## Towing Board of Review Minutes May 18, 2011

- 1. Call to Order: 1:40 PM by Chairwoman, Kathleen Butler.
- 2. Roll Call:

Baxter	P	Ferrero	A	La Fong	Ρ
Butler	P	Gaylord	P	Osoinach	Ρ
Child	P	Griffin	A	Tenney	Ρ
Farres	Р	HunterP	Wil	son P	

3. Recognition of Towers/Others in Audience

<u>Name</u>	Company
Don Beatty	Gerlock Towing
Jesse Copeland	Sergeants Towing
John Daniels	A & B Towing
Kim Karnes	Gerlock Towing
Mark Middleton	21 <sup>st</sup> Century Towing
Dave Reichert	Speed's Towing
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Patrick Sanford Safeguard Towing Tom Steigleder ODOT Craig Steketee Crown Towing

4. Appeal of Intent to Deny - John Daniels, A & B Towing - Ms. Butler proposed moving item number 5(A), appeal of Intent to Deny, to the top of the agenda. Because of the personal nature of the appeal, Ms. Butler asked for a motion to discuss the appeal in executive session. Donald Hunter moved, and Helen La Fong seconded. Motion passed, unanimously.

This agenda item was set over from the March Tow Board meeting (please see previous meeting minutes) so that Ms. Gaylord could obtain more information.

Ms. Gaylord presented information from Hoai "Andy" Tran, Mr. Daniels' former employer. Mr. Tran's statements contradict Mr. Daniels' account of what led to his felony conviction. Ms. Gaylord also spoke with Detective Bridget Sickon, who said that Mr. Daniels had missed the window of time in which he could have had another felony conviction removed from his record.

The Board reconvened from executive session at 1:50 PM. Bob Baxter moved to deny the appeal and Helen La Fong seconded. **Motion passed, unanimously.** 

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- 5. Approval of Previous Month's Minutes Helen La Fong moved and Bob Baxter seconded approval of the March 2011 minutes, as submitted. Motion passed, unanimously.
- 6. Report from the Towing Coordinator and staff
  - A. Status of Service Fee Payments: All Contract service fee payments have been received.
  - B. Status of Monthly Report Submissions: All monthly reports have been received.
  - C. **Bonding and Insurance Status**: Sam's Towing is still off the Contract because they haven't been able to obtain a payment and performance bond. Since they have been off the Contract for over 30 days, they will have to be re-inspected and receive Board approval before reinstatement.
  - D. Tow Log for Previous Month: Copies of the Tow Log for April were distributed to the Board. No one was over the allowable 10% pass percentage.

Ms. Gaylord also reported that three people have expressed an interest in buying Handy Andy's Towing. She has informed the interested parties that they will have to submit a Letter of Intent. Ms. Gaylord explained that a seller has to come before the Board to request assignment of the Contract to a buyer, and that a buyer must go through an approval process. Should a sale happen before Board approval, the Contract is abandoned and the new owner must wait until the next application period.

The Towing Coordinator and staff reports were accepted without objection.

## 7. Old Business

A. 60 day review of fuel surcharge - Ms. Gaylord reported that fuel prices have remained high and recommended extending the fuel surcharge for another 60 days. Supporting data from the U.S. Energy Information Administration was also provided to the Board. Helen La Fong moved to accept the recommendation and Donald Hunter seconded. Motion passed, unanimously.

## 8. New business

A. Request for rate increase - Dispatch Contract - Tow Desk has requested a rate increase as provided by Section 10.1.2 of the Contract for Central Dispatching of Towing Services. A memo was distributed to the Board explaining the provision as well as the impact of the rate increase.

Ms. Gaylord recommended an increase of \$0.75 based on the Consumer Price Index (CPI). This raises the Tow Desk fee from \$14.75 to \$15.50. In addition to the tower fee of \$104.13 and City service fee of \$20 (as of July 1), the

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total basic fee to the citizen will be \$139.63. An "evener" of \$0.37 was applied, making the fee \$140 as of July 1.

Bob Baxter moved to accept the recommendation and Helen La Fong seconded. Motion passed, unanimously. (The rate increase will be effective July 1, 2011)

B. Request for change of district boundaries - Sergeants Towing D3 - Ms. Gaylord reminded the Board that in 2007, a proposal to dissolve District 3 was briefly discussed and found to be unnecessary. She has received a request to re-consider the proposal.

A memo was distributed to the Board explaining the proposed elimination of District 3 and the impact of redistribution of territory to Districts 2 and 4. Ms. Gaylord reported that the monthly average projected increase would be six tows for each tower in District 4, and four tows for each tower in District 2.

Steve Preston, owner of Sergeants Towing, explained that it wasn't financially feasible to maintain District 3.

Bob Wilson, industry representative from District 4, expressed the concern that Sam's Towing may return at a later time, resulting in four towers in the district and fewer tows for each tower. There are currently two towers in the District since Sam's Towing left the Contract. He also said that towers should be held to the contracts they signed.

The question was raised whether A & B Towing in District 2 would be able to handle the increased volume, especially in the winter. Mr. Wilson said that a representative from A & B Towing should be given the opportunity to speak before a decision is made.

Ms. Gaylord reminded everyone that the Contract specifically gives the Board the right in its sole discretion to modify dispatching districts and procedures at any time. She added that when districts are re-drawn, the first concern must be how it affects service to agencies.

Ms. Butler said it appears that more research needs to be done on how the re-districting will affect towers and the County. Ms. Butler asked for a motion to take action or a motion to postpone the item. Bob Baxter moved to postpone a decision and Don Hunter seconded. Motion passed, unanimously.

## 9. Adjourn

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Ms. Butler asked for a motion to adjourn. Bob Baxter moved that the meeting be adjourned, and Rebecca Child seconded. **The motion passed, unanimously.** Meeting adjourned at 2:27 PM.

Minutes submitted by Jenny Farres: Regulatory Program Specialist