

ORDINANCE NO. 2163

AN ORDINANCE OF THE CITY OF REDLANDS  
ADDING SECTION 8.52.020 TO THE REDLANDS  
MUNICIPAL CODE RELATING TO MOBILE SOURCE  
AIR POLLUTION REDUCTION AND THE IMPOSI-  
TION OF VEHICLE REGISTRATION FEES BY THE  
SOUTH COAST AIR QUALITY MANAGEMENT  
DISTRICT

WHEREAS, the City of Redlands is committed to improving the public health, safety and welfare of its citizens, as well as air quality; and

WHEREAS, mobile sources are a major contributor to air pollution in the South Coast Air Basin ("Basin"); and

WHEREAS, air quality goals for the Basin established by state law cannot be met without reducing air pollution from mobile sources; and

WHEREAS, the South Coast Air Quality Management Plan (AQMP) calls upon cities and counties to reduce emissions from motor vehicles consistent with the requirements of the California Clean Air Act of 1988 by developing and implementing mobile source air pollution reduction programs; and

WHEREAS, because such programs place demands upon the City's funds, the programs should be financed by shifting the responsibility for financing from the City's general fund to the motor vehicles creating the demand, to the greatest extent possible; and

WHEREAS, Section 44223, added to the Health and Safety Code by action of the California Legislature on September 30, 1990

(Chapter 90-1705), authorizes the South Coast Air Quality Management District (SCAQMD) to impose an additional motor vehicle registration fee of two dollars (\$2), commencing on April 1, 1991, increasing to four dollars (\$4), commencing on April 1, 1992, to finance the implementation of transportation measures embodied in the AQMP and provisions of the California Clean Air Act; and

WHEREAS, forty cents of every dollar collected under Section 44223 of the Health and Safety Code is distributed to cities and counties located in the South Coast Air Quality Management District that comply with Section 44243 of the Code, based on the jurisdictions' prorated share of population as defined by the State Department of Finance; and

WHEREAS, Redlands is located within the South Coast Air Quality Management District and is eligible to receive a portion of the revenues from the additional motor vehicle registration fees contingent upon adoption of this Ordinance; and

WHEREAS, the prorated share of the revenues for cities that fail to adopt an ordinance pursuant to Section 44243 of the Health and Safety Code shall be distributed instead to the jurisdictions within the District that have adopted an ordinance;

BE IT ORDAINED by the City Council of the City of Redlands as follows:

Section 1. Section 8.52.020 is hereby added to the Redlands Municipal Code to read as follows:

"8.52.020 Mobile Source Air Pollution Reduction.

A. Finding. The City, after careful consideration, hereby finds and declares that the imposition of the additional motor vehicle registration fee by the South Coast Air Quality Management District (SCAQMD) to finance mobile source air pollution reduction programs is in the best interest of the City and promotes the general welfare of Redlands citizens;

B. Intent. This Section is intended to support the SCAQMD's imposition of the vehicle registration fee and to bring the City into compliance with the requirements set forth in section 44243 of the Health and Safety Code in order to receive fee revenues for the purpose of implementing programs to reduce air pollution from motor vehicles.

C. Definitions. As applied in this Section, the following words and terms shall be defined as follows:

(1) "City" shall mean the City of Redlands.

(2) "Mobile source air pollution reduction program" shall mean any program or project implemented by the City to reduce air pollution from motor vehicles which it determines will be consistent with the California Clean Air Act of 1988 or the plan proposed pursuant to Article 5 (commencing with Section 40460) of Chapter 5.5 of Part 3 of the California Health and Safety Code.

D. Administration of Vehicle Registration Fee.

(1) Receipt of Fee: The additional vehicle registration fees disbursed by the SCAQMD and remitted to the City,

pursuant to this Section, shall be accepted by the Finance Director.

(2) Establishment of Air Quality Improvement Trust Fund: The City's Finance Director shall establish a separate interest-bearing trust fund account in a financial institution authorized to receive deposits of City funds.

(3) Transfer of Funds: Upon receipt of vehicle registration fees, the Finance Director shall deposit such funds into the separate account established pursuant to Subsection (2) above. All interest earned by the trust fund account shall be credited only to that account.

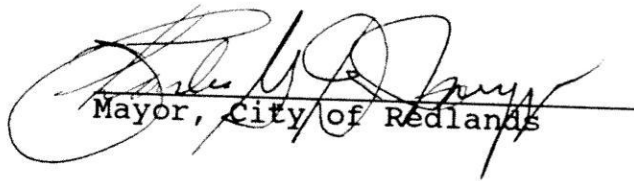
(4) Expenditure of Air Quality Trust Funds Revenues: All revenues received from the SCAQMD and deposited in the trust fund account shall be exclusively expended on mobile source emissions reduction programs as defined in Subsection C(2) above. Such revenues and any interest earned on the revenues shall be expended within one (1) year of the completion of the programs.

(5) Audits: The City consents to an audit of all programs and projects funded by vehicle registration fee revenues received from the SCAQMD pursuant to Section 44223 of the Health and Safety Code. The audit shall be conducted by an independent auditor selected by the SCAQMD as provided in Sections 44244 and 44244.1(a) of the Health and Safety Code.

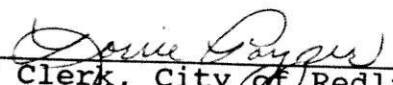
E. Legal Construction. The provisions of this Section shall be construed as necessary to effectively carry out its pur-

poses, which are hereby found and declared to be in furtherance of the public health, safety and welfare."

Section 2. The Mayor shall sign this Ordinance and the City Clerk shall certify to the adoption of this Ordinance and shall cause it, or a summary of it, to be published once in the Redlands Daily Facts, a newspaper of general circulation within the City, and thereafter, this Ordinance shall take effect in accordance with law.

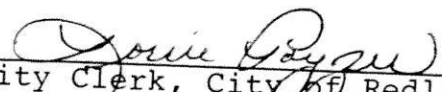
  
Mayor, City of Redlands

ATTEST:

  
City Clerk, City of Redlands

I, Lorrie Poyzer, City Clerk, City of Redlands, hereby certify that the foregoing ordinance was duly adopted by the City Council at a regular meeting thereof held on the 20th day of August, 1991, by the following vote:

AYES: Councilmembers Cunningham, Larson, Milson;  
Mayor DeMirjyn  
NOES: None  
ABSENT: Councilmember Beswick

  
City Clerk, City of Redlands