



Report to City Council

TO: Mayor and City Council

FROM: Brian Mohan, City Manager

AGENDA DATE: April 21, 2026

TITLE: REGULAR AND URGENCY ORDINANCES REGARDING ROTATIONAL TOW SERVICES PROGRAM (REPORT OF: CITY MANAGER) (DISTRICT: ALL DISTRICTS)

TITLE SUMMARY: Regular and Urgency Ordinances Regarding Rotational Tow Services Program

DISTRICT: All Districts

Recommendation(s)

That the City Council:

1. ADOPT Urgency Ordinance No. XX amending Chapter 12.14 (Police and City of Moreno Valley Rotational Tow Service) to allow tow operators with principal places of business and storage facilities located within a certain distance from the City's jurisdictional boundaries to also participate in the City's Rotational Tow Service Program; and
2. INTRODUCE and subsequently adopt Ordinance No. XX amending Chapter 12.14 (Police and City of Moreno Valley Rotational Tow Service) to allow tow operators with principal places of business and storage facilities located within a certain distance from the City's jurisdictional boundaries to also participate in the City's Rotational Tow Service Program; and
3. Direct staff to immediately prepare and distribute a revised Request for Proposal that references any approved revisions to the City's Rotational Tow Service Program.

SUMMARY

The purpose of these ordinances is to revise the City's Rotational Tow Services Program ("Program") to allow tow operators with principal places of business and storage facilities located within a certain distance from the City's jurisdictional boundaries to also participate in the City's Rotational Tow Service Program.

DISCUSSION

Intent and Purpose of Rotational Tow Services Program

Chapter 12.14 (Police and City of Moreno Valley Rotational Tow Service) prescribes the basic regulations for the operation of an official rotational tow service program in police emergency situations, and/or which involve the removal of illegally parked vehicles, vehicles that are being operated contrary to law, vehicles which are apparently abandoned, vehicles involved in an accident, and vehicles which constitute an obstruction to traffic because of mechanical failure. Chapter 12.14 also establishes regulations and procedures for the abatement of abandoned, inoperative, and dismantled vehicles. Moreover, the primary purpose of Chapter 12.14 is to provide a fair and impartial means of distributing requests for towing services among qualified tow operators, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interests of efficient policing operations for the immediate removal of certain vehicles from public streets.

Physical Location within City

Currently, the Program requires that only those tow operators who maintain a physical location in the City are eligible to participate in the Program. For instance, Section 12.14.030 (City Business License and Permits Required) provides in part that no tow operator may participate in the assignment of service calls on a rotational basis by the Police Department or the City unless it is operating from a physical location in the City. Section 12.14.100 (Storage Facility) also provides that storage facilities utilized by a tow operator under the Program must be located within the City on property properly zoned for this use within the City. And, finally, Section 12.14.060 (Official Police Department and City Tow Operator's Permit) provides in part that a tow operator's permit application/proposal shall include a statement that the tow operator applicant will maintain at the principal place of business located in the City, in operating order at all times, at least one telephone line.

It is presumed that the requirement that a tow operator maintain and operate a storage facility located within the City was to make it more convenient for owners to retrieve their impounded vehicles 24 hours a day, seven days a week including holidays, within one hour upon notification by the Police Department or the City that the vehicle can be released to its owner or authorized agent (as required by Section 12.14.100 (Storage

Facility) without having to travel beyond the City's boundaries to retrieve their impounded vehicles.

At the April 7, 2026, City Council meeting, staff was directed to bring back a proposed change to the Program that would allow tow operators with facilities located outside the City to be eligible for participating in the Program in addition to those tow operators that operate within the City, which is currently required under the Program. As such, staff prepared the attached ordinances, which include the following options: one mile, two miles, three miles, four miles, or five miles. The distance issue needs to be decided by the City Council prior to approving the attached ordinances.

Urgency Ordinance and Companion Regular Ordinance

Section 36937 (b) of the California Government Code provides that an ordinance may take effect immediately if it is an ordinance for the immediate preservation of the public peace, health, or safety, and contains a declaration of the facts constituting the urgency and is passed by a four-fifths vote of the City Council.

Staff recommends that this ordinance should take effect immediately as an urgency ordinance, since its immediate application will facilitate the Request for Proposal process for selection of participating tow operators for tow services and responses related to the need to immediately remove certain vehicles parked, stored, abandoned or in an inoperable condition from settings that pose an immediate threat to public safety if not immediately removed in police emergencies, from accident scenes, or which present a treat to traffic safety as an obstruction to vehicular traffic.

Notwithstanding that the appropriate findings may be made to support the urgent need for the ordinance to take effect immediately, the City Attorney has recommended that the City Council concurrently consider the adoption of a companion regular ordinance in case the urgency findings are challenged in court. Basically, by the time such a lawsuit is filed, it would be moot if a companion regular ordinance is approved and processed pursuant to the regular procedures applicable to regular ordinances, which include a first reading, a second reading, and the expiration of the 30-day referendum period before the ordinance takes official effect.

ENVIRONMENTAL

This ordinance is exempt from CEQA under Section 15061 of the CEQA Guidelines since it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and the activity is not subject to CEQA.

ALTERNATIVES

1. Approve staff's recommendations and adopt both the Urgency Ordinance and Companion Regular Ordinance. Staff recommends this alternative.
2. Do not approve the ordinances and retract its April 7, 2026, decision to withdraw the prior request for proposals and reject the two proposed rotational tow services

contracts staff had recommended to approve on April 7, 2026. Staff does not recommend this alternative.

FISCAL IMPACT

There is no fiscal impact from the recommended actions.

NOTIFICATION

Public notification of this Agenda, which was published and posted at least 72 hours prior to the April 21, 2026, City Council meeting.

PREPARATION OF STAFF REPORT

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Concurred By:
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CITY COUNCIL GOALS

Public Safety. Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

CITY COUNCIL STRATEGIC PRIORITIES

1. Public Safety

Report Approval Details

Document Title:	STAFFREPORT_CM_ROTATIONAL TOW SERVICE PROGRAM_REGULAR AND URGENCY ORDINANCE_FINAL.docx
Attachments:	- URGENCY ORDINANCE - ROTATIONAL TOW SERVICE FINAL.docx - COMPANION ORDINANCE - ROTATIONAL TOW SERVICE_FINAL.docx
Final Approval Date:	Apr 16, 2026

This report and all of its attachments were approved and signed as outlined below:

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