

# **KINGS COUNTY ABANDONED VEHICLE ABATEMENT SERVICE AUTHORITY REVENUE DISTRIBUTION, REPORTING, AND INITIAL INVESTIGATION PROCEDURES**

## **1. ADMINISTRATION**

KCAVASA will contract with the Kings County Association of Governments (KCAG) to administer the abatement program.

## **2. REVENUE ALLOCATION**

Individual subsidiary accounts for each agency will be established within the KCAVASA general ledger. These accounts will accrue interest annually.

Revenue shall be allocated on a quarterly basis as follows:

- a. Reimbursement of actual contract costs incurred by the KCAG for the services provided to KCAVASA.
- b. Of the remainder, after costs described above are deducted, each agency shall be allocated that percentage of the total remaining funds that is equal to and fixed on a formula derived by the KCAVASA. The formula shall apportion 50% of those funds to a member agency based on the percentage of vehicles abated by the agency of the total number of abandoned vehicles abated by all member agencies, and 50% based on population and geographic area, as determined by the KCAVASA for its member agencies.

Upon determination of allocation percentages, revenues will be transferred by journal voucher into the agency subsidiary accounts.

## **3. DISBURSEMENTS**

Disbursements will be made on an "as claimed" basis. As each agency incurs costs, an authorized person from the agency will prepare a claim for reimbursement of costs.

Claims will be submitted quarterly on KCAVASA provided forms with the required quarterly status reports. No agency shall receive a quarterly disbursement until a quarterly status report has been submitted to the KCAG.

Claims will include the dollar amount being claimed, a breakdown of costs by personnel and services & supplies, and the time period being claimed.

The name of the authorized person submitting the claim must be on file with KCAVASA.

Disbursements cannot exceed the amount in the agency subsidiary account.

Claims will be reviewed and processed within 7 days of receipt.

Incomplete claims will be returned to the agency for completion.

#### **4. REPORTING**

Quarterly, each agency will submit a written status report on KCAVASA issued forms which will include the following:

- a. Total number of abandoned vehicles abated broken down by public and private property, further broken down by tows and voluntary abatements.
- b. Total number of parts, by type of part, abated during the quarter.
- c. Assessment of the program - this should include narrative information about how KCAVASA funding impacts the ability of agencies to abate abandoned vehicles.

Quarterly reports will be due to the KCAG 10 days after the end of each quarter.

Within 30 days after the end of the quarter, KCAG staff will submit a status report to the State Controller's Office and the KCAVASA Board which will include the following:

- a. Total amount of revenue received by the KCAVASA and allocated to each agency, quarter and year-to-date.
- b. Total expenditures, by personnel and services & supplies, for each agency and the KCAVASA as a whole, quarter and year-to-date.
- c. Total unexpended revenues.
- d. Total number of vehicles and parts abated by each agency and KCAVASA private property abatements and further broken out by tows and voluntary abatements.
- e. A formula derived by the Authority to apportion 50% of those funds to a member agency based on the percentage of vehicles abated by the agency of the total number of abandoned vehicles abated by all member agencies, and 50% based on population and geographic area, as determined by the Authority for its member agencies.
- f. Assessment of the program.

#### **5. INTEREST**

Interest will be earned on each agency subsidiary account and on KCAVASA fund balance. Interest earned on KCAVASA fund balance shall be added to first quarter KCAVASA revenues and allocated to each agency according to the prescribed allocation methodology. Interest is distributed annually by the Kings County Auditor-Controller.

#### **6. SUSPENSION OF FEES**

If any funds received by the KCAVASA pursuant to Section 9250.7(a) CVC are not expended to abate abandoned vehicles pursuant to an approved abandoned vehicle abatement program within 90 days of the close of the fiscal year in which funds were received and the amount of those funds exceed the amount expended by the KCAVASA in the previous fiscal year, the one dollar (\$1.00) registration fee shall be suspended for one year, commencing the following January 1st in accordance with Section 9250.7(b) CVC.

## **7. AUDITS**

KCAG staff will audit claims and quarterly abatement figures on a selected basis.

Annual audits of the KCAVASA as a whole will be performed by an independent auditor in association with the financial audit of the KCAG. As part of that audit, agency expenditures may be audited.

The purpose of the audits, by both KCAG staff and the independent auditors, will be to ensure that funds are properly allocated and spent in compliance with CVC Sections 9250.7 and 22710.

## **8. ABANDONED VEHICLE ABATEMENT REPORT**

An Abandoned Vehicle Abatement report must be completed for each vehicle marked for abatement by each agency. As a minimum, the report shall include the information listed on the attached AVA Report. Each agency may utilize the attached report for use in AVA operations. Abandoned Vehicle Abatement Reports are to be retained by the agency for a period of five (5) years and are to be made available to KCAG staff, and any other auditors authorized to perform audits of the KCAVASA program.

## **9. INITIAL INVESTIGATION**

The AVA Program was established for the purpose of removing unsightly and potentially dangerous abandoned vehicles from private and public property. Employees of each agency are responsible for evaluating vehicles to determine whether a vehicle qualifies for abatement under the AVA Program. When conducting an initial investigation of a complaint of an abandoned vehicle, the employee should handle the complaint in accordance with the following:

- ◆ Declare the vehicle a hazard to public health, safety, and welfare, and immediately abate the vehicle pursuant to Section 22669(d) CVC. This Section shall only apply when the vehicle is parked, resting, or otherwise immobilized on any highway or public right-of-way, and the vehicle lacks an engine, transmission, wheels, tires, doors, windshield, or any other part or equipment necessary to operate safely on the highways.
- ◆ Mark the vehicle (place a violation notice on the vehicle) for removal pursuant to Section 22669(b) CVC. The employee must be able to articulate how the vehicle was determined to be abandoned (e.g., vehicle covered by graffiti, interior components missing, registration expired for more than one year, etc.). A vehicle removed under these circumstances qualifies as an abatement pursuant to Section 22710(f) CVC.
- ◆ Mark the vehicle for removal pursuant to a county and/or city ordinance established pursuant to Section 22660 CVC. A vehicle parked on private or public property qualifies for abatement under local ordinance. Notifications to the property owner and registered owner shall be conducted in compliance with local ordinance. The abatement of a vehicle tagged under this Section qualifies as an abatement pursuant to Section 22710(f) CVC
- ◆ Mark the vehicle for violation of a local ordinance, which prohibits a vehicle from being parked or left standing upon a highway for 72 or more consecutive hours. A vehicle so marked is not deemed abandoned under the authority of an AVA Program adopted pursuant to Section 22710 CVC and does not qualify as an abandoned vehicle for abatement purposes. However, an agency may charge the AVA Program for the time spent on conducting the initial investigation into a complaint of an abandoned vehicle.