

TOWING BOARD OF REVIEW MEETING

Wednesday March 20, 2019

1:30pm to 2:15pm

City Hall

1221 SW 4th Ave

Pettygrove Room

AGENDA

1. Call to Order
2. Board Action: Approval of Agenda (2 minutes)
3. Approval of November 21, 2018 minutes (2 minutes)
4. Public Comment (3 minutes)
5. Information: Citywide Boards and Commissions Ordinance (20 minutes)
6. Action Item: Appeal of Intent to Deny of employee Keyth Howell (10 minutes)
7. Tow Coordinator Report (8 minutes)
 - Dispatch Software Contract Update
 - Performance Metrics: Passes, tows completed
 - Tow Summary
8. Adjourn

TOWING BOARD OF REVIEW MEETING MINUTES

Location: Congress Center 1001 SW 5th Ave, 5th Floor, Conference Room 513

Date: November 21, 2018

Time: 1:30pm

Attendance

P	Richard Helzer	P	Scott Bradley	P	Ae-young Lee
A	Lynette Brown	A	Michael Huggins	P	Michael Bouyear
P	Francis Cop	P	Eric Benson	P	Clark Tenney
A	Glenn Fullilove	A	Kimberely Patterson	P	Patrick Kramer

*Attendance sheet used for other attendees

Agenda Items

1. Call to Order

2. Board Action: Approval of Agenda

Motion to Approve Agenda by Helzer

Seconded by Cop

Motion passed unanimously

3. Public Comment

No public comment

4. Informational: Potential Basic Contract Framework

Kramer summarized the City's plans for a more flexible contract/agreement for towing services. The City is considering a price agreement with towers which sets scope of work and pricing. Procedural related matters would be in Portland City Code and Administrative Rules. We anticipate these changes will not effect the everyday operations of towing companies. Ideally, it would result in a more streamlined contract renewal and amendment process. There is still time to provide input on procedural changes towers would like to see in the contract. This would not remove minimum criteria for tow contractors to meet in order to qualify for a tow contract with the City. Bradley thought it would be helpful to see a mock up document to see what it would look like. Tenney stated that if towers could join at anytime, it makes it difficult for current towers to forecast business expenses and needs. Tenney also stated that those that have served the City for a number of years and made infrastructure investments based on the tow contracts need to be protected from changes. A yearly agreement or permit doesn't work for the towers. The towers need more of a commitment. We're open to suggestions from you to address any concerns you have. Coe suggested dilution could be an issue as they are performing tows at a discounted rate for the City. He suggested having a set number of towers with back ups as needed, similar to Washington County. Kramer stated that a concept being considered includes a primary rotation which would be offered tows first and a secondary rotation of towers would be available for tows that the primary rotation is unable to accommodate.

5. Informational: PPB Auto Records Housekeeping

Bouyear discussed issues Auto Records is having with towers not following procedure. Since August 15th, there have been 80 issues reported.

a. VIN Rechecks:

These are required to be completed within 30 minutes but are taking sometimes days to complete.

b. Administrative Release Requirements:

A reference sheet showing when a release is needed was provided to the towers. Bob Wilson from Newhouse & Hutchins Towing stated that a change in violation by the Officer creates issues at times. ODOT has the same Hazard tow violation which also can cause confusion. ODOT does not require a release for their Hazard tow. Cop stated that the Multnomah County Sherriff's Office is moving towards a printed slip instead of hand written. Cop asked if slips were still helpful to towers. Towers stated yes. Coe suggested there be some flexibility in the time allowed to complete the request. If you're not sure if it needs a release, call Auto Records and they would be happy to assist.

c. Release Reporting.

Release reporting is also an issue, although it occurs less frequency.

Kramer asked the tower in the room if there is something that we could do differently to make it easier to be compliant. They suggested more time. Kramer noted that when the time limit was created tow attendants were required on the lot. It was suggested that the towers take a picture of the VIN when visible. If the VIN is significantly different, a physical inspection is needed. Do not read the VIN off the invoice when asked for a VIN recheck.

Kramer also mentioned that there have been several cases when a release fax has not gone through to Tow Desk. Is email an option? Connie from Tow Desk said that their night shift does not utilize their generic email box. It was suggested that day time email should be used, towdesk@gerlocktowing.com. At night or when faxes are sent, it is suggested that the tower attach the confirmation report to the release report that was faxed.

