

**ADVISORY BOARD MEETING ON TRESPASS VEHICLE TOWING
MINUTES OF MEETING HELD ON MONDAY, OCTOBER 22, 2012**

The Advisory Board on Trespass Vehicle Towing met on Monday, October 22, 2012 in the Arlington County Government offices at 2100 Clarendon Boulevard.

The meeting was attended by: Ms. Nancy Iacomini (voting member), Captain Darrin Cassedy (voting member), Sergeant Roger Stegall (voting member), Detective Thomas Rakowski (voting member), Mr. John O'Neill (voting member), Mr. Fred Scheler (voting member), Mr. Bill Mansour (voting member), Mr. Charles Clohan (non-voting member) Mr. Al Leach (non-voting member), Mr. Joshua Robinson (non-voting member) and Mr. Charles Abernathy (non-voting member). In addition to the Advisory Board members, the meeting was also attended by several other representatives from the towing and recovery operator industry.

The meeting was called to order at 6:17 p.m. by the staff coordinator, who thanked the members for agreeing to serve on the Advisory Board and provided an overview of the charge, scope, procedures and rules of participation for the Advisory Board.

The first order of business was the election of a Chairperson as required by Code of Virginia 46.2-1233.2. Nancy Iacomini was nominated by John O'Neill. No other nominations were made and Ms. Iacomini was elected Chair by a vote of 5-0.

Following a review and approval of the Advisory Board meeting minutes from December 15, 2011, Ms. Iacomini asked staff to provide a review of the Advisory Board recommendations made in previous years. Detective Rakowski was then asked to provide a summary of the complaints investigated by the ACPD in 2012. This summary included a more detailed discussion of the substantiated complaints and the towing violations that were discovered. Stating a desire to have more complete information on towing in Arlington, Ms. Iacomini requested County staff compile information on the total number of trespass tows executed since the County's towing ordinance was enacted and the number of complaints received by the County. The staff coordinator agreed to look into ways in which to provide additional information to the Advisory Board at upcoming meetings.

The Advisory Board moved to a section-by-section review of the ordinance. Mr. O'Neill made a motion, which was seconded, to forward the Advisory Board recommendations from the December 15, 2011 meeting to the County Board. Following a discussion, the motion was successfully amended to exclude Sections 14.3-7 and 14.3-9, related to storage facilities and fees. The amended motion was agreed to unanimously.

The Advisory Board then moved to a review of Section 14.3-7. Mr. Scheler made a motion, which was seconded, to amend 14.3-7E to allow storage facilities to which vehicles towed from private property in Arlington County to be located up to five miles outside of the County's boundary line. The current ordinance requires such facilities be

located within three miles of the County's boundary line. Following a discussion, the motion was agreed to by a vote of 4-2, with 1 abstention.

The Advisory Board then moved to a discussion of towing companies immobilizing a trespassing vehicle instead of towing it. Immobilization involves utilizing a device such as a boot placed on a wheel of the vehicle that prevents the vehicle from moving. Mr. Leach opened the discussion by providing the Advisory Board with an overview of his utilization of immobilization tools in Fairfax County with some of his existing clients. Captain Cassidy provided an overview of how the Arlington County Police Department utilizes boots for vehicles that have outstanding parking tickets and are located in the public right-of-way. A discussion of the benefits of having an alternative to towing a trespassing vehicle followed. Mr. O'Neill made a motion to table any recommendations on this issue for one year. The motion failed for lack of a second. Ms. Iacomini then made a motion, which was seconded, for staff to work with the County Attorney's Office to determine what ordinance changes, if any, would be required to permit the use of immobilization devices on trespassing vehicles in Arlington County. The motion was agreed to unanimously.

The Advisory Board then moved to a review of Section 14.3-9. Mr. O'Neill made motion, which was seconded, to forward the Advisory Board's December 15, 2011 recommendations on fees to the County Board. The motion was agreed to by a vote of 6-1.

Mr. O'Neill then made a motion, which was seconded, to adjourn. The motion was agreed to unanimously.

In closing, the staff coordinator provided the tentative timeline for County Board consideration of any amendments recommended by the Advisory Board.

The meeting was adjourned at 6:49 p.m.