



Legislation Details (With Text)

**File #:** 16-220      **Version:** 1      **Name:**

**Type:** Consent Item      **Status:** Passed

**File created:** 5/16/2016      **In control:** City Council/Public Finance and Economic Development Authority/Parking Authority

**On agenda:** 6/6/2016      **Final action:** 6/6/2016

**Title:** SUBJECT: Fiscal Year 2016-2017 Tow Service Agreement

**REPORT IN BRIEF**  
Approval of the 2016-2017 Master Tow Service Agreement.

**RECOMMENDATION**  
City Council - Adopt a motion approving Resolution 2016-20, a Resolution of the City Council of the City of Merced, California, establishing and approving the 2016-2017 Master Tow Service Agreement; and, authorizing the City Manager to execute the necessary documents.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2016-2017 TSA Approved, 2. 2016-2017 TSA Resolution

Date	Ver.	Action By	Action	Result
6/6/2016	1	City Council/Public Finance and Economic Development Authority/Parking Authority	approved	Pass

*Report Prepared by: Jacob Struble, Lieutenant, Merced Police Department*

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**ALTERNATIVES**

1. Approve, as recommended by staff; or,
2. Return to staff for further follow up; or,
3. Deny.

**AUTHORITY**

Charter of the City of Merced, Section 200, et seq.

## DISCUSSION

The current fiscal year 2015-2016 Tow Service Agreement expires on June 30, 2016. The 2015-2016 Tow Service Agreement has worked out well for both the City of Merced and the rotational tow companies. It was based in large part on the approved Tow Services Agreement utilized by the California Highway Patrol for their tow rotation program.

The 2016-2017 Tow Service Agreement will be effective from July 1, 2016 to June 30, 2017. There are only minor changes made to this Agreement from the version approved by the City Council for the 2015-2016 fiscal year. These changes, which were primarily made to stay current with changes in the law and to reflect promotions within the police department, are as follows:

- Due to recent promotions within the department, references to Police Sergeant were changed throughout the Agreement to Police Lieutenant and likewise, references to Police Sergeant were changed to Police Captain.
- In Section 2 (C) of the Agreement [Rotation List] a notation was added to clarify that “[s]imply attaching a cable to or blocking a vehicle does not constitute recovery or load salvage operations.”
- In Section 3 (J) [Tow Operators]: The language was added to require tow operators shall have a sufficient number of drivers in order to comply with hours-of-service requirements and to comply with intrastate and/or interstate hours of service pursuant to the relevant state regulations.

Currently there are ten (10) tow companies on the Merced Police Department rotational tow list that have been operating under the 2015-2016 Tow Service Agreement. These companies are: Always Towing, Bill's Towing, C&S Towing, Pete's Auto Body, P&G Towing, Rich's Auto Body, Merced City Tow, TNB Towing, Takin Towing, and Freitas Auto Wrecking. In March 2016, each of these companies were informed that they needed to have their tow trucks inspected during the California Highway Patrol, Merced Area Office, annual open enrollment inspections. Based upon the information provided to date, all of these companies attended the California Highway Patrol annual open enrollment and passed the initial inspection for tow trucks. However, these tow companies must still pass their storage yard inspections prior to being eligible for the 2016-2017 Tow Service Agreement.

There is a need for a Tow Service Agreement to be in place between the City of Merced and the tow companies on the Merced Police Department rotational tow list. By having this Agreement in place, it allows the City of Merced Police Department to oversee the tow companies providing services for the Department's tow rotational list. This helps ensure that the residents of Merced are being treated fairly and professionally. Specifically, the 2016-2017 Tow Service Agreement allows for the Merced Police Department to inspect the tow companies' equipment and facilities to ensure they are being kept up to the standards outlined in the 2016-2017 Tow Service Agreement. By inspecting the tow companies' equipment and facilities, the Merced Police Department can ensure the safety and fair treatment of the residents of Merced.

## ATTACHMENTS

1. 2016-2017 Tow Service Agreement

## 2. Resolution