6. Tow Coordinator Report by Kramer

a. Inclement Weather:

Make sure trucks are equipped with chains and are ready for inclement weather. Same plan as last year will be used; ODOT will tag vehicles and towers come by and tow the tagged vehicles and take them to their lot.

b. Street Sweeping Tows:

Alerted non sweep towers to be ready for additional tows in the rare case that sweep towers are unable to handle regular district calls during the sweeps.

c. Dispatch Software Contract Update:

PBOT is meeting with Procurement staff this week to discuss next steps. There are no known issues to be concerned about, it is just taking time.

d. FastTrack.gov: New online database.

PBOT is getting a new database to contain all employee, equipment, company and complaint information. It is a cloud-based system. Towers will have a login, and be able to request new hires, respond to complaints, update equipment and employee records.

e. Performance Metrics: Passes, response times, tows completed.

Kramer summarized various performance metrics for response times. Average of just over 18 minutes for rush hour and about 16 minutes for non rush hour tows. In October 2018, there were 5710 tows completed.

Bradley asked about a parking lot of issues that are to be addressed in the next contract and perhaps set up a sub committee to discuss these.

7. Adjourn

Minutes respectfully submitted by Patrick Kramer, Towing Coordinator.

RESOLUTION No. 37328 As Amended

Enhance community service opportunities and strengthen the transparency and accountability of City advisory bodies (Resolution)

WHEREAS, local government works best when community members and government make decisions collaboratively, and robust public engagement is essential to sustaining this partnership; and

WHEREAS, effective public involvement strengthens public trust, better addresses the needs and priorities of the community, and increases the legitimacy and accountability of government actions; and

WHEREAS, opportunities to serve and volunteer should be accessible and meaningful to a broadly representative group of community members; and

WHEREAS, the City of Portland is committed to transparency and accountability, and to effective community involvement in government decisions; and

WHEREAS, the City has over 100 advisory bodies (boards, commissions and committees) that provide valuable guidance to City bureaus and the Council on a wide variety of issues; and

WHEREAS, the City does not have standard policies to ensure effective functioning of advisory bodies, including a comprehensive database of advisory bodies, uniform training for members and staff, and conflict of interest disclosures; and

WHEREAS, the City Council seeks to understand not only the conclusions of the body but also the substance of its deliberations and for that reason encourages the submission of minority reports along with the majority recommendation; and

WHEREAS, Citywide standards advance meaningful public involvement, provide consistency and clarity on the role of advisory bodies, and give community members greater confidence in the value of their service; and

WHEREAS, pursuant to Council Resolution No. 37285, adopted May 11, 2017, the City has taken affirmative steps to create protocols and procedures in line with best practices for public involvement; and

WHEREAS, the City Attorney's Office, in consultation with the Office of Neighborhood Involvement, Office of Management and Finance, and Office of Equity and Human Rights, coordinated the development of a comprehensive inventory of City advisory bodies and has prepared the following:

- Uniform application, including mandatory conflict of interest disclosure form.
- Training materials for City staff who facilitate advisory bodies.
- Training materials for members of advisory bodies.

- Bylaws template, including recommendations regarding mandatory term limits, staggered terms, and subcommittee participation.
- Options to track the delivery of training.
- Survey to be completed by members at the end of their service.
- Values to guide transparent selection processes.

NOW THEREFORE, BE IT RESOLVED, the Office of Neighborhood Involvement, in coordination with the office of the City Attorney, shall be the lead office in implementing these new policies and procedures; and

BE IT FURTHER RESOLVED, as part of the FY 2018-19 budget process, the Office of Neighborhood Involvement will request adequate resources to ensure proper and timely implementation of these new policies and procedures; and

BE IT FURTHER RESOLVED, within one year of passage of this Resolution, the Office of Neighborhood Involvement will report to Council on the implementation of these new policies and procedures; and

BE IT FURTHER RESOLVED, existing advisory bodies will consult with the Office of Neighborhood Involvement to implement best practices for board functioning; and

BE IT FURTHER RESOLVED, that this resolution is binding City policy.

Adopted by the Council: NOV 08 2017

Commissioner Nick Fish
 Commissioner Chloe Eudaly
 Commissioner Amanda Fritz
 Prepared by: Amira Streeter, Jamey Duhamel,
 Claire Adamsick
 Date Prepared: September 20, 2017

Mary Hull Caballero
 Auditor of the City of Portland

By



Deputy

Kramer, Patrick

From: Jesse Copeland <jesse@sergeantstowing.com>
Sent: Tuesday, January 15, 2019 8:24 AM
To: Kramer, Patrick
Subject: Keith Howell

Patrick,

I would like to appeal the ITD for Keyth Howell please.

