



**CITY COUNCIL EXECUTIVE COMMITTEE MEETING
CITY COUNCIL CHAMBERS, THIRD FLOOR, CITY HALL,
#1 CITY HALL PLACE, PUEBLO, COLORADO 81003.**

**MONDAY, NOVEMBER 14, 2022
5:30 PM**

Individuals Requiring Special Accommodations Should Notify the City's ADA Coordinator at (719) 553-2295 by Noon on the Friday Preceding the Meeting.

Executive Committee meetings are special meetings of the City Council and are informal Council meetings for the purpose of receiving information and discussion among Council Members; no official action is taken at such meetings. The public is invited to attend, but public comment is generally not received unless otherwise noted.

Agenda

CALL TO ORDER

PRESENTATIONS

- | | |
|--|-----------|
| A. CITY UPDATES | 5:30 p.m. |
| Laura Solano, Chief of Staff | |
| 5 minute presentation | |
| B. BOARD OF WATER WORKS | 5:35 p.m. |
| Seth Clayton - Executive Director | |
| 15 minute presentation | |
| C. DOWNTOWN GONDOLA | 6:00 p.m. |
| Ryan McWilliams - Pueblo Business Owner | |
| Dana Crawford - Chair of Urban Neighborhood | |
| 15 minute presentation | |
| D. POLICE DEPARTMENT TOWING REGULATIONS | 5:35 p.m. |
| Chris Noeller, Chief of Police | |
| Sgt. Michael Sincerbox | |
| 15 minute presentation | |
| E. COUNCIL BOARD/COMMISSION UPDATE | 6:50 p.m. |
| Pueblo City Council | |
| 10 minute presentation | |

ADJOURNMENT

PUEBLO WATER

CITY COUNCIL
WORK SESSION
NOV. 14, 2022



WHO WE ARE

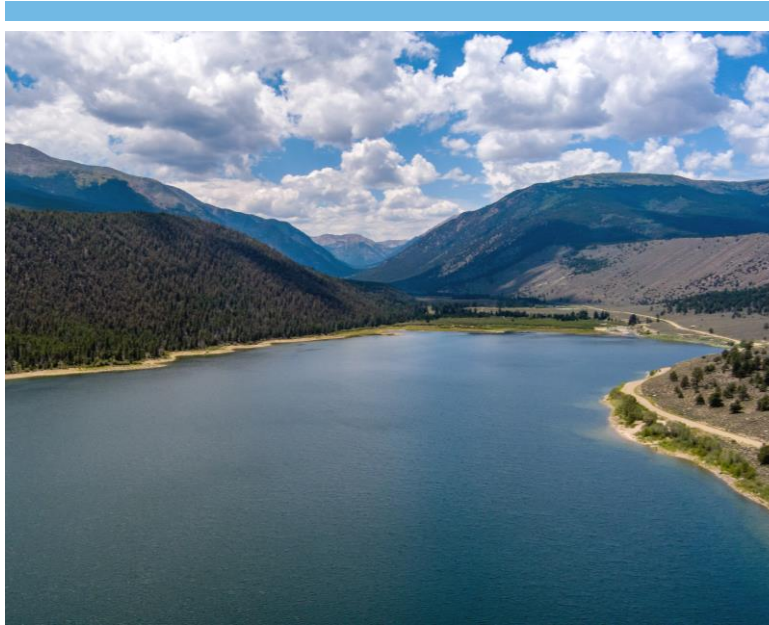
- 135-137 full-time employees
- Average age – 44.3 years old
- Average years of service – 12.79 (two employees with 36 years, four with 35 days)
- Employees with licenses and/or certifications – 77 percent
- Three locations – Administration, Engineering and Whitlock Treatment Plant
- Governed by an independent five-person elected board of directors, with each board member serving six-year staggered terms



WHAT WE DO

- Provide reliable service and safe, clean, great-tasting water to more than 113,400 customers in Pueblo
- Offer low costs compared to other communities along the Front Range
- 41,283 active accounts
- 73 square miles of service area
- Maintain diverse portfolio of water rights to meet Pueblo's demand and need now, and in the future





