



AGENDA ITEM SUMMARY

District Impacted

- ☐ 1 = Wolosin
- ☐ 2 = Woolard
- ☐ 3 = Scott
- ☐ 4 = Boddie
- ☐ 5 = Macaluso
- ☒ X All

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| Agenda Date | January 12, 2021 |
| Requested Action | DENY REQUEST FROM PANTUSA TOWING & RECOVERY, LLC TO BE A PROVIDER FOR THE MASTER TOW TRUCK ROTATION LIST. |
| Contact Person | Chief James Kohler |
| Background Information | <p>In December 2020 I received a request from PantusaTowing to be placed on the City of Boerne Master Tow Truck Rotation list. The application was completed and the owner, Dorian and Ryan Pantusa, have supplied all of the necessary paperwork required by the ordinance.</p> <p>In December 2018, I met with Ryan Pantusa at their impound lot which is located at 26575 IH-10 West. This location is in Bexar County on the IH-10 Access Road and is 6.5 miles from the Boerne Police Department. Their location is still located at the above address.</p> <p>Currently, there are only two companies that are utilized by the City of Boerne and they are 5-Star Towing, and KW Towing. These two companies have been providing their services to the police department for many years and have done an excellent job. They are primarily used when we arrest someone and their car needs to be towed, removing vehicles from accidents, towing police cars, and lock outs are a few examples of their duties.</p> <p>There are general duties and responsibilities outlined under Tow Truck Ordinance No. 2014-55. There have been no issues and/ or violations of the ordinance with either tow company we utilize today.</p> <p>Under the Ordinance, City Council reserves the right in determining the maximum number of towing companies to be placed on the rotation list. See below section 12-306.</p> <p>DIVISION 2. ROTATION LIST PRIVILEGE Sec. 12-306. - Number of privileges granted; administrative responsibilities; no property rights granted.</p> <p>(a) The City Council hereby reserves the right to determine a maximum</p> |

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| | <p>number of towing businesses to be placed on the rotation list. Placement on the master tow truck rotation list is a privilege, not a right. Furthermore, placement on the list does not create any property rights and does not guarantee continued placement thereon.</p> <p>(b) All tow truck rotation list privilege holders are independent contractors while acting pursuant to this section, and shall not be deemed to be, considered as, or in any way represented to be employees or agents of the city.</p> <p>The numbers below indicate the number of tows within the city limits for the past three years:</p> <p>2017-536 tows. 2018-552 tows. 2019-462 tows. 2020-444 tows.</p> <p>It is unknown if the City of Fair Oaks Ranch and the Kendall County Sheriff's Department will allow Pantusa Towing on their rotation as the City of Boerne has no control over that.</p> <p>Pantusa also requested to be added to the Rotation List in 2018 and 2019. The request was denied by the city council, in part because their business and impound yard is in Bexar County. As I recall there was also some discussion on whether there was enough business to be split three ways rather than two as well. This remains a factor and the number of tows necessary decreased in 2020.</p> |
| Item Justification | <div> <div> <input type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Drive Down Risk <input type="checkbox"/> Master Plan Recommendation </div> <div> <input type="checkbox"/> Infrastructure Investment <input type="checkbox"/> Customer Demand <input type="checkbox"/> Service Enhancement <input type="checkbox"/> Process Efficiency <input checked="" type="checkbox"/> Other: N/A. _____ _____ </div> </div> |
| Financial Considerations | None. |
| Citizen Input/Board Review | Five Star and KW Towing are against approving. |

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| Legal Review | None. |
| Alternative Options | None. |
| Supporting Documents | None. |