

**TOWING BOARD of REVIEW
MINUTES
May 20, 2009**

1. **CALL TO ORDER:** 1:36 p.m. by Chairwoman Marian Gaylord.

2. **ROLL CALL:**

Abma	A	Gaylord	P	Tenney	P
Baxter	P	Griffin	P	Walker-Norton	P
Ferrero	P	LoGiudice	P	Wilson	P
Friedman	P	Ridenour	P		

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

NAME

COMPANY

Tom Steigleder	ODOT
Don Beatty	Gerlock Towing
Aaron Hainline	Gerlock Towing
James Bruce	United Service Alliance
Harry Zabeti	United Service Alliance
Helen LaFong	Portland Police Bureau
Bruce Cuthbertson	Portland Police Bureau
Patrick Sanford	Safeguard Towing
Kathleen Butler	Regulatory Division

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

Approval of Minutes from Special Tow Meeting, April 14, 2009 - Bob Baxter moved, Dick Griffin seconded, approval of Special Tow Meeting, as submitted. Motion passed, unanimously.

5. **Report from the Towing Coordinator**

A. Status of Payments: Dennis LoGiudice, Regulatory Program Specialist, reported on the status of March and April fee payments and release log updates. The month of April was the last of four months that the Board approved for waiver of penalties for late payments, due to the City's problems with Accounts Payable. The Board was notified that Tow Contractors will be contacted with an update on service fees still owed.

During the four month amnesty, Newhouse-Hutchins alone has been consistently delinquent with monthly payments. Notice

will be sent informing them that if they do not make at least a partial payment, they may face suspension or other sanctions. The Board will receive copies of any correspondence.

- B. Status of Reports: All monthly reports were timely.
- C. Status of Parking Enforcement Payments: All payments were timely.
- D. Bonding and Insurance: Dennis is currently working on file set-up for insurance coverage.
- E. Tow Log: distributed prior to meeting via email - one company was over the allowable pass percentage. Notice will be sent to City Towing.

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

6. **Old Business**

A. **Report on results of Special Tow Board Meeting - United Service Alliance**

United Service Alliance was given sixty days' notice of unilateral cancellation of their contract.

A request was received from United Service Alliance to allow James Bruce, attorney, to address the Board on their behalf. Mr. Bruce listed actions taken by United Service Alliance to address the Board's concerns with their operation in the following areas:

- A company meeting was held to reiterate that Metro Express is not an affiliate of United Service Alliance and that drivers risk termination if they suggest any specific shop for repairs.
- Increased supervisory presence on lot. One owner is always on site to ensure that all company and contract policies are upheld. Additional cameras were installed.
- Employee pre-screening process instituted.

In light of the actions taken, Mr. Bruce requested that the Tow Board reconsider the unilateral termination of the contract and allow United Service Alliance back on the contract on a probationary basis.

Chairwoman Gaylord pointed out that the only things that would actually be debatable at this point would be whether the provision for a sixty-day notice of termination was provided for in the contract, and secondly, whether the Board followed its rules in choosing to exercise that

right. The Chair called for a motion to reconsider. As there was no motion, the matter was closed.

- B. Request for Change of Tow Contractor Office Hours - Letter from Bruce Schneider**
The Board discussed the concern that a change of office hours could result in additional inconvenience for citizens wishing to pick up their vehicle before or after the work day.

The Board asked for accurate statistics about the incidence of releases during the specified hours before making a final determination on the request. The Chair asked towers to keep a list of releases during these hours.

Motion by Ed Ferrero to table this issue until the July meeting. Seconded Dick Griffin. Unanimous vote to table.

7. New Business

- A. Review and approve award of the 2009 - 2014 Dispatch Contract -**

- i. At the March meeting, the Board approved the application materials. Applications were made available to all tow companies and advertised in local publications and on the Revenue Bureau website. HCKM, LLC dba Gerlock was the only application received.
- ii. Chairwoman Gaylord reported that the application was complete and very professionally presented. Points were awarded as noted on report to the Board. Out of a total of 200 points possible, Gerlock received 199.

Ed Ferrero moved to accept the recommendation from Chairwoman Gaylord to award the 2009 - 2014 Dispatch Contract to HCKM, LLC dba Gerlock. Seconded by Mark Friedman. Motion passed, unanimously.

- B. Amend Tow Contract - Water Bureau impound procedures - withdrawn from agenda at this time.**

- 8. Motion by Mike Ridenour to adjourn, seconded by Dick Griffin. Meeting adjourned at 2:24 pm.**

Minutes submitted by: Dennis LoGiudice