

Agenda Report

December 3, 2018

TO: Honorable Mayor and City Council
THROUGH: Public Safety
FROM: Pasadena Police Department
SUBJECT: ADOPTION OF A RESOLUTION GIVING NOTICE OF APPLICATIONS RECEIVED FOR NON-EXCLUSIVE POLICE TOWING FRANCHISES AND SETTING A PUBLIC HEARING

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the proposed action is not a project subject to the California Environmental Quality Act (CEQA) pursuant to Section 21065 of CEQA and Sections 15060 (c)(2), 15060 (c)(3), and 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required for the project; and
2. Adopt a resolution (a) giving notice of applications received for a non-exclusive police towing franchise from eight firms as set forth in this Agenda Report; and (b) setting a public hearing for January 14, 2019, at 7:00 pm to consider the granting of police towing franchises; and
3. Direct the City Clerk to publish the resolution at least once in a newspaper of general circulation in the City not less than ten days prior to the date set for the hearing.

BACKGROUND:

In January 1997, the City Council adopted the Police Towing Franchise System, as set forth in Pasadena Municipal Code, Chapter 10.46. This ordinance provides standards and procedures for the granting of non-exclusive franchises for providing vehicle towing, vehicle impounds, street sweeps and vehicle storage services to the Police Department and the City.

Each year the City is required to advertise the opportunity to apply for a franchise by way of a Request for Applications, which was issued on October 11, 2018. Staff received applications from the following eight firms:

- Masters Automotive Tow Services – Pasadena
- A-Car Auto – Pasadena
- Freddie Mac's Inc. – South El Monte
- J&M Towing LLC – Alhambra
- Navarro's Towing – Monterey Park
- Henry's Towing and Recovery – Alhambra
- Mid Valley Towing Inc. – Glendale
- M&M Action Towing – South Pasadena

Of these firms, Master's Automotive Tow Service, A-Car Auto, Freddie Mac Towing, and J&M Towing are existing franchisees.

After applications are submitted, the process set forth in the Municipal Code calls for the City Council to adopt a resolution setting a public hearing to consider the applications for non-exclusive police towing, which is the action recommended this evening. At the public hearing, proposed to be January 7, 2019, the City Council will consider the actual granting of franchises.

COUNCIL POLICY CONSIDERATIONS:

The proposed action is consistent with the City Council's General Plan Goal to ensure public safety and maintain fiscal responsibility and stability.

ENVIRONMENTAL ANALYSIS:

The actions proposed herein are not subject to the California Environmental Quality Act (CEQA) in accordance with Section 21065 of CEQA and State CEQA Guidelines Sections 15060 (c)(2), 15060 (c)(3), and 15378. The establishment of a Police Towing Franchise fee and the modification of towing and storage fees allowed by towing franchises. These actions would not cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. Therefore, the proposed actions are not a "project" subject to CEQA, as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines. Since the action is not a project subject to CEQA, no environmental document is required.

FISCAL IMPACT:

The action of setting a public hearing to consider applications for police towing franchises has no fiscal impact. However, the City is scheduled to receive \$22,500 annually per franchisee, pursuant to Resolution number 9675, adopted on August 27, 2018.

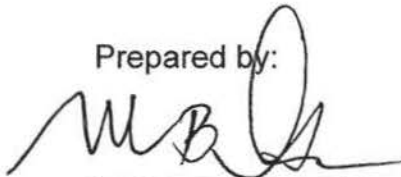
Currently, there are four franchisees, although that figure could change after the public hearing is held, depending on the number of non-exclusive franchises ultimately awarded by the Council.

Respectfully Submitted,



JOHN E. PEREZ
Interim Chief of Police

Prepared by:



Mark B. Goodman
Lieutenant

Approved by:



STEVE MERMELL
City Manager

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA
(A) GIVING NOTICE OF APPLICATIONS RECEIVED FOR A NON-EXCLUSIVE
POLICE TOWING FRANCHISE; AND (B) SETTING A PUBLIC HEARING
TO CONSIDER THE GRANTING OF POLICE TOWING FRANCHISES**

WHEREAS, non-exclusive police towing franchises are regulated through Chapter 10.46 of the Pasadena Municipal Code;

WHEREAS, the City has received applications (the "Applications") from the following entities for a police towing franchise:

- Masters Automotive Tow Services – Pasadena;
- A-Car Auto – Pasadena;
- Freddie Mac's Inc. – South El Monte;
- J&M Towing LLC – Alhambra;
- Navarro's Towing – Monterey Park;
- Henry's Towing and Recovery – Alhambra;
- Mid Valley Towing Inc. – Glendale; and
- M&M Action Towing – South Pasadena; and

WHEREAS, Pasadena Municipal Code Section 10.46.070 requires the City Council to adopt a resolution giving notice of the applications and setting a time and place for a public hearing on the applications.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pasadena, California that:

1. The City has received the above-mentioned Applications for a police towing franchise, and a copy of the Applications are on file with the Chief of Police.
2. A public hearing concerning the City Council's consideration of the Applications will be held on January 14, 2019, at 7:00 p.m., or as soon thereafter as the matter can be heard, in the Council Chamber of Pasadena City Hall, located at 100 North Garfield Avenue, Room S249, Pasadena, California. At such public

hearing, the City Council will hear persons desiring to be heard in favor of or in opposition to the granting of the franchises to the applicants.

3. The City Clerk shall cause this resolution to be published at least once in a newspaper of general circulation in the City at least ten (10) days prior to the public hearing.

Adopted at the regular meeting of the City Council on the ____ day of December, 2018 by the following vote:

AYES:


NOES:

ABSENT:

ABSTAIN:

Mark Jomsky, CMC
City Clerk

APPROVED AS TO FORM:



Jayan N. Rad
Chief Assistant City Attorney