

City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: AUGUST 19, 2025

FROM: POLICE DEPARTMENT WARDS: ALL

SUBJECT: PROPOSED ORDINANCE AMENDING RIVERSIDE MUNICIPAL CODE CHAPTER 5.15 - REGULATION OF RIVERSIDE POLICE OFFICIAL POLICE TOW TRUCK SERVICE AND PROPOSED REVISIONS TO OFFICIAL POLICE TOW TRUCK SERVICE AGREEMENT TO CLARIFY DEFINITIONS, ELIMINATE UNNECESSARY VERBIAGE, CREATE CONSISTENCY BETWEEN CHAPTER 5.15 AND AGREEMENT, AND IMPLEMENT PROCEDURAL CHANGES TO IMPROVE OPERATIONAL EFFICIENCY

ISSUES:

Adopt the proposed ordinance amending Riverside Municipal Code Chapter 5.15 – Regulation of Riverside Police Official Police Tow Truck Service and approve the proposed revisions to the Official Police Tow Truck Service Agreement to clarify definitions, eliminate unnecessary verbiage, create consistency between Riverside Municipal Code Chapter 5.15 and implement procedural changes to improve operational efficiency.

RECOMMENDATIONS:

That the City Council:

1. Adopt the proposed ordinance amending Riverside Municipal Code Chapter 5.15 – Regulation of Riverside Police Official Police Tow Truck to clarify definitions, eliminate unnecessary verbiage, create consistency between Chapter 5.15 and the Agreement, and implement procedural changes to improve operational efficiency; and
2. Approve the proposed revisions to the Official Police Tow Truck Service Agreement to clarify definitions, eliminate unnecessary verbiage, create consistency between Chapter 5.15 and the Agreement, and implement procedural changes to improve operational efficiency.

COMMITTEE RECOMMENDATIONS:

On July 16, 2025, the Safety, Wellness, and Youth Committee, following discussion, voted unanimously, with all members present, to receive and file the report summarizing the proposed ordinance amending Riverside Municipal Code Chapter 5.15 and the proposed revisions to the Official Police Tow Truck Service Agreement and recommended that the City Council adopt the proposed ordinance amending Riverside Municipal Code Chapter 5.15 – Regulation of Riverside

Police Official Police Tow Truck and approve the proposed revisions to the Official Police Tow Truck Service Agreement to clarify definitions, eliminate unnecessary verbiage, create consistency between Chapter 5.15 and the Agreement, and implement procedural changes to improve operational efficiency.

BACKGROUND:

Riverside Municipal Code (RMC) Chapter 5.15 – Regulation of Riverside Police Official Police Tow Truck Service is the basis for the Official Police Tow Truck Service (OPTTS) Agreement by and between the City of Riverside and an Official Police Tow Service. An Official Police Tow Service is a towing company having a contractual relationship with the City of Riverside to provide towing services to the Police Department.

Official Police Tow Services having a contractual relationship with the City of Riverside on behalf of the Riverside Police Department (RPD) provide tow services in accordance with RMC Chapter 5.15 and pursuant to the terms of the OPTTS Agreement. RPD continually assesses the effectiveness of both RMC Chapter 5.15 and the OPTTS Agreement and proposes revisions as necessary for program improvement and efficiency. Recently a review was conducted to identify potential revisions.

As a result of the review, RPD is proposing revisions to RMC Chapter 5.15 and the OPTTS Agreement to clarify definitions, eliminate unnecessary verbiage, create consistency between RMC Chapter 5.15 and the OPTTS Agreement, and implement procedural changes designed to improve operational efficiency. If recommended by the Safety, Wellness, and Youth Committee and adopted by the City Council, the proposed revisions will be incorporated into RMC Chapter 5.15 and the OPTTS Agreement for application in January 2026 after conducting a competitive Request for Qualification (RFQ) process.

On June 18, 2025, the Safety, Wellness, and Youth Committee heard this item. Following discussion, it was moved by Chair Perry and Seconded by Vice Chair Conder to continue this item to the July meeting, if ready or to City Council in September. The motion was carried unanimously with Chair Perry and Vice Chair Conder present. Member Mill was not present.

DISCUSSION:

There are currently 6 tow truck companies that contract with the City as Official Police Tow Service (OPTS) providers. The companies were selected as part of an extensive Request for Qualifications process. Five (5) of the existing OPTS providers entered into contracts with the City at the end of 2021 for a start date of January 1, 2022. The sixth provider entered into a contract with the City in November 2022. All of the Agreements carried a term ending December 31, 2024 as stated in Section (G)(1) of each of the agreements. The Agreements allow for three (3) optional renewal terms of one (1) year to be granted at the discretion of the City.

In 2024, the City granted each of the 6 existing OPTS providers a 1-year Renewal Term, each ending on December 31, 2025. Rather than exercising additional renewal terms, RPD recommends issuing a Request for Qualifications (RFQ) this calendar year seeking qualified tow companies due to the significant amendments proposed to the Riverside Municipal Code and the OPTTS Agreement template as described herein. The existing 6 OPTS providers are eligible to respond to the RFQ when it is issued.

