

Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: June 2, 2008

FROM: CITY ATTORNEY

SUBJECT: AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA GRANTING NON-EXCLUSIVE FRANCHISES FOR POLICE TOWING TO THREE (3) APPLICANTS.

TITLE OF PROPOSED ORDINANCE

AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA GRANTING NON-EXCLUSIVE FRANCHISES FOR POLICE TOWING TO THREE (3) APPLICANTS.

BACKGROUND

On May 5, 2008 the City Council held a public hearing on each of the five applications for non-exclusive police towing franchises. Three of the applications were subsequently approved by the City Council which directed the City Attorney and staff to prepare the necessary ordinance and authorized the City Manager to enter into the franchise agreements.

Each franchise is for a first period of one year, with up to four additional renewal terms of one year each at the option of the City Manager. Each franchise is to commence according to written franchise agreements and if the franchise otherwise meets all of the requirements for conducting this business in the City of Pasadena.

The following applicants were approved:

1. Freddie Mac Towing
2. Masters Tow
3. J&M Towing

06/09/2008
MEETING OF -06/02/2008-
9.B.3.
AGENDA ITEM NO. -9.A.3-

REASONS WHY LEGISLATION IS NEEDED

The Charter of the City of Pasadena, Article XI, Section 1104 specifies that the method and procedure for granting a franchise shall be by ordinance.

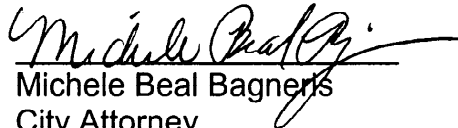
ENVIRONMENTAL IMPACTS

The Environmental Administrator has determined that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061 (b)(3), which states the following: “[t]he activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”

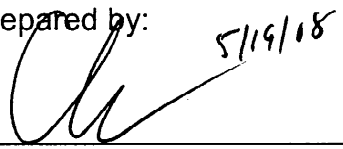
FISCAL IMPACT

The City will receive as aggregate total of \$90,000 from the awarded franchises.

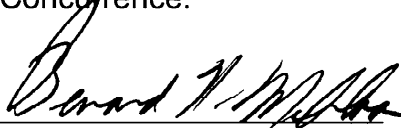
Respectfully submitted,


Michele Beal Bagners
City Attorney

Prepared by:


Nicholas George Rodriguez
Assistant City Attorney

Concurrence:


Bernard K. Melekian
City Manager

ORDINANCE NO. _____

AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA GRANTING NON-EXCLUSIVE FRANCHISES FOR POLICE TOWING TO THREE APPLICANTS.

The people of the City of Pasadena ordain as follows:

WHEREAS, on March 17, 2008 the City Council of the City of Pasadena considered applications for a non-exclusive police towing contract and adopted Resolution Number 8839, setting a public hearing for May 5, 2008; and

WHEREAS, said Resolution was duly published on March 27, 2008; and

WHEREAS, a duly-noticed public hearing pursuant to said Resolution was held on May 5, 2008 for the applications; and

WHEREAS, after reviewing each application and after public hearing, it was determined that three of the applications complied with Chapter 10.46 of the Pasadena Municipal Code, and that each applicant has agreed to comply with all provisions of this chapter.

NOW THEREFORE, the People of the City of Pasadena ordain as follows:

SECTION 1. Pursuant to Chapter 10.46 of the Pasadena Municipal Code, a separate non-exclusive police towing franchise is hereby granted to each of the following franchisees according to the terms and conditions of a separate franchise agreement to be executed by each franchisee:

1. Freddie Mac Towing
2740 N. Bruin Avenue
South El Monte, CA 91733

2. J&M Towing
927 S. Fremont Avenue
Alhambra, CA 91803
3. Masters Tow
640 N. Fair Oaks Avenue
Pasadena, CA 91103

SECTION 2. Each separate grant of franchise is based on the certifications of that franchisee that it shall comply with all of the provisions of Chapter 10.46 of the Pasadena Municipal Code. Each franchise shall be for a first period of one year if a written franchise agreement has been fully executed by the franchise and all other requirements of Chapter 10.46 of the Pasadena Municipal Code have been met by the franchisee. Each franchise may be extended for up to four additional renewal terms at the option of the City Manager and according to the provisions of Section 10.46 of the Pasadena Municipal Code, with each renewal term being a term of one year.

SECTION 3. The city clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published in full text.

SECTION 4. This ordinance shall take effect upon the expiration of thirty days after its publication.

Signed and approved this _____ day of _____, 2008.

Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its regular meeting of _____, 2008.

By the following vote:

AYES:

NOES:

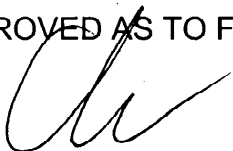
ABSENT:

ABSTAIN:

PUBLISHED:

Jane L. Rodriguez, CMC
City Clerk

APPROVED AS TO FORM:

 5/19/18

Nicholas George Rodriguez
Assistant City Attorney