



Legislation Details (With Text)

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**Title:** BILL (For introduction) - Amendment to Article 17, Chapter 9, Section 9-1705 of Fresno Municipal Code, relating to Franchise Tow Agreements.

**Sponsors:** Police Department

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD - FMC 9-1705 -signed.pdf

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|-----------|------|--------------|----------|--------|
| 6/25/2020 | 1    | City Council | approved |        |

**REPORT TO THE CITY COUNCIL**

**June 25, 2020**

**FROM:** ANDREW J. HALL, Chief of Police  
Police Department

**BY:** PATRICK FARMER, Deputy Chief  
Investigations Division

**SUBJECT**

BILL (For introduction) - Amendment to Article 17, Chapter 9, Section 9-1705 of Fresno Municipal Code, relating to Franchise Tow Agreements.

**RECOMMENDATION**

Staff recommends that Fresno City Council amend Article 17, Chapter 9, Fresno Municipal Code (FMC) Section 9-1705 relating to Franchise Tow Agreements to add subsection (d) Tow Truck services performed for the removal and storage of evidence vehicles (Subject to Mayor's veto).

**EXECUTIVE SUMMARY**

The FMC is a document that has been studied, revised, compiled and codified to assist citizens in better understanding the local laws of Fresno. The FMC also provides guidance as it relates to the roles of each department and the services they provide. The addition of the subsection will allow inclusion of language relating to the removal and storage of evidence vehicles.

**BACKGROUND**

The Fresno Police Department (Department) conducts investigations on various felony crimes including, but not limited to, homicide, robbery, felony assault, kidnap and sexual assault. The investigations can lead to vehicles being towed for evidence. In an effort to ensure the evidence chain of custody is maintained, there is a need for the evidence vehicles to be under the control of one tow provider. The tow providers must be vetted by the department and have the ability to secure any and all evidence tows and, in some instances, for an extended period of time. In addition, it is mandated that the tow provider utilize a software program that allows the Department to manage, control and audit the exclusive tow provider. Due to this critical need, a Notice Inviting Bids and proposed contract was published in the Business Journal on January 13, 2020, and posted on the City of Fresno website utilizing PlanetBids, Inc. RFP specifications were distributed to three (3) prospective proposers. Three (3) sealed proposals were received by the Purchasing Division (Purchasing). One proposal was selected from the three (3) prospects due to their years of experience and the exceptional service provided to the Department in the handling of evidence of tows over the last seven (7) years.

The second proposer was part of the co-contract with the Department; however, they were removed due to a major violation committed by them in May 2017, which involved evidence vehicles stored at their business for the Department. The third proposer was excluded due to the proposed average monthly cost for towing fees being extremely higher than the other two proposers and also failed to provide adequate clarification in their bid regarding the handling and storage of evidence vehicles. Since 2017, we have worked solely with the selected exclusive tow provider in the storage and handling of evidence vehicles for the Department.

Purchasing has confirmed the selection of the bidder for the Exclusive Agreement.

#### **ENVIRONMENTAL FINDINGS**

This is not a "project" for the purposes of CEQA, pursuant to CEQA Guidelines Section 15378.

#### **LOCAL PREFERENCE**

Local Preference was not implemented, as this is an amendment to the City's local codes.

#### **FISCAL IMPACT**

Not applicable; Language amendment to FMC only.

#### **Attachments:**

Ordinance Amending FMC 9-1705