

**TOWING BOARD of REVIEW
MINUTES
March 18, 2009**

1. **CALL TO ORDER:** 1: 35 p.m. by Chairwoman Marian Gaylord.

2. **ROLL CALL:**

Abma	P	Gaylord	P	Ridenour	P
Baxter	P	Griffin	P	Tenney	P
Ferrero	P	LoGiudice	P	Walker-Norton/Cop	P
Friedman	P	Madsen	P	Wilson	P

Francis Cop substituted for Kimberly Walker-Norton, on behalf of Multnomah County.

3. **RECOGNITION OF TOWERS/OTHERS IN AUDIENCE:**

NAME

COMPANY

Tom Steigleder	ODOT
Kyle Nickels	City of Portland - Fleet Operations
Shane S. Ryan	Metro West Ambulance
Andrew Togstad	Safeguard Towing
Charlie Barker	A & B Towing
Eric Benson	A & B Towing
Don Beatty	Gerlock Towing
Lisa Dunn	Portland Police Bureau
Kati O'Brien	United Service Alliance
Ton'Ja Todd	United Service Alliance
Harry Zabeti	United Service Alliance
Cynthia Stadel	PPRI - Volunteers of America

4. **Introduction of New Towing Assistant** - Chair Gaylord, introduced Dennis LoGiudice to the Industry and Tow Board.

5. **Approval of Previous Month's Minutes** - Dick Griffin moved, and Mike Ridenour seconded, approval of the January 2009 minutes, as submitted. Motion passed, unanimously.

6. **Report from the Towing Coordinator**

a. Status of Payments: Former Towing Assistant, Allison Madsen, reported on the status of December and January fee payments. The Chair reminded the Board of the agreement to waive penalties for late payment of January, February and March fees.

b. Status of Reports: All monthly reports were timely.

- c. Status of Parking Enforcement Payments: All payments were timely.
- d. Bonding and Insurance: Nothing to report. Dennis will be taking on the responsibility for verifying insurance coverage. Chair Gaylord reminded the Tow Contractors to be sure that insurance companies forward certificates directly to the Towing Coordinator, instead of the Auditor's Office.
- e. Tow Log: distributed prior to meeting via email - one company was over the allowable pass percentage. Notice will be sent to Oregon Towing.

Motion by Mike Ridenour to approve the Towing Coordinator's report, seconded by Dick Griffin. Motion passed, unanimously.

7. **Old Business**

A. **Criminal History Denial Appeals -**

- i. Charlie Barker, A&B Towing - Record indicates convictions for felony burglary and unauthorized use of a motor vehicle in 2006. Released from custody in 2007. Currently in New Directions NW for drug treatment. Currently in one-on-one and group therapy. Charlie worked on 2001 contract at A&B Towing. Was not employed at A&B at the time of arrest. Eric Benson spoke on his behalf as well.

Motion by Mark Friedman to accept Charlie with one-year provisional conditions as established in the January board meeting. Dick Griffin seconded. Motion passed with one dissention by Mike Ridenour. A letter from Charlie's parole supervisor will be sent to Towing Coordinator verifying his status.

- ii. Ton'Ja Frazier Todd appeal, United Service Alliance -Ms Frazier Todd's record includes multiple felony convictions such as identity theft, passing bad checks, delivery of a controlled substance and providing false information to a police officer, the latest as recently as 2005.

The Chairwoman expressed concern Ms. Frazier Todd would have contact with credit card transactions and access to confidential police information.

Ms. Frazier Todd stated that she was on drugs at time of convictions but she is currently in the SE Works program and enrolled in school.

Harry Zabeti, Kati O'Brien, and Cynthia Stadel spoke on Ton'Ja's behalf, stating that she is a hard worker and has responded well to training and learns very quickly.

Discussion followed concerning the type of access she would have to financial transactions involving city tows - is there a way to have someone else handle payments?

Chairwoman Gaylord asserted that if Ms. Frazier Todd's appeal was granted, it would be important to have firmly established guidelines. If a problem came up related to United Service Alliance and having any connection to identity theft, the Board would have to answer to City Council.

Mike Ridenour pointed out that Ton'Ja's felony convictions start in 1994, and continue with multiple felony convictions in 2002, 2003, and 2005. Portland Police would not approve of her working on the city contract where she would also have contact with police evidence.

Chairwoman Gaylord commented that this is not an isolated situation. The convictions occurred over a number of years and quite recently. The criteria that the city has customarily applied in addressing these kinds of issues include three variables:

- *Can you show that it's not likely to reoccur and why?*
- *Was the conviction(s) remote in time?*
- *Did this event occur under circumstances that would diminish the seriousness of the behavior?*

Motion by Ed Ferrero to deny Ms. Frazier Todd's appeal. However, she would be allowed to reapply in six months with no guarantee of approval. Seconded by Mark Friedman. Motion passed, unanimously.

Ed Ferrero asked as to Ton'Ja's status at the company. Harry Zabeti stated that she would still be working with the company doing paperwork and working in other businesses owned by United Service Alliance/XXX, Inc., but not doing any City of Portland business.

B. Delinquent Payments to Towers

In the course of working with City accounts payable staff, it was suggested that the terms of payments to tow companies should be

changed from 60 days to 30 days, to encourage quicker action. The request is for amendment to Section 4.7 which states:

*"...the agencies will pay the tow contractor within **60 days** of an agency's acceptance of a correct billing submitted by the tow contractor for a tow performed under this tow contract."*

It is proposed that this be changed to specify payment within **30 days of an agency's acceptance...**

Motion by Ed Ferrero to accept the amendment change as presented. Seconded by Dick Griffin. Motion passed, unanimously.

C. Change in Office Hours

Letter of request from Bruce Schneider asking for a change in the mandated office hours. It is currently the standard that towers must man their offices from 8 - 6 Monday through Friday. They are allowed to assess gate fees for releases that happen outside of those hours, including weekends and holidays. If these hours can be changed from 9 - 6, it would be an advantage for towers in terms of staffing. If this change was approved, Chairwoman Gaylord would ask that it be conditioned on there being no gate fee between the 8 and 9 hour.

Motion to table till next meeting by Ed Ferrero. Seconded by Mike Ridenour. Unanimous vote to table.

8. New Business

A. **Application Materials for Dispatch Contract** - Changes to the Request for Proposals and the application were introduced for the Board's approval. The recommended changes are primarily in hardware requirements and update in computer systems, telephones, and a slight adjustment in the approval point system.

Ed Ferrero moved to accept the Dispatch Contract application materials as proposed. Seconded by Dick Griffin. Motion passed, unanimously.

B. **Summary of Proposed Changes Dispatch Contract** - The most significant recommended change is that, instead of a three-year contract with two one-year extensions, the term will be five years, with a provision for month-to-month extensions, if necessary. The current contractor has never been denied an extension year.

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Motion by Ed Ferrero to accept 2009 - 2014 Dispatch Contract as proposed by Towing Coordinator. Seconded by Mike Ridenour. Motion passed unanimously.

Chairwoman Gaylord informed the Board that applications for the 2009-2014 Dispatch Contract will be available on Monday, March 23, 2009. Completed applications are due April 20, 2009.

9. Motion by Ed Ferrero to adjourn, seconded by Dick Griffin. Meeting adjourned at 2:54 pm.