Thank you,

Jesse

Sent from my Verizon, Samsung Galaxy smartphone

From: [Kramer, Patrick](#)
To: [Sergeant's-Jesse Copeland](#)
Subject: Howell ITD
Date: Thursday, December 20, 2018 8:58:00 AM
Attachments: [image003.jpg](#)

Hi Jesse,

We have reviewed Keyth Howell's driving record. After reviewing the record, we intend to deny the request for approval of Keyth Howell to work on the Contract. Keyth Howell does not meet the minimum Contract standards.

Factor(s) considered in the decision

1.23.4 An active Department of Motor Vehicles (DMV) record for the five year period immediately preceding the date of application with not more than: three (3) traffic infractions as defined in ORS 801.550, or three (3) serious traffic violations as defined in ORS 801.477, or three (3) motor vehicle accidents which are required to be reported to DMV under ORS 811.720, or, greater than three (3) of any combination of infractions, suspensions, serious traffic violations or motor vehicle accidents, as defined above.

You may request reconsideration by the Towing Board of Review at the next regular meeting. **To do so, send me a written request for reconsideration by January 7, 2019.** This can be done via email at Regulatory@portlandoregon.gov or via fax to 503.865.3022.

Patrick

Patrick Kramer | Towing Coordinator
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Amendment to Towing and Vehicle Storage Contract: Section 1.23-1.23.10

- 1.23 Qualified Driver: A person registered with the City as a tow truck driver, and employed by a Tow Contractor. This includes anyone driving on a part time or occasional basis for work on the contact. A Qualified Driver must possess all qualifications of a Qualified Employee and the following:
 - 1.23.1 Successful completion of approved tow training. Tow Contractor may choose any commercial training program pre-approved by the Towing Coordinator and the Industry Representatives to the Board. Proof of completion must be submitted to the Towing coordinator within 6 months of becoming a Qualified Driver; and
 - 1.23.2 Contract certification; and
 - 1.23.3 Current valid operator's license for the class(es) of vehicle they will be driving; and
 - 1.23.4 An active Department of Motor Vehicles (DMV) record for the five year period immediately preceding the date of application with not more than:
 - 1.23.4.1 Three (3) traffic infractions as defined in ORS 801.557;
 - 1.23.4.2 Three (3) serious traffic violations as defined in ORS 801.477; or
 - 1.23.4.3 Three (3) motor vehicle accidents which are required to be reported to DMV under ORS 811.720; or
 - 1.23.4.4 Greater than three (3) of any combination of infractions, suspensions, serious traffic violations or motor vehicle accidents, as defined above.
 - 1.23.5 DMV records will be reviewed by the Towing Coordinator or designee on behalf of the Tow Board. If a person's DMV record does not meet the minimum Contract standard, an "intent to deny" notice will be sent describing the reason for the denial and providing an opportunity for the applicant to provide additional information.
 - 1.23.6 If a driver applicant has at least three, but less than five years of driving record within the five years immediately previous to the application the Towing Coordinator may grant probationary approval for a period sufficient to make up the missing time. During the probationary interval, periodic DMV rechecks will be performed by City staff. Any additional violations found will be reported to the Board and the driver may be removed from eligibility. Such approval by the Towing Coordinator is subject to review by the Tow Board at the next regular meeting.
 - 1.23.7 Qualified Employee: A person registered with the City, employed by a tow contractor, who will not drive in relation to work on the contact but will

perform other duties related to the contract. To be a Qualified Employee they must also meet the following criteria:

- 1.23.7.1 Current State Issued or Government Issued ID. State ID Must be issued by the state of residence.
- 1.23.7.2 Completion of Contract Certification within 6 months of being hired.
- 1.23.7.3 Signed Confidentiality Agreement (Attachment 3) and Criminal and Driving Record Consent Form (Attachment 12)
- 1.23.7.4 Criminal history containing no felony convictions for criminal offenses including, but not limited to, crimes involving vehicles or vehicle parts, sex crimes, robbery, burglary, assault, drugs, prostitution, weapons, fraud, trafficking in stolen goods or any traffic crime, including but not limited to, driving under the influence of intoxicants, reckless driving, attempt to elude a police officer, leaving the scene of an injury accident or hit and run.
- 1.23.8 Criminal history records will be reviewed by the Towing Coordinator or designee on behalf of the Tow Board. If a person's criminal history does not meet the minimum Contract standard, an "intent to deny" notice will be sent describing the reason for the denial and providing an opportunity for the applicant to provide additional information.
- 1.23.9 A person whose criminal history does not meet the standard may, with the Board's approval, be granted a provisional approval for one year. During this time, periodic criminal history rechecks will be performed to monitor that no further violations have taken place. Any additional violations found in random re-checks will be reported to the Board and may result in removal from eligibility.
- 1.23.10 The Towing Coordinator or designee may periodically review a Qualified Driver or Qualified Employee's driving or criminal records on behalf of the Board. If at any time the Qualified Driver or Qualified Employee (Employee) no longer meet this Contract's minimum standards as listed in this Section, the employee may be removed from eligibility at the discretion of the Tow Coordinator in the interest of public safety. Failure to meet this standard will result in notice to the Tow Contractor and the subject driver with details of any disqualifying items found in the review. Remedies provided by Section 7.3 will be applied.

