

RESOLUTION NO. 2022-177

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, DECLARING ITS INTENT TO GRANT THREE-YEAR NON-EXCLUSIVE TOWING FRANCHISES FOR CITY-INITIATED TOWS AND SETTING THE PUBLIC HEARING TO INTRODUCE A TOW FRANCHISE ORDINANCE

WHEREAS, there are currently three tow companies that have non-exclusive towing franchise agreements with the City to provide vehicle tow and storage needs for City-initiated tows, which will expire January 2, 2023;

WHEREAS, Article XIII of the Pomona City Charter sets forth the process for awarding franchises;

WHEREAS, Article VIII of the Pomona City Code, Section 58-676 sets forth the eligibility criteria, length of Tow Service Franchises and other requirements for non-exclusive franchises for City-initiated tows;

WHEREAS, on August 11, 2022, the City of Pomona Finance Department posted a Request for Qualifications from qualified towing companies wishing to be considered for award of a Non-Exclusive Franchise for City-Initiated Tows;

WHEREAS, proposals were submitted by six (6) towing companies, four (4) of which meet the minimum requirements as set forth in Pomona City Code Section 58-676;

WHEREAS, historically, the City has maintained non-exclusive franchise agreements with three (3) tow operators to meet the City's towing needs;

WHEREAS, based on the City's current demands for tow services, the Police Chief has recommended that the City Council award three-year Non-Exclusive Towing Franchises for City-initiated Tows to the following qualified tow operators for a term of three years, with up to three extension options for terms from one (1) year up to three (3) years:

S & J Towing Service, Inc.
Carpe Carma, LLC, d.b.a. Pomona Valley Towing, Inc.
Sanders Towing, Inc.
Al & Son's Towing, Inc.

WHEREAS, a notice of setting the public hearing to introduce an ordinance set for December 5, 2022, at 7:00 p.m. in the Pomona City Council Chambers located at 505 S. Garey Avenue, Pomona, CA.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pomona as follows:

SECTION 1. That the City Council hereby declares its intent to introduce an ordinance to grant three-year Non-Exclusive Towing Franchises for City-Initiated Tows to S & J Towing Service, Inc., Carpe Carma, LLC, d.b.a. Pomona Valley Towing, Inc., Sanders Towing, Inc., and Al & Son's Towing, Inc. at a public hearing to be held on December 5, 2022, at the Pomona City Council Chambers located at 505 S. Garey Avenue, Pomona CA.

SECTION 2. That the City Council will consider public comments and testimony at the public hearing prior to granting the proposed three-year, Non-exclusive Franchises for City-Initiated Tows. The proposed Franchise Agreements are available for review at the Office of the City Clerk.

SECTION 3. That the City Council, as allowed by Section 58-678 of the City Code, extend the three current Franchise Agreements for City-Initiated Tows with S & J Towing, Inc. Sanders Towing, Inc., and Carpe Carma, L.L.C. dba Pomona Valley Towing, Inc. until the proposed ordinance officially awarding the non-exclusive towing franchises becomes effective, which is thirty (30) days after second reading and adoption of said ordinance. During the extension period, all terms and conditions of the current Franchise Agreements approved by Ordinance No. 4272 shall remain in full force and effect.

SECTION 4. The City Clerk shall attest and certify to the approval and passage of this resolution, and it shall be effective immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 21st day of November, 2022.

CITY OF POMONA:

Tim Sandoval
Mayor

APPROVED AS TO FORM:

Sonia Carvalho
City Attorney

ATTEST:

Rosalia A. Butler, MMC
City Clerk

I, HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of Pomona at a regular meeting thereof held on November 21, 2022 by the following vote of the Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

Rosalia A. Butler, MMC
City Clerk