

**BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF:

RESOLUTION CALLING AN ELECTION TO PLACE
A MEASURE ON THE NOVEMBER 6, 2012, BALLOT
TO RENEW FEES PURSUANT TO VEHICLE CODE
SECTIONS 9250.7 AND 22710, TO CONDUCT THE
ELECTION, TO PROVIDE FOR THE SUBMISSION OF
BALLOT ARGUMENTS FOR AND AGAINST THE
MEASURE, AND TO DIRECT THE COUNTY
COUNSEL TO PREPARE AN IMPARTIAL ANALYSIS
AND THE AUDITOR TO PREPARE A FISCAL
IMPACT STATEMENT

RESOLUTION NO. 12 072

WHEREAS, the California State Legislature has enacted California Vehicle Code Sections 22710 and 9250.7, which authorized the establishment of the Amador County Abandoned Vehicle Authority (“AVA”) in 1991 and the imposition of a \$1.00 per vehicle fee on vehicles registered in Amador County, referred to as the AVA Fee; and

WHEREAS, these registration fees are used exclusively for the abatement, removal, and disposal of any abandoned, wrecked, dismantled, or inoperable vehicles or vehicle parts as public nuisances, on private or public property, to combat neighborhood blight and decay; and

WHEREAS, Senate Bill 106, Chapter 175 of the Statutes of 2001, amended California Vehicle Code sections 22710 and 9250.7 to allow an extension of the registration fees in increments of up to 10 years; and

WHEREAS, Section 22710 (a) of the California Vehicle Code requires a county’s board of supervisors, by a two-thirds vote, and the majority of cities with the majority of the incorporated population within the County to adopt resolutions approving an extension of the registration fees; and

WHEREAS, Proposition 26, adopted by the voters of California in 2010, altered the definition of a fee and resulted in the classification of the AVA Fee as a special tax subject to voter approval by a two-thirds vote of the voters voting in an election on the issue; and

WHEREAS, without voter approval, the current AVA Fee will be suspended or terminated, and the County and cities within the County will be unable to recover a significant portion of the costs of abating nuisance vehicles; and

WHEREAS, the requisite number of cities have submitted resolutions to the Clerk of the Board of Supervisors seeking renewal of the AVA Fee and requesting the Board of Supervisors to call for an election thereon; and

WHEREAS, pursuant to Government Code Section 53724(c) and California Elections Code Section 10401, the election shall be consolidated with the statewide general election to be held on November 6, 2012.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF AMADOR COUNTY, CALIFORNIA DOES HEREBY RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

1. The Board of Supervisors, by at least a two-thirds vote, does hereby extend the authorization to collect the AVA Fee for a period of ten (10) years, subject to approval by the electors of the County.
2. The Board hereby orders an election for Tuesday, November 6, 2012 and submits to the electors of Amador County the question of whether the AVA Fee, as authorized by Vehicle Code sections 9250.7 and 22710, shall be renewed for 10 years, as set forth more fully in the ballot proposition set forth below.
3. Pursuant to California Government Code Section 53724 and California Election Code Section 9140, an election is hereby called on the following ballot measure to renew the Abandoned Vehicle Abatement Program and associated fees within the County, and the ballot forms shall have printed on them the following words with regard to the measure:

MEASURE U. Renewal of the Abandoned Vehicle Abatement Program.

Should the Amador County Vehicle Abatement Program and associated fees (one dollar per vehicle and an additional two dollars for certain commercial vehicles) be renewed for a ten-year term under California Vehicle Code Sections 9250.7 and 22710, or any successor statutes thereto, for purposes of removal and disposal of abandoned and wrecked vehicles?

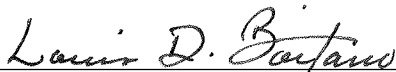
4. Pursuant to Government Code Section 53724(c) and California Elections Code Section 10401, the election on this ballot measure shall be consolidated with the statewide general election to be held on November 6, 2012 ballot and the County Registrar of Voters is directed to take any and all necessary steps to conduct the consolidated election.
5. Arguments in favor of and in opposition to the ballot measure and rebuttal arguments shall be permitted. The County hereby adopts the provisions of Elections Code sections 9161 through 9167 regarding the acceptance of arguments relating to ballot measures. The County Clerk shall fix the dates for submittal of arguments and rebuttals as provided for in the Elections Code.
6. The County Counsel is directed to prepare an impartial analysis of the measure pursuant to Elections Code section 9160(b).

7. The County Auditor is directed to prepare a fiscal impact statement which estimates the amount of any increase or decrease in revenues or costs if the proposed measure is adopted pursuant to Elections Code section 9160 (c).
8. Upon approval of this measure by at least two-thirds of the registered voters voting on the measure, the Board will be authorized to impose the AVA Fee and submit this Resolution, together with certified results of the election, to the Department of Motor Vehicles to implement the charge without further action for an additional 10 years.
9. This Resolution shall take effect on and after its adoption.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 24th day of July, 2012, by the following vote:

AYES: John Plasse, Theodore Novelli, Brian Oneto, Louis D. Boitano, and Richard M. Forster

NOES: None



Chairman, Board of Supervisors

ATTEST:
JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California



Deputy