

ORDINANCE NO. 171104

An ordinance adding section 80.77.4 to the Los Angeles Municipal Code to establish contracting procedures for Official Police Garages.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Section 80.77.4 of the Los Angeles Municipal Code is hereby amended to read:

SEC. 80.77.4 OFFICIAL POLICE GARAGES

A. Definitions.

As used in this Section "Board" shall mean the Board of Police Commissioners. "Official Police Garage" shall mean a towing and garage business selected by the City to remove and store vehicles at the direction of any Police Officer or Traffic Officer employed by the City of Los Angeles including officers of the Port Police, Airport Police and Housing Authority Police.

B. Selection Process for Official Police Garages.

1. The Board of Police Commissioners shall, subject to the approval of the City Council, enter into contracts, awarded for a fixed term of five years, with Official Police Garages for each of the geographic police areas of the City and for such heavy duty towing services as may, in the judgment of the Board, be necessary.

2. Said contracts shall be issued only after utilizing the City's standardized bid and contract procedures. Each request for proposals issued pursuant to this section shall be approved by resolution of the City Council. The evaluation of each proposal made pursuant to the provisions of this Section shall include an evaluation of the past performance of any proposer which has in the past operated as an Official Police Garage.

3. Each contract awarded pursuant to this Section shall provide for towing and storage fees which shall be uniform throughout the City. Said fees shall be determined by the Board which shall consider as a factor the Los Angeles County Transportation Index. Said fees shall be effective for a calendar year.

4. Initial contracts shall be entered into over a four year period commencing in 1996 with a goal of issuing at least four per year and the bid and contract procedures shall be implemented successively commencing with the geographic area which has had a designated Official Police Garage for the longest period and concluding with the area which has had a designated Official Police Garage for the shortest period. The heavy duty towing contracts shall be awarded in a like manner.

5. Each contract awarded pursuant to this Section shall provide for an option to renew the contract for an additional five year period subject to approval by the City Council. This provision shall not apply to any interim contract awarded pursuant to Subsection C of this Section.

C. Interim Contracts for Official Police Garage Services.

1. The Board shall enter into written contracts with those individuals or corporations which were doing business as Official Police Garages for the City on February 28, 1996. Said contracts shall be for terms which shall expire upon the award of the contracts described in Subsection "B" above.

2. Any transfer of ownership of an Official Police Garage contract entered into under provisions of this subsection shall not be made absent approval of the City Council.

D. Gross Receipts Fee.

Each Official Police Garage shall pay to the general fund of the City a fee equal to seven percent (7%) of all revenues generated as a result of its activities as an Official Police Garage, including but not limited to revenues generated

from the towing and storage of vehicles and the sales of lien vehicles. The fees provided herein shall be paid quarterly. Each operator of an Official Police Garage shall, on or before the last day of the calendar month following the close of each calendar quarter, make a statement to the City Clerk, on forms provided by the City Clerk, of the total amount of fees imposed by this section. At the time the statement is filed, the full amount of said fees shall be remitted to the City Clerk.

E. Miscellaneous Provisions.

1. Contracts awarded pursuant to this section may be awarded to individuals, partnerships, closely held corporations or public corporations.

2. Any sale or transfer of a majority of either the ownership interest or stock except public share stocks , of any Official Police Garage shall be subject to the approval of the City Council which shall consider any recommendation of the Board.

3. No individual, partnership, closely held corporation or public corporation shall be awarded more than two contracts to operate as an Official Police Garage at any given time.

4. Each Official Police Garage shall maintain its primary storage facility within the City.

5. No owner of an Official Police Garage shall have a controlling ownership interest in any automobile dismantling or wrecking yard, automobile body or repair shop, used car business or any other automobile related business other than an automobile towing and related garage business.

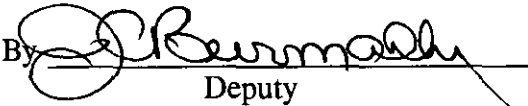
6. Each Official Police Garage shall obtain a permit pursuant to Los Angeles Municipal Code Section 103.204 and shall be subject to the provisions of Chapter X, Article 3, Division 3 of this Code.

#10469

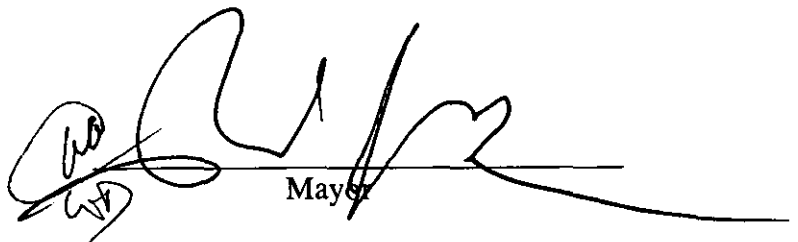
Sec. 2. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of MAY 22 1996.

ELIAS MARTINEZ, City Clerk

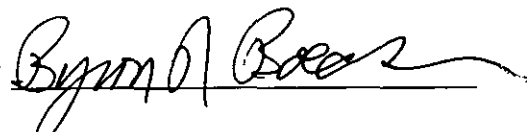
By 
Deputy

Approved MAY 31 1996


Mayor

Approved as to Form and Legality
May 15, 1996

JAMES K. HAHN, City Attorney

By 
Assistant City Attorney

File No. CF 95-2019