

**RESOLUTION NO. 2013-88**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE MAXIMUM ALLOWABLE TOW AND STORAGE RATES CHARGED BY NON-EXCLUSIVE FRANCHISE TOW COMPANIES FOR CITY-INITIATED TOWS**

**WHEREAS**, the City Council is vested with the authority to approve the rates charged by non-exclusive franchise towing companies for City-initiated tows under Section 58-676 (21) of the Pomona City Code;

**WHEREAS**, the City currently has franchise agreements with Bill & Wags Towing, S and J Towing, and Pomona Valley Towing to provide towing services for City-initiated tows;

**WHEREAS**, the last increase in rates for City-initiated tows was approved by the City Council in 2006; and

**WHEREAS**, Bill & Wags Towing, S & J Towing, and Pomona Valley Towing have independently submitted requests to the Chief of Police to increase the towing and storage rates for City-initiated tows.

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

**SECTION 1.** This resolution shall supersede all rates established by City Council Resolution No. 2006-82.

**SECTION 2.** The City Council hereby establishes the maximum allowable tow and storage rate schedule for City-initiated tows as follows:

<b><u>Category</u></b>	<b><u>Tows</u></b>	<b><u>Inside Storage</u></b>	<b><u>Outside Storage</u></b>
Class A (Cars & Trucks)	\$133.00/hour	\$ 27.00/per day	\$25.00/per day
Class B (Over 1 Ton w/o Air Brakes)	\$208.00/hour	\$ 50.00/per day	\$ 46.00/per day
Class C (2-3 Axle w/ Air Brakes)	\$292.00/hour	\$ 52.00/per day	\$ 52.00/per day
Class D (Tractor Trailers)	\$347.00/hour	\$ 52.00/per day	\$ 52.00/per day
Motorcycles	\$150.00/hour	\$ 12.00/per day	\$ 10.00/per day

**SECTION 3.** The City Council hereby re-establishes that the maximum allowable rate for "After Hours/Weekend Release" for City-initiated tows shall be \$100.00. For purposes of this section "After Hours" shall mean those hours of any weekday that the franchisee is not open to the public. For purposes of this section "Weekend Release" shall mean holidays during which the franchisee is not regularly open for business, Saturdays (excepting such time between the hours of 8 a.m. and 12 p.m.), or Sundays.

**SECTION 4.** The City Council hereby resolves that the maximum allowable tow and storage rates established in Section 2 herein shall become effective upon adoption of this resolution.

**SECTION 5.** The City Clerk shall attest and certify to the passage and adoption of this resolution and it shall be effective immediately upon its approval.

**APPROVED AND ADOPTED THIS 9TH DAY OF SEPTEMBER 2013.**

**ATTEST:**

**CITY OF POMONA:**

*for Sandra Medina Interim*  
Anthony J. Mejia, City Clerk

*Elliott Rothman*  
Elliott Rothman, Mayor

**APPROVED AS TO FORM:**

*Arnold Alvarez-Glasman*  
Arnold Alvarez-Glasman, City Attorney

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
CITY OF POMONA

I, ANTHONY J. MEJIA, CITY CLERK of the City of Pomona do hereby certify that the foregoing Resolution was adopted at a Regular Meeting of the City Council of the City of Pomona held on the 9<sup>th</sup> day of September 2013, by the following vote:

AYES: Nolte, Rodriguez, Lantz, Escobar, Martin, Mayor Rothman

NOES: Carrizosa

ABSENT: None

ABSTAIN: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Pomona, California, this 10<sup>th</sup> day of October 2013.

*for Sandra Medina Interim*  
Anthony J. Mejia, City Clerk