

**TOWING BOARD of REVIEW
MINUTES
JULY 21, 2010**

1. **CALL TO ORDER:** 1:50 p.m. by Chairwoman Kathleen Butler.
2. **APPROVAL OF AGENDA** - Ed Ferrero moved and Dick Griffin seconded approval of the Agenda, as proposed. Motion passed unanimously.

3. **ROLL CALL:**

Abma	P	Friedman	P	Tenney	P
Baxter	P	Gaylord	P	Walker-Norton	P
Butler	P	Griffin	P	Wilson	P
Ferrero	P	La Fong	P		

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

NAME

COMPANY

Don Beatty	Gerlock Towing
Steve Dehning	Crown Towing
Dave Reichert	Speed's Towing
Craig Steketee	Crown Towing
Don Tacha	Retriever Towing

5. **Approval of Previous Month's Minutes** - Mark Friedman moved, and Bob Baxter seconded, approval of the May, 2010 minutes, as submitted. **Motion passed, unanimously.**
6. **Report from the Towing Coordinator**
 - A. Status of Payments: Ms.Gaylord, introduced the first reports produced by the new Regulatory database.
 - B. Status of Reports: All towers' reports were timely.
 - C. Status of Parking Enforcement Payments: All payments were timely.
 - D. Bonding and Insurance: Renewals continue to be submitted to the City Attorney's Office for approval as to form.
 - E. Tow Log: distributed prior to meeting via email.
 - F. Tow Summary: In the months of May and June no tow contractors were over the allowable pass percentage.

Due to problems and inaccuracies in the monthly reports produced by the Regulatory database still to be worked out, the Towing Coordinator proposed that penalties for late submission be waived for the June and July periods.

7. **Report on ODOT Staging Project** - Nothing new to report.

Approval of Report from the Towing Coordinator - Mark Friedman moved, and Ed Ferrero seconded, approval of Report from the Towing Coordinator, as submitted. **Motion passed, unanimously.**

8. **Old Business**

- A. **Report on the sale of Handy Andy's Towing.** No new information has been received. The purchaser of the company has not submitted an application for assignment of the contract.
- B. **Update on the status of Oregon Towing** - The Towing Coordinator reported that Mark O'Reilly, owner of Oregon Towing continues to have health issues and is not yet ready to return to the rotation. The Towing Coordinator promised to keep the Board apprised of developments with this company.

9. **New Business**

- A. **Council Report on Abandoned Vehicle Tow Contract** - Towing Coordinator Gaylord reported that the award of the Abandoned Contract was unanimously approved by City Council to begin July 1, 2010, pending City Attorney approval of Retriever's insurance and bond.
- B. **Report on new PPB procedures and resulting Contract changes** - The Towing Coordinator reported on certain changes in release procedures for Portland Police tows and certain language that will need to be amended in the contract. This item will be added to the November Tow Board agenda for approval by the Board.
- C. **5th-wheel trailers** - Tow Desk manager, Don Beatty, described a problem that appears to be happening with increasing frequency. Tow Desk is having difficulty finding towers capable of towing vehicles with a "5th-wheel" type of system for attachment. Mr. Beatty asked for direction from the Board on how to meet this need. Discussion followed regarding additional problems that must be considered, such as braking. The Towing Coordinator asked for input from the industry about developing a standard to deal with 5th-wheel tows, with the intention of bringing a recommendation to the September Tow Board meeting.
- D. **Additional equipment requirement** - A safety request was made by ODOT to add at least 3 "traffic cones" as required equipment on contract tow trucks. Because there were no ODOT representatives present, the TC proposed that further

discussion should take place to develop a recommendation for the September meeting of the Board.

- E. **Appeal of intent to deny - Donald Tacha, Retriever Towing**
- The TC introduced Mr. Tacha and the problems with his DMV record that prompted the issuance of an "Intent to Deny" letter. She described changes in the driving standards that came into effect with the current tow contract; reducing the acceptable number of derogatory items in a five year period from the previous number of five to the current standard of three. Mr. Tacha's record contains more than the allowable number of problems. The Board was provided with a copy of Mr. Tacha's record and information about the meaning of certain abbreviations. The Board asked clarifying questions of Mr. Tacha. Chairman Butler expressed a concern that guidelines be established to ensure that exceptions are made without favoritism or prejudice. A tower commented that a driver should be acceptable if the company's insurance is willing to cover him. The TC answered that specific confirmation from the insurance company would be necessary because of past incidents when the insurer was unaware of a driver's record. Ed Ferrero asked if Retriever Towing had expressed support for Mr. Tacha. The TC confirmed that the company was very supportive.

Ed Ferrero moved that the Board accept Don Tacha as a driver under the Contract provisionally for one year, with the following conditions:

1. Retriever Towing must provide written confirmation from their insurer that Mr. Tacha is covered under Retriever's policy; and,
2. Retriever Towing and/or Mr. Tacha will report to the Towing Coordinator within 48 hours any traffic infraction, serious traffic violation or motor vehicle accident incurred by Mr. Tacha during the provisional period. Any traffic infraction, violation or motor vehicle accident occurring during the provisional period will be reported to the Board and may be grounds for disqualification; and,
3. Every three months, Mr. Tacha will submit to the Towing Coordinator, a current copy of his Oregon driving record; and,
4. Within 60 days, Mr. Tacha will complete a driver education class, as approved by the Towing Coordinator.

Motion seconded by Lt. Bob Baxter, Port of Portland.
Motion approved, unanimously.

10. **Motion by Mark Friedman to adjourn, seconded by Ed Ferrero.**
Approved unanimously. Meeting adjourned at 2:38 pm.

Minutes submitted by: Marian Gaylord, Towing Coordinator