

**Towing Advisory Board
Annual Report
July 2016– June 2017**

Summary of Accomplishments

The mission of the Tow Advisory Board includes providing a public forum for issues related to the towing and impounding of vehicles within the City of Alexandria and making recommendations to City Council regarding policy and ordinance changes for towing requirements. Within these guidelines, the Towing Advisory Board membership completed the following activities during its 2016/17 year.

Towing Advisory Board Policy and Membership Accomplishments

- The towing advisory board currently has one vacancy for a tow operator representative. Efforts will be made in FY2018 to fill this tow operator vacancy.
- Made a recommendation to City council to update the City Ordinance to reflect Virginia code requirement of 1 citizen at large board member. The Towing Advisory Board previously contained 2 citizen at large members until City Council approved the ordinance change to 1 citizen at large member in June 2017.
- A full list of topics discussed in FY2017 are contained in the meeting minutes for the November 2, 2016 and May 9, 2017 Tow Advisory Board meetings, which are contained in Appendix 1.

Leadership

- Currently Amy Slack is serving as the chair of the board. A new chairperson will be elected in FY2018, as state law (as well as City Ordinance) were changed in FY2017 to require the board chairperson to rotate annually.
- During the course of the year, membership included the following individuals:
 - Deputy Chief Chris Wemple
 - Lt. Jerry Newcomb
 - Amy Slack
 - Charity Ave-Lallemant
 - Dwight Goochenour
- Matt Melkerson and Emad Salman in the Department of Transportation & Environmental Services acted as the staff liaison to the Towing Advisory Board during the course of the 2016/2017 year.

Attachments

1. Meeting Minutes from FY2017 Tow Advisory Board meetings

Towing Advisory Board Meeting Notes November 2, 2016

Meeting was called to order at 1:36 PM by Chairperson Amy Slack.

Introductions were made; since the previous meeting John Zook resigned as the City Impound Officer and the new Impound Officer, Emad Salman, was introduced to the board. Deputy Chief Wemple also replaced Deputy Chief Gittins as a Police representative to the board.

New Business:

Alignment of City of Alexandria Tow Advisory Board Membership Requirements with State Tow Advisory Board Membership Requirements

There was significant discussion on the membership requirements of the Tow Advisory Board. The State code only allows 1 citizen member, whereas the City code allowed for two citizen members. City code needed to be updated to reflect state code regarding citizen membership.

Specific questions were raised that staff took back to the City Attorney's Office (CAO) for clarification after the meeting (the clarification provided by the City Attorney's Office is included in italics after the questions – these answers were obtained after the meeting):

1. It is possible to have a designated "alternate" general public member who could stand in for the designated general public member (and vote) in the absence of the designated general public member *CAO Opinion: State code does not have a provision for an "alternate" general public member, so no.*
2. Could there be flexibility in the number of members on the board in the City Ordinance (i.e., a minimum of 5 members but no more than 7 members) *CAO Opinion: The number of board members should be defined at a set number, not a range*
3. Can the City Ordinance be changed to state membership of law enforcement be broadened from "Alexandria Police Department" to "Alexandria Law Enforcement" (which would then include Alexandria Sheriff's Deputies and Alexandria Fire Marshalls). *CAO Opinion: This change would be allowed.*
4. Is the language in the ordinance stating that the Advisory Board is to approve contracts factually correct? *CAO Opinion: This should be changed to "recommend approval of contracts"*
5. Is it possible to have virtual meetings? *CAO Opinion: Virtual meetings are not allowed due to FOIA requirements.*

If the membership requirements are changed from two citizen members to one, then Amy Slack indicated that she would be the citizen member to step down from the towing advisory board.

With no additional new business, the board adjourned at 3:49 PM.

Towing Advisory Board Meeting Notes May 9, 2017

Meeting was called to order at 2:05 PM by Chairperson Amy Slack.

Old Business:

Alignment of City of Alexandria Tow Advisory Board Membership Requirements with State Tow Advisory Board Membership Requirements

There was follow up discussion on the membership requirements of the Tow Advisory Board from the previous meeting. The State code only allows 1 citizen member, whereas the City code allowed for two citizen members. City code needed to be updated to reflect state code regarding citizen membership.

The specific questions raised at the previous tow advisory board meeting were discussed, including the City Attorney's Office opinions.

The tow advisory board voted unanimously to recommend the following changes to City Council for their consideration in updating the ordinance:

1. Have the tow advisory board composition consist of two Alexandria law enforcement representatives, two tow truck operators, and one citizen at large.
2. Modify the ordinance to state "recommend approval to contracts as necessary".

New Business:

Updates to Laws affecting Tow Advisory Board approved by General Assembly and signed by the Governor

While several new bills were proposed, the only bill that was passed that would affect the towing was presented at the meeting:

- a. HB1960/SB1468 – HB1960 Passed – New requirements:
 - i. Creates a civil penalty of \$150 to be paid into the Literacy Fund for any tow truck driver convicted of Improperly towing in Planning District 8
 - ii. Exempts tow truck drivers in Planning District 8 from obtaining written authorization from the tow advisory board in the event a vehicle is being removed from private property
 - iii. In Planning District 8, tow truck driver must immediately notify animal control if vehicle being towed is occupied by a companion animal.
 - iv. Limits membership of tow advisory board to only representatives of local law-enforcement agencies, representatives of licensed towing and recovery operators, and one member of the general public.

- v. Requires chairmanship to rotate annually between board members who represent a licensed towing and recovery operator, a local law-enforcement agency, and the general public

With no additional new business, the board adjourned at 3:05 PM.