AVA, the 39% formula that applies to the City of Oakland has remained constant during the life of this program thus far.

**Table 1: Revenues and Expenditures AVA funding**

<b>Revenues and Expenditures to Date</b>	
Revenue	9,750,000
Expenditures	9,692,269
Net Difference (Over)/Under	57,731

In the last twelve quarters (4<sup>th</sup> Quarter 2019 through 4th Quarter 2022), the following figures were submitted to the AVA in **Table 2** below:

**Table 2: Vehicles Abated 2019-2022**

<b>Time Period</b>	<b>Vehicles Abated</b>
4Q 2019	1979
1Q 2020	1320
2Q 2020	1120
3Q 2020	1030
4Q 2020	1163
1Q 2021	1020
2Q 2021	989
3Q 2021	1185
4Q 2021	1162
1Q 2022	990
2Q 2022	1003
3Q 2022	1123
4Q 2022	1123
<b>Total</b>	<b>15207</b>

If the Department not continued to receive this type of OD external funding during the above listed time period (3 years), a total 15,207 vehicles would have gone unabated and added blights to our community. This could have potentially impacted the citizens in a negative manner.

**POLICY ALTERNATIVES**

<b>Alternative #1</b>	Accept the AVA funding
<b>Pros</b>	The ability to address abandoned vehicle and blight in Oakland neighborhoods continues
<b>Cons</b>	
<b>Alternative #2</b>	Do not accept the AVA funding
<b>Pros</b>	
<b>Cons</b>	Reduction in the Department's ability to address abandoned vehicles on private property in the City of Oakland which may result in an increase in blight in the neighborhoods

**FISCAL IMPACT**

Currently, the Oakland Police Department has allocated one (1) sworn police officer and two (2) civilian employees to the **AVA** program. Historically speaking, this has been a "break-even" zero cost program for the City of Oakland.

**SOURCE OF FUNDING:**

All revenues and appropriations for overtime will be allocated in the Vehicle Abatement Unit Fund (2172), Traffic Enforcement Division Organization (107510), Traffic Enforcement Program (PS14), in the Project (1000781). The program will be managed by the Traffic Operations Section Commander.

**PUBLIC OUTREACH / INTEREST**

No outreach was deemed necessary for the proposed policy action beyond the standard City Council agenda noticing procedures.

**COORDINATION**

Staff has consulted with the City Attorney's Office and the Budget Office for the preparation of this report.

**PAST PERFORMANCE, EVALUATION AND FOLLOW-UP**

The following is a historical data table of **AVA** abated vehicles for the city:

	<b>2020</b>	<b>2021</b>	<b>2022</b>
<b>Vehicles abated</b>	4,633	4,356	4,239

**SUSTAINABLE OPPORTUNITIES**

**Economic:** A cleaner City will attract new business ventures which in turn will provide greater tax revenues to the city

**Environmental:** The expeditious removal of inoperable "junk" vehicles will enhance the environmental and aesthetic quality of life in the City of Oakland. In addition, removal of these visual eyesores will remove potential breeding ground for various types of vermin and rodents.

**Race & Equity:** Failure to remove abandoned and inoperable vehicles can lead to a phenomenon known as "Broken Windows;" whereby at the community level, disorder and crime are usually inextricably linked, in a kind of developmental sequence. Social psychologists and police officers tend to agree that if a window in a building is broken and is left unrepaired, all the rest of the windows will soon be broken. This is as true in nice neighborhoods as in rundown ones. Window-breaking does not necessarily occur on a large scale because some areas are inhabited by determined window-breakers whereas others are populated by window-lovers; rather, one unrepaired broken window is a signal that no one cares. Untended property becomes fair game for people to plunder and even for people who ordinarily would not dream of doing such things and who probably consider themselves law abiding.

**ACTION REQUESTED OF THE CITY COUNCIL**

**Staff Recommends That The City Council Approve A Resolution Authorizing: 1) The Extension Of The Alameda County Vehicle Abatement Authority (AVA) Until May 31, 2033; 2) The City Administrator To Continue The Oakland Police Department's Participation In The AVA; And 3) Authorizing The City Administrator To Accept The City Of Oakland's Share Of California State Vehicle Registration Service Fee Funds As Authorized By Vehicle Code Section 9250.7 And Distributed Through The AVA.**

For questions regarding this report, please contact Greg Bellusa, Acting Lieutenant, at 510-777-8552.

Respectfully submitted,



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