RPD anticipates that the selected OPTS providers will enter into contracts with the proposed amendments, effective on January 1, 2026.

Proposed Amendments to RMC Chapter 5.15

Throughout RMC Chapter 5.15, various terms, phrases, and sections were eliminated, revised, or added for clarification and for better alignment with language found in the OPTTS Agreement and/or the California Vehicle Code. For example, there were certain terms listed under the "definitions" section that were not referenced in either RMC Chapter 5.15 or the OPTTS Agreement and therefore were removed. Other proposed revisions include the following:

RMC Section 5.15.080 – The reimbursement program related to the towing and destruction of no/low value recreational vehicles was expanded to include boats, watercraft, and trailers, subject to review and approval by the Police Department and the availability of funds.

RMC Section 5.15.095 - Language was added referencing the City's current Schedule of Fees and Charges to ensure that RMC Chapter 5.15 is always in alignment with current per tow fee practices including, but not limited to, the practice of charging Official Police Tow Services a per-tow fee for performing a tow at the vehicle "owner's request" and facilitated by RPD. Previously, Official Police Tow Services were not charged for tows completed under these circumstances.

RMC Section 5.15.110 – Language was updated to align with the change proposed to RMC Section 5.15.080 noted above.

RMC Section 5.15.110 - Language was added to clarify that RPD incurs the cost of a vehicle given "evidence-stored" status, but the registered owner becomes responsible for storage fees once the vehicle's "evidence-stored" status is removed and reasonable efforts have been made to notify the registered owner.

RMC Section 5.15.110 – Language was added requiring that the answering service provide weekly reports to RPD at the cost of each of the Official Police Tow Services by whom they are contracted. Currently the reports are provided monthly.

RMC Section 5.15.145 - Language was modified to clarify the appeals and Tow Board hearing processes. An Official Police Tow Service can appeal disciplinary actions proposed to be taken against them by the RPD due to a "founded" complaint. Additionally, the RPD will be able to consider the conduct of the Official Police Tow Service during the current agreement term and any previous agreement terms. The RPD would no longer be restricted to considering conduct within the previous 12 months.

RMC Section 5.15.150 – Language was revised to allow Official Police Tow Services to "pass" on a tow no more than two (2) times per month before being penalized. This equates to 24 times per year. "Passing" is when an Official Police Tow Service declines a request to tow a vehicle potentially leading to situations where RPD is not able to have a vehicle removed and occasionally occurs with low-value or no-value vehicles. Previous language allowed an Official Police Tow Service to pass up to 18 times per year before being penalized.

Proposed Revisions to the OPTTS Agreement

Revisions are also being proposed to the OPTTS Agreement to improve operational efficiency and maintain consistency between the Agreement and proposed changes to RMC Chapter 5.15. The proposed revisions to the OPTTS Agreement include the following:

- Various terms, phrases, and sections were eliminated, revised, or added for clarification and for better alignment with language found in RMC Chapter 5.15 and/or the California Vehicle Code.
- Clarification was added for what constitutes "good standing" and what type of conduct would potentially constitute a material breach of the OPTTS Agreement and could lead to disciplinary action vs. forfeiture of payment.
- Language was added to clarify who is subject to background investigations and to update grooming standards for tow truck operators.
- An Official Police Tow Service must bill for their services within 30-days of the service being conducted or forfeit payment.
- If an Official Police Tow Services lapses in their insurance coverage, then it can lead to their removal from the tow rotation until coverage is made current.
- City Council approved changes to the City's Schedule of Fees and Charges will be passed on the Official Police Tow Service under the OPTTS Agreement.

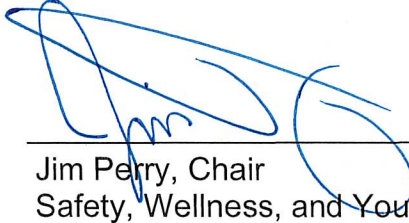
The proposed revisions are specifically designed to improve operational efficiency and RPD's ability to provide high quality public safety services to the community. There are six (6) Official Police Tow Services currently working under the existing OPTTS Agreement. RPD has reached out to all of them to solicit their input regarding the potential revisions to RMC Chapter 5.15 and the OPTTS Agreement. The attached redline versions of RMC Chapter 5.15 and the OPTTS Agreement reflect the proposed revisions.

FISCAL IMPACT:

The fiscal impact of the clarified language and the updated Fees & Charges will result in a small increase in revenue, however the exact tow counts and revenue estimates are unknown at this time.

Prepared by: Adam LeVesque, Police Lieutenant
Approved by: Larry V. Gonzalez, Chief of Police
Certified as to
availability of funds: Kristie Thomas, Finance Director/Assistant Chief Financial Officer
Approved by: Mike Futrell, City Manager
Approved as to form: Rebecca McKee-Reimbold, Interim City Attorney

Concurs with:



Jim Perry, Chair
Safety, Wellness, and Youth Committee

Attachments:

1. Ordinance in Redline
2. Official Police Tow Truck Service Agreement in Redline