



BOARD OF SUPERVISORS
COUNTY OF BUTTE, STATE OF CALIFORNIA

Resolution No. 22-084

A RESOLUTION OF THE BUTTE COUNTY BOARD OF SUPERVISORS TO PLACE A MEASURE ON THE NOVEMBER 8, 2022, BALLOT TO RENEW FEES PURSUANT TO VEHICLE CODE SECTIONS 9250.7 AND 22710

WHEREAS, sections 22710 and 9250.7 of the California Vehicle Code authorized the establishment of the Butte County Abandoned Vehicle Abatement Program ("AVA"), which was formed in 2003 and authorized the imposition of a fee on vehicles registered in Butte 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 inoperative vehicles or vehicle parts as public nuisances, on private or public property, to combat neighborhood blight and decay; and

WHEREAS, California Vehicle Code sections 9250.7 and 22710 were amended to allow an extension of the registration fees in increments of up to 10 years; and

WHEREAS, sections 22710 and 9250.7 of the California Vehicle Code require 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; and

WHEREAS, in 2012 the voters of Butte County passed a ballot measure to extend the 2003 AVA Program for another ten (10) years; and

WHEREAS, the AVA Program abated approximately 9,306 abandoned vehicles in Butte County since the program's inception through this funding mechanism, during the last fiscal year there were 368 vehicles abated in the unincorporated areas of the County; and

WHEREAS, the current AVA Fee sunsets on December 31, 2022, and the County and the Joint Powers Authority member agencies rely upon this funding mechanism to recover a significant portion of the costs of abating nuisance vehicles; and

WHEREAS, the requisite number of cities has 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,

NOW, THEREFORE, BE IT RESOLVED

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 and submits to the electors of Butte County the question of whether the AVA Fee, as authorized by Vehicle Code sections 9250.7 and 22710, shall be renewed for 10 years. The question to be submitted to the County voters at said election shall be:

MEASURE_, Renewal of the Abandoned Vehicle Abatement Program.

Should the Butte County Abandoned Vehicle Abatement Program and associated fees (one dollar per vehicle and an additional three 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?

YES []
NO []

3. The date of the election shall be November 8, 2022, and the election shall be held solely within the boundaries of Butte County.
 4. The purpose of the election shall be for the voters in Butte County to vote on a measure as described herein.
 5. The Butte County Clerk-Recorder is designated as the Elections Official for said AVA Fee election and is hereby requested to consolidate the election with any and all other elections to be held on November 8, 2022, within Butte County. The Butte County Clerk-Recorder is hereby authorized and directed to provide all notices and take all other actions necessary to hold the said election, including (but not limited to) providing notices of times within which arguments for and against the tax measure are to be submitted. The costs of said election are to be paid by the County.
 6. Said election shall be held and conducted pursuant to the procedures specified in Part 3 of Division 10 of the Elections Code commencing at Section 10400.
 7. For the purposes of this election the "County Voters" shall include all voters in the County, including voters in the incorporated areas of the County;
 8. The Board hereby authorizes and directs the Clerk of the Board of Supervisors to file with the Butte County Clerk-Recorder certified copies of this resolution.
 9. The County Clerk-Recorder shall transmit a copy of the measure to the County Auditor and to County Counsel in accordance with California Elections Code 9160.
 10. County Counsel shall prepare an impartial analysis of the measure showing the effect of the measure on the existing law and the operation of the measure. The analysis may not exceed 500 words in length and shall be filed with the County Clerk-Recorder no later than 5:00 p.m. on August 19, 2022.
- No later than 81 days prior to the election, the Board of Supervisors may direct the County Auditor to review the measure and determine whether the substance thereof, if adopted, would affect the revenues or expenditures of the County. The County Auditor shall prepare a fiscal impact statement that estimates the amount of any increase or decrease in revenues or costs to the County if the proposed measure is adopted. The fiscal impact statement may not exceed 500 words in length and shall be filed with the County Clerk-Recorder no later than 5:00 p.m. on August 19, 2022.

12. Arguments for and against the measure shall be filed in accordance with this resolution and applicable provisions of law. Arguments for and against the measure shall be submitted to the Butte County Clerk-Recorder on or before 5:00 p.m., August 19, 2022. Rebuttal arguments shall be submitted to the Butte County Clerk-Recorder before 5:00 p.m., August 26, 2022. Any argument shall not exceed 300 words in length and shall not be signed by more than five persons. Any rebuttal shall not exceed 250 words in length and shall not be signed by more than five persons; those persons may be different persons than those who signed the direct arguments.
13. Any and all members of the Board are hereby authorized to act as an author of any ballot argument prepared in connection with the election referenced herein, including a rebuttal argument.
14. The County Administrative Officer, or designee, is authorized to take all administrative actions necessary to accomplish the orders set forth in this Resolution.
15. Upon completion of the vote count for this measure, the Butte County Clerk-Recorder will prepare a certified statement of the results of the election and submit it to the Board of Supervisors. The Board of Supervisors will declare the results of the election as to this measure.
16. 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 ten years.
17. This Resolution shall take effect on and after its adoption.

PASSED AND ADOPTED by the Butte County Board of Supervisors this 14th day of June 2022, by the following vote:

AYES: Supervisors Lucero, Ritter, Kimmelshue, Teeter and Chair Connelly

NOES: None

ABSENT: None

ABSTAIN: None



Bill Connelly, Chair
Butte County Board of Supervisors

ATTEST:

Andy Pickett, Chief Administrative Officer
and Clerk of the Board of Supervisors

By: 

Deputy