



# Ordinance Fact Sheet

**TO:** CITY COUNCIL **DATE:** FEBRUARY 7, 2011  
**FROM:** CITY ATTORNEY  
**SUBJECT:** GRANT OF NON-EXCLUSIVE POLICE TOWING FRANCHISE TO A-CAR AUTO.

## TITLE OF PROPOSED ORDINANCE

AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA GRANTING A NON-EXCLUSIVE FRANCHISE FOR POLICE TOWING TO A-CAR AUTO.

## BACKGROUND

On January 10, 2011 the City Council held a public hearing on one application for non-exclusive police towing franchise. The single application was 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 agreement.

The 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. The franchise is to commence according to written franchise agreement and if the franchise otherwise meets all of the requirements for conducting this business in the City of Pasadena.

The following applicant was approved:

- A-Car Auto of Pasadena

02/28/2011  
MEETING OF -02/07/2011-  
AGENDA ITEM NO. 10 19

**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.

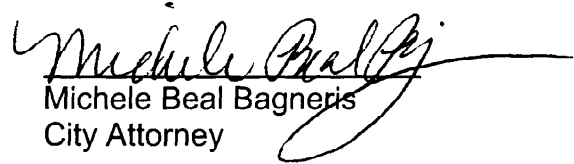
**ENVIRONMENTAL IMPACTS**

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**

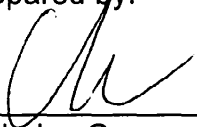
The City will receive as aggregate total of \$90,000 from the awarded franchises.

Respectfully submitted,

  
Michele Beal Bagneris  
City Attorney

Prepared by:

11/28/10

  
\_\_\_\_\_  
Nicholas George Rodriguez  
Chief Assistant City Attorney

Concurrence:

  
\_\_\_\_\_  
Michael J. Beck  
City Manager

ORDINANCE NO. \_\_\_\_\_

AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA  
GRANTING A NON-EXCLUSIVE FRANCHISE FOR POLICE TOWING  
TO A-CAR AUTO.

The people of the City of Pasadena ordain as follows:

WHEREAS, On December 13, 2010, the City Council of the City of Pasadena considered one application for a non-exclusive police towing contract and adopted Resolution Number 9079, setting a public hearing for January 10, 2011, in order that all persons wishing to be heard in favor or in opposition to the granting of the non-exclusive franchise will have the opportunity to do so; and

WHEREAS, said Resolution was duly published on December 23, 2010;  
and

WHEREAS, a duly-noticed public hearing pursuant to said Resolution was held on January 10, 2011 for the application; and

WHEREAS, After reviewing the application, and after public hearing, it was determined that the application complies with Chapter 10.46, of the Pasadena Municipal Code, and the 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 non-exclusive police towing franchise is hereby granted to the applicant listed by name and business address in Section 2, below, according to the terms

and conditions set forth in the text of this Ordinance and to the terms and conditions of a separate franchise agreement to be executed by the franchisee.

The 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. The franchise shall be for a 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. The 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 2. Pursuant to Chapter 10.46, of the Pasadena Municipal Code, a non-exclusive, police towing franchise is granted to the following applicant:

- A- Car Automotive Repair Services  
1160 E. Walnut St.  
Pasadena, CA 91106

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 \_\_\_\_\_, 2011.

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Bill Bogaard  
Mayor of the City of Pasadena

I HEARBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena held this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

By the following vote:

AYES:

NOES:

ABSENT:

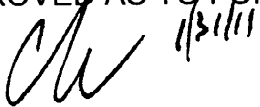
ABSTAIN:

PUBLISHED:

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Mark Jomsky, CMC  
City Clerk

APPROVED AS TO FORM:



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Nicholas George Rodriguez  
Chief Assistant City Attorney