WHAT'S AHEAD

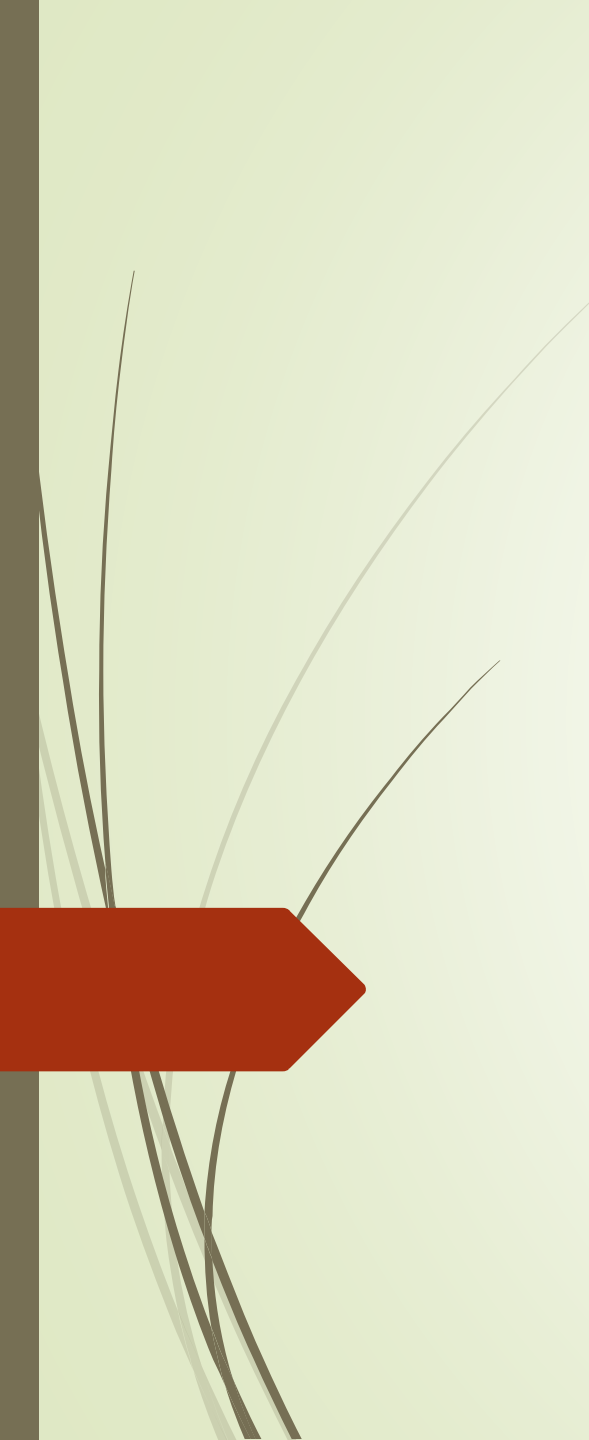
- Hydroelectric Power Plant at Whitlock Treatment Facility
- Southside Diversion Dam project
- Clear Creek Reservoir Expansion



QUESTIONS?

- We Are
Pueblo
Water video





Proposed Update to Pueblo Police Tow Regulations

Sgt. Michael Sincerbox
Pueblo Police Traffic Division Supervisor



Reason for the proposed change to current Tow Regulations

- The citizens of Pueblo have a right to know what and why they are being charged for towing services. DORA and PUC being the regulatory agencies, is open to all citizen concerns as well as public hearings and involvement in the process.
- In reviewing the current regulations, the current public tow rates do not account for extended time on scenes or excessive clean up of the scene.
- These rates are already regulated by the state that takes many factors into account. This does not need to be overregulated by the City of Pueblo without taking similar factors into account.
- Pueblo County Sheriff's Office as well as Colorado State Patrol follow PUC rates for their rotation tows.
- I researched many other communities with similar socioeconomic populations as Pueblo. This included, Trinidad, Walsenburg, Lamar, La Junta, Fort Morgan, Alamosa, Grand Junction, and Montrose. Lamar was the only community that regulated their Law Enforcement tows beyond what PUC regulates. My research shows that the majority of jurisdictions within the State of Colorado utilize PUC rates for their public tows.



Pueblo Police Tow Rotation List

- The Pueblo Police Department utilizes 13 separate tow companies for public tows.
- Inclusion to this list is limited and companies are vetted as they are direct representatives of the Pueblo Police Department and the City of Pueblo.
- Tow companies on the rotation are held to a high standard of work and ethical business practices.
- Rotation tows are available 24 hours a day, 7 days a week, 365 days a year no matter the weather or circumstances. They provide a specialized and invaluable service to the City of Pueblo, that can not be accomplished without their assistance and expertise.



Public Tow VS. Private Tow

- A PUBLIC tow is defined as the removal of a vehicle that is parked on a public right of way or public property at the direction of Law Enforcement.
 - Public Tows can be either consensual (owner knows) or Non-Consensual (abandoned vehicle)
- A PRIVATE tow is defined as the removal of a vehicle that is parked on either private property at the direction of property owner or vehicle owner. Private tow can also be on public property at the direction of the vehicle owner.
 - Private tows do not involve Law Enforcement.
 - HB 22-1314 enacted July 2022 further regulates private property tows and protects the public from predatory tow practices.



Public tows by year



YEAR	Total Tows	Recovered Stolen Vehicles
2019	4084	355
2020	3236	342
2021	4136	601
2022*	3476	656

(* as of October 12, 2022)

How does PUC get the rates that Tow Companies may charge?

