

RESOLUTION NO. 2019-168

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

WHEREAS, there are currently two 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 November 6, 2019;

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 15, 2019, the City of Pomona Finance Department posted a Request for Proposals from qualified towing companies wishing to be considered for award of a Non-Exclusive Franchise for City-Initiated Tows;

WHEREAS, proposals were submitted by five (5) 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 and J Towing Service, Inc.
Carpe Carma, LLC, d.b.a. Pomona Valley Towing, Inc.
Sanders Towing
California Coach Auto Body, Inc.

WHEREAS, a notice of setting the public hearing to introduce an ordinance set for November 18, 2019, 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 No. 2019-xxxx to grant three-year Non-Exclusive Towing Franchises for City-Initiated Tows to S and J Towing Service, Inc., Carpe Carma, LLC, d.b.a. Pomona Valley Towing, Inc., Sanders Towing, and California Coach Auto Body. Inc. at a public hearing to be held on November 18, 2019, 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, extends the two current Franchise Agreements for City-Initiated Tows with S and J Towing, Inc. and Pomona Valley Towing, Inc. until Ordinance No. 2019-xxxx 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 Franchise Agreements approved by Ordinance No. 4174 and extended by Ordinance No. 4228 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.

APPROVED AND ADOPTED THIS 4th DAY OF NOVEMBER, 2019.

ATTEST:

CITY OF POMONA:

Rosalia Butler, City Clerk

Tim Sandoval, Mayor

APPROVED AS TO FORM:

Sonia Carvalho, City Attorney

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF POMONA

I, MARIE MICHEL MACIAS, CITY CLERK of the City of Pomona do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council on the 4th day of November, 2019 by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

Rosalia Butler, City Clerk