Agenda Item #13.4
For Council Meeting of: October 22, 2024

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: JOHN CREGAN, CHIEF OF POLICE
SUBJECT: APPROVAL OF ONE ADDITIONAL TOW VENDOR TO THE TOW VENDOR FRANCHISEE LIST FOR POLICE-GENERATED OPERATIONS

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Police Department that the Council, by resolution: 1) grant a police generated vehicle tow franchise to tow operator Cream's Towing, Inc. dba Cream's Heavy Duty Towing & Storage of Santa Rosa, California pursuant to Chapter 6-84 of the Santa Rosa City Code for police-generated tow operations; 2) authorize a tow agreement with the franchisee in substantially the form of Exhibit A to the resolution; and 3) authorize the Chief of Police or designee to execute the tow agreement.

EXECUTIVE SUMMARY

The Police Department recommends the approval of one new tow company, Cream's Towing, Inc. dba Cream's Heavy Duty Towing & Storage to the rotational tow vendor franchisee list. In addition, the Police Department recommends that the Council approve and delegate authority to the Police Chief or his designee to execute a tow agreement with Cream's Towing, Inc. dba Cream's Heavy Duty Towing & Storage in substantially the form attached as Exhibit A to the resolution.

BACKGROUND

Prior to 2004, the City contracted with local tow vendors under a Master Tow Agreement to provide tow services to remove stopped, standing, parked and hazardous vehicles from public streets, roads and private property on a rotating basis. They also provide qualified storage facilities.

On July 13, 2004, the City of Santa Rosa adopted Ordinance No. 3674 of the Santa Rosa City Code authorizing the City Council to grant franchises to one or more tow operators for police generated tow services. A $30,000 total franchise fee was set at the time and split between 11 franchisees, resulting in a fee of $2,727.

1. On August 30, 2017, Resolution No. 28850 granted vehicle tow franchises and authorized franchise agreements with various tow vendors and changed the franchise fee to a $300 per tow vendor.

PRIOR CITY COUNCIL REVIEW

July 13, 2004 – Resolution No. 26019 adopting City Ordinance No. 3674 authorizing the Council to grant franchises to one or more tow operators for police-generated tows.

July 13, 2004 – Resolution No. 26020 established a fee in connection with the award of franchises for towing vehicles for the City of Santa Rosa. The fee for Fiscal Year 2004/2005 was $30,000 per annum divided by the number of franchises in effect September 1, 2004.

August 27, 2013 – Resolution No. 28337 granted vehicle tow franchises and authorized franchise agreements with various tow vendors. It also authorized the Chief of Police or designee to approve amendments to the Franchise Agreements, subject to requirements of Chapter 6-84 of the Santa Rosa City Code.

May 25, 2021 - Resolution No. 2021-081 granted a vehicle tow franchise to one new vendor.

July 25, 2023 – Resolution No. 2023-128 granted vehicle tow franchises and authorized franchise agreement with various tow vendors.

ANALYSIS

The corporation Cream's Towing, Inc. has approached the City, wishing to be added to the rotational tow franchise list.

The addition of Cream's Towing, Inc. as a tow company to the rotational list will provide a wider base of vendors to draw from when the need for tow services arises.

FISCAL IMPACT

None.

ENVIRONMENTAL IMPACT

This proposed action is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3) and 15378 in that there is no possibility that the implementation of this action may have significant effects on the environment, and no further environmental review is required.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable.

ATTACHMENTS

- Attachment 1 - Tow Vendor List
- Resolution
- Exhibit A - Franchise Tow Agreement for Vehicle Tow Services

PRESENTER

Pam Lorence, ASO Police plorence@srcity.org