



**Department of Public Works**  
*"Providing a clean, safe, and healthy environment"*



**Richmond, Virginia**  
**Honorable Mayor Levar M. Stoney**

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## **2021 Annual Report**

### **Advisory Board for the Assessment of Towing Fees and the Storage of Vehicles**

The Officers of the Advisory Board for the Assessment of Towing Fees and the Storage of Vehicles are as follows:

**Chairman – Lt. Harold Giles, RPD**

**Board Members:**

Megan Simms- Operator

Ronda Lawson- Operator

Charles Woodson, Jr- Operator

Captain Christopher Gleason – RPD

Darrell Goins- RPD

Mathew Appelget- Citizen

Due to the retirement of Lt. John Beazley, Lt. Harold Giles was appointed the new chairperson. The Board met twice in 2021, the minutes and agendas are attached. The Board approved Contract Modification #4 for Manchester Marketing (Seibert's Towing) and an increase towing fees. Ordinance 2021-082 was adopted by City Council on April 12, 2021 is attached.

Respectfully submitted by:

A handwritten signature in blue ink, appearing to be "Lynne Lancaster".

Lynne Lancaster, DPW

**Advisory Board for the Assessment of Towing Fees and the Storage of Vehicles**

2219 Chamberlayne Avenue

February 16, 2021

**Agenda**

1. Purpose of meeting
2. Approval of Minutes from December 2, 2020
3. Review Contract Modification #4
4. Update on acquisition of software
5. Adjourn

## **Minutes for Advisory Board for the Assessment of Towing Fees and the Storage of Vehicles**

Acting Chairman Lieutenant Harold Giles called the meeting to order of the City's Advisory Board for the Assessment of Towing Fees and the Storage of Vehicles (The Board) on February 16, 2021. The Board members present included: Lt. Harold Giles, police representative, Mathew Appleget, citizen representative and towing operators Charles Woodson Jr. and Melvin Lawson. Lynne Lancaster of the City's Department of Public Works (DPW) and Greg Lukanuski of the City Attorney's Office were present.

The purpose of the meeting was to discuss the revisions to Manchester Marketing Contract Modification No. 4 as previously approved. Ms. Lancaster explained the acquisition of the software in the previous amendment is still under review therefore Contract Modification No. 4 was revised to eliminate the acquisition of software.

At the December 2, 2020 meeting, the Board approved the increasing several fees but decided to wait to submit since the Contract Modification No. 4 was already prepared, any changes would delay introduction to City Council.

The Board unanimously agreed to waive the reading of the minutes from the December 2, 2020 meeting. The minutes were unanimously approved.

After discussion, Lt. Giles motioned to approve revised Contract Modification No. 4 which eliminated the software acquisition but included the fee changes. Melvin Lawson abstained from the vote. The rate will change from \$105 to \$110 for the following five fees:

1. Abandoned vehicles
2. City Citations
3. Driver's Arrest
4. Environmental/CAPS
5. Traffic/Parking Violation

There being no other business the meeting was adjourned.

INTRODUCED: March 22, 2021

AN ORDINANCE No. 2021-082

To authorize the Chief Administrative Officer and the Director of Procurement Services, for and on behalf of the City of Richmond, to execute the fourth Contract Modification to Contract No. 16000022041 between the City and Manchester Marketing, Inc. T/A Seibert’s Towing for towing-related services and tow lot operation for the purpose of documenting the exercise of the first renewal option of Contract No. 16000022041 and specifying rate increases for certain rates listed in Contract No. 16000022041.

\_\_\_\_\_  
Patron – Mayor Stoney

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: APR 12 2021 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

WHEREAS, pursuant to Ordinance No. 2016-176, adopted June 13, 2016, the City entered into Contract No. 16000022041 with Manchester Marketing, Inc. T/A Seibert’s Towing (the “Contractor”) to provide towing-related services and tow lot operation; and

WHEREAS, section 46.2-1217 of the Code of Virginia (1950), as amended, empowers the City Council to specify the fees or charges to be paid by the owner or operator of a vehicle towed at the request of a law enforcement officer; and

AYES:                    8                    NOES:                    0                    ABSTAIN:                    \_\_\_\_\_

ADOPTED:    APR 12 2021    REJECTED:    \_\_\_\_\_    STRICKEN:    \_\_\_\_\_

WHEREAS, pursuant to section 46.2-1217 of the Code of Virginia (1950), as amended, the City's Advisory Board for the Assessment of Towing Fees and the Storage of Vehicles has reviewed the terms and conditions of the Contract Modification and provided its recommendations concerning the same to the City Council; and

WHEREAS, section 46.2-1217 of the Code of Virginia (1950), as amended, requires the approval of the City Council in order for the City to enter into a Contract Modification ratifying all acts of the City and Manchester Marketing, Inc. T/A Seibert's Towing that were in accordance with the provisions of Procurement Services Contract Modification No. 3 for Contract No. 16000022041 since the adoption of Ord. No. 2019-128, adopted May 28, 2019.

