



CITY COUNCIL AGENDA REPORT

MEETING DATE: AUGUST 19, 2008

ITEM NUMBER:

SUBJECT: POLICE DEPARTMENT TOW POLICY GUIDELINES AND REQUIREMENTS

DATE: AUGUST 6, 2008

FROM: CITY MANAGER'S OFFICE & CITY ATTORNEY'S OFFICE

PRESENTATION BY: TOM HATCH, ASSISTANT CITY MANAGER, KIMBERLY HALL BARLOW, CITY ATTORNEY, AND CHRIS SHAWKEY, POLICE CHIEF

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RECOMMENDATION:

That the City Council approve the Police Department Tow Policy Guidelines and Requirements for contract rotational tow service operators by adoption of Resolution 08-__ (Attachment 1).

BACKGROUND:

The City Council gave first reading to the amended Regulatory Towing Service Ordinance on August 5, 2008. This Ordinance provides for updated language in the current code; new and improved regulations for nonconsensual towing of vehicles, rotational tow operations contracted through the Police Department, and tow operation services; and directs the contracted rotational tow operators to the proposed Costa Mesa Police Department Tow Policy Guidelines and Requirements (PD Tow Reqs) for specifics. This document is included with this report as Attachment 2.

ANALYSIS:

The PD Tow Reqs was created to better and more efficiently manage and provide Police-initiated towing services that will be of mutual benefit to the public, the Costa Mesa Police Department, and the towing companies that are contracted to provide that service. Staff learned that most jurisdictions have towing regulations, guidelines, and requirements for contract tow operators. Staff reviewed towing documents of over eight jurisdictions to prepare the PD Tow Reqs, which reflects much of the information contained in the other agencies' documents. The PD Tow Reqs contains specific information for each contracted tow service operator to comply with, which will provide for consistency in professional service to the community and with the Police Department. Additionally, it addresses procedures governing complaints, disciplinary action, and termination.

The current PD contract tow operators have reviewed the draft PD Tow Reqs and provided feedback. Relevant information that did not hinder competition was incorporated into the current proposed document.

ALTERNATIVES CONSIDERED:

1. Modify the current proposed PD Tow Reqs.
2. Do not approve the current proposed PD Tow Reqs.

FISCAL REVIEW:

No fiscal review is necessary.

LEGAL REVIEW:

The City Attorney worked closely with staff in drafting the proposed tow policy guidelines and requirements. The City Attorney has approved the draft guidelines.

CONCLUSION:

The City will be initiating the Request for Proposals process for City towing services shortly. This document is the final piece of information related to the towing services amendments for City Council's consideration. Therefore, the City Council is respectfully requested to approve the Costa Mesa Police Department Tow Policy Guidelines and Requirements.

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ATTACHMENTS: 1 [Resolution 08-](#)
 2 [Proposed CMPD Tow Policy Guidelines and Requirements](#)