Tow Summary For 02/2019 (All Agencies)(All Orgs)

Tower	Completed Tows By Type				Completed Tows By Class			Cancel /GOA	Passes By Class			Total Calls	Pass Percent			
	PR	PNP	PP	CR	AB	A	B		C	Other	A			B	C	Other
AB																
Sergeants Towing PA	95	0	0	0	0	94	0	0	1	30	0	0	0	0	125	0.00%
Speeds Towing PA	106	0	0	0	0	104	0	0	2	26	0	0	0	0	132	0.00%
D2																
A&B Towing & Recovery 2	73	22	0	0	0	94	1	0	0	35	3	0	0	3	133	2.26%
Retriever Towing	83	24	0	3	0	99	7	0	4	28	5	4	0	2	149	7.38%
Sergeants Towing 2	79	18	0	1	0	97	0	1	0	27	6	0	0	0	131	4.58%
D4																
21st Century Towing	36	18	0	3	0	52	0	0	5	10	0	0	0	0	67	0.00%
Newhouse Towing 4	27	18	0	1	0	46	0	0	0	5	1	0	0	0	52	1.92%
Sergeants Towing	27	20	2	3	0	52	0	0	0	6	3	0	0	0	61	4.92%
D5																
21st Century Towing 5	68	39	0	0	0	103	2	0	3	12	0	0	0	0	119	0.00%
Newhouse Towing 5	53	39	0	0	0	88	0	0	4	18	4	0	0	0	114	3.51%
Speeds/SuperTow 5	58	47	0	3	0	104	0	0	4	13	4	0	0	4	125	3.20%
D6																
Loop Hi-Way Towing	54	19	0	2	0	73	1	0	1	3	3	0	0	0	81	3.70%
D7																
21st Century Towing 7	83	31	0	3	0	114	0	0	3	9	0	0	0	0	126	0.00%
A&B Towing & Recovery	86	24	0	5	0	111	0	0	4	12	3	0	0	2	132	3.79%
D8																
A&B Towing & Recovery	33	26	0	3	0	60	0	0	2	20	3	0	0	0	85	3.53%
Newhouse Towing 8	29	29	0	2	0	58	0	0	2	20	1	0	0	0	81	1.23%
Sergeants Towing 8	44	22	0	1	0	67	0	0	0	11	1	0	0	0	79	1.27%
Speed's/Supertow Towing	45	18	0	3	0	64	1	0	1	17	1	0	0	0	84	1.19%
D9																
MISC	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0.00%
DA																
Sergeants Towing	23	4	0	0	0	27	0	0	0	1	0	0	0	0	28	0.00%
Speeds Towing Abandon	30	2	0	0	0	30	2	0	0	3	0	0	0	0	35	0.00%

Tow Types: PR = Police Request PNP = Private Non Preference PP = Private Preference CR = City Request

Tow Summary For 02/2019 (All Agencies)(All Orgs)

Tower	Completed Tows By Type				Completed Tows By Class			Cancel /GOA	Passes By Class			Total Calls	Pass Percent			
	PR	PNP	PP	CR	AB	A	B		C	Other	A			B	C	Other
DC																
A & B Towing	2	4	0	3	0	0	0	9	0	0	0	3	0	3	13	23.08%
Gerlock Towing & Heavy	5	5	0	1	0	0	0	9	2	9	0	0	0	0	20	0.00%
DP																
21st Century Towing	0	0	0	0	0	295	0	0	0	9	0	0	0	0	9	0.00%
A&B Towing	0	0	0	0	0	8	0	0	0	1	0	0	0	0	1	0.00%
Retriever Towing	0	0	0	0	0	246	0	0	0	19	0	0	0	0	19	0.00%
Sergeants Towing	0	0	0	0	0	76	0	0	0	4	0	0	0	0	4	0.00%
Total:	1139	429	2	37	0	2162	14	19	38	350	38	4	3	4	2006	2.44%

Tow Types: PR = Police Request PNP = Private Non Preference PP = Private Preference CR = City Request