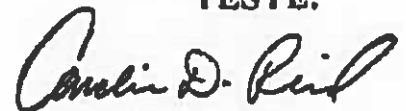
NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the Chief Administrative Officer and the Director of Procurement Services, for and on behalf of the City of Richmond, be and are hereby authorized to execute the fourth Contract Modification to Contract No. 16000022041 between the City and Manchester Marketing, Inc. T/A Seibert's Towing for towing-related services and tow lot operation in accordance with section 46.2-1217 of the Code of Virginia (1950), as amended, for the purpose of documenting the exercise of the first renewal option of Contract No. 16000022041 and specifying rate increases for certain rates listed in Contract No. 16000022041. Such Contract Modification shall be approved as to form by the City Attorney and shall be substantially in the form of the document attached to this ordinance.

§ 2. This ordinance shall be in force and effect upon adoption.

**A TRUE COPY:  
TESTE:**



**Carolin D. Reed  
City Clerk**



# CITY OF RICHMOND

## INTRACITY CORRESPONDENCE

RECEIVED  
By CAO Office at 8:27 am, Feb 04, 2021

2021-251

RECEIVED  
By Embassy Library at 2:40 pm, Mar 02, 2021

RECEIVED  
By Embassy Library at 2:50 pm, Mar 17, 2021

### O&R REQUEST

**DATE:** February 16, 2021 **EDITION:** 1

**TO:** The Honorable Members of City Council

**THROUGH:** Levar M. Stoney, Mayor *LMS*

**THROUGH:** J.E. Lincoln Saunders, Acting Chief Administrative Officer *JELS*

**THROUGH:** John Wack, Director of Finance *JW*

**THROUGH:** Betty Burrell, Director of Procurement Services *BBS*

**THROUGH:** Robert Steidel, Deputy Chief Administrative Officer- Operations *RS*

**FROM:** Bobby Vincent, Director of Public Work *BV*

**RE:** TO AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO EXECUTE AN AMENDMENT TO THE CONTRACT FOR TOWING AND TOW LOT OPERATIONS

**ORD. OR RES. No.** \_\_\_\_\_

**PURPOSE:** To authorize the Chief Administrative Officer (CAO) and the Director of Procurement Services, to execute, on behalf of the City of Richmond, Contract Modification No. 4 with Manchester Marketing, Inc., T/A Seiberts's Towing (Seiberts's Towing) for tow related services and tow lot operations.

**REASON:** The City requires a contractor to provide towing services and tow lot operations for both City vehicles as requested by the Department of Public Works' Fleet Management Division and non-City vehicles under the direction of the City's Department of Police.

Seibert's Towing is requesting a towing rate increases due to increases in operating cost. In the past two years there have been increases in certain indices that have negatively impacted the towing business and threatens service levels expected by the City of Richmond. Employee wages and benefits, subcontractor expenses, business insurance and fuel cost have all shown substantial increase in the last two years. The request is driven by a national driver shortage of commer-

O&R Request

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cial drivers who are qualified to drive tow trucks in the State of Virginia. Driver shortages are common in the trucking industry which are driving up wages and benefits.

**RECOMMENDATION:** Approval is recommended by the City Administration and the Advisory Board for the Assessment of Towing Fees and the Storage of Vehicles in the City of Richmond (the "Towing Advisory Board"). The Towing Advisory Board met on February 16, 2021 and reviewed and approved the Seibert's requested fee increases outlined in attachment #2 contract modification. Va. Code § 46.2-1217 requires that the Towing Advisory Board review and the City Council approve any contract amendments.

**BACKGROUND:** Va. Code § 46.2-1217 authorizes local governing bodies to enter into contractual agreements with "one or more businesses engages in towing." The contract will provide towing services and tow lot operations for city vehicles as requested by the Department of Public Works Fleet Management Division and under the direction of the City's Department of Police.

**FISCAL IMPACT / COST:** No additional cost to the City.

**FISCAL IMPLICATIONS:** None.

**BUDGET AMENDMENT NECESSARY:** None.

**REVENUE TO CITY:** No change in revenue

**DESIRED EFFECTIVE DATE:** Upon Adoption

**REQUESTED INTRODUCTION DATE:** March 22, 2021

**CITY COUNCIL PUBLIC HEARING DATE:** April 12, 2021

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** Public Safety (March 23, 2021)

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** None

**AFFECTED AGENCIES:** Richmond Police, Public Works and Finance

**RELATIONSHIP TO EXISTING ORD. OR RES.:** Ordinance No. 2016-176, adopted June 13, 2016, Ordinance No. 2017-198 and Ordinance No. 2018