- In 2014 the Colorado Towing Task Force was created under HB 14-1031. This created CRS 40-10.1-403 which enacted the creation of, rules and repeal of the Towing Task Force.
- Under CRS 40-10.1-403, The Task Force originally consisted of 9 members. In 2016 this was expanded to 14 members to allow more public interest to be heard.
 - These members are appointed by the Governor and include representatives from CO. Attorney General, Law Enforcement, Tow Association, Insurance Companies, members of the public who represent communities who are disproportionately affected by nonconsensual tows, people with disabilities, private property owners, ect.
- After 2 years the Task Force produced many rules and regulations for towing in the state of Colorado.
- Factors for towing pricing:
 - Equipment Costs
 - Fuel expenses
 - Insurance premiums
 - Property Prices
 - Employee Costs
 - Clean-up costs

Pueblo Police Tow rates Current

Tow of a vehicle between the hours of 8:00 a.m. and 5:00 p.m., which results from mechanical breakdown or non-accident related incident.	Flat fee of \$100
Tow of a vehicle between the hours of 5:00 p.m. and 8:00 a.m. and on federal holidays, which results from mechanical breakdown or non-accident related incident.	Flat fee of \$150
Tow of a vehicle between the hours of 8:00 a.m. and 5:00 p.m., which results from an accident or an abandoned vehicle missing wheels or otherwise incapable of movement.	Flat fee of \$160
Tow of a vehicle between the hours of 5:00 p.m. and 8:00 a.m. and on federal holidays, which results from an accident or an abandoned vehicle missing wheels or otherwise incapable of movement.	Flat fee of \$180
Tow of a vehicle with an attached trailer, whether the trailer is for recreational or other purposes, the carrier may charge one and a half times the standard rate for that time of day and type of tow. *Where the carrier must bring a second vehicle to tow a trailer, the carrier may charge the standard rate for both the towed vehicle and the towed trailer.	1.5x(Standard Rate)
Charge for use of winch when the vehicle is below the grade of the road regardless of incident resulting in tow, except where it is an abandoned vehicle missing wheels or otherwise incapable of movement.	\$75 for up to 100 feet
Charge for use of hydraulic lift when the vehicle is below the grade of the road regardless of incident resulting in tow.	\$40
After hours gate fee for access to vehicle at the days and times when the carrier lot is normally closed.	\$65
Drop fee in lieu of full tow fee in those situations when a tow is requested by the Police Department, but the tow is no longer necessary once the tow carrier is on the scene.	\$50
Search fees, filing fees and postage incurred by tow carrier in order to comply with C.R.S. §42- 4-1804.	Actual expense incurred and paid by tow carrier but in no event more than \$100
Charge for storage of any vehicle.	\$30 per day

PUC Tow Rate Rules

- ▶ PUC Tow rates are based on $\frac{1}{4}$ hour
 - ▶ This means that from the time the tow apparatus leaves the tow lot to the time it returns.
 - ▶ Tow rates are based on $\frac{1}{4}$ hour due to some scenes needing extensive clean up.
 - ▶ Tow companies may lose their license if they attempt to inflate their time.
- ▶ Tow rates are evaluated by PUC and can change only after legislative action with public input.
- ▶ Example: Tow company tows a vehicle involved in a minor disabling accident that takes only 45 minutes to recover and arrive back at their yard at 10pm.
 - ▶ Tow fee \$174.39 under proposed tow rate
 - ▶ Tow fee \$160.00 under current tow rate

Non-Fatal Crash 12/29/21

2100 blk E 4th St

Scene was approximately 2 ½ blocks long with a 3.5 hour clean up.



2 tow companies could only charge \$180 each after utilizing over \$800 worth of personnel and equipment.



Pueblo Police Tow rates Proposed

Vehicles Less than or equal to 10,000 pounds	\$232.52 per hour
Vehicles greater than 10,001 to 19,000 pounds	\$277.89 per hour
Vehicles greater than 19,001 to 33,000 pounds	\$362.96 per hour
Greater than 33,000 pounds	\$419.67 per hour
Heavy Rotator (60+ tons shall not exceed \$663.53/hr	\$663.53 per hour
Charge for use of winch when the vehicle is below the grade of the road regardless of incident resulting in tow, except where it is an abandoned vehicle missing wheels or otherwise incapable of movement.	\$75 for up to 100 feet
Charge for use of hydraulic lift when the vehicle is below the grade of the road regardless of incident resulting in tow.	\$40
Drop Charge in lieu of full tow fee in those situations when a tow is requested by the Police Department, but the tow is no longer necessary once the tow carrier is on the scene.	\$50
Search fees, filing fees and postage incurred by tow carrier in order to comply with C.R.S. §42- 4-1804.	Actual expense incurred and paid by tow carrier but in no event more than \$150
Charge for storage Less than 10,000 pounds Greater than 10,000 pounds By Length (at option of Tow Carrier)	\$39.18 per day \$48.32 per day \$1.50 per foot
PPD Regulated Rate	
Recovered Stolen Vehicle Tow (not involved in accident)	\$100 flat rate (extra fees may be allowed with PD Authorization)
Recovered Stolen Vehicle Storage	No charge for first 72 hours

Future tow rates will
comply with any
legislative change



Conclusion

- Tow Companies on the Pueblo Police Rotation List provide an invaluable service to the Police Department as well as the motoring public within the City of Pueblo.
- The Public Utilities Commission currently regulates the rates that tow companies may charge. There is no reason for the Pueblo Police Department to further regulate fees for this service.
- The rates are based on statewide and nationwide data.
- Finally, this is the fairest approach to regulate our tow service rates that most other jurisdictions have adopted within the state.



Questions, Comments, Concerns?

Sgt. Michael Sincerbox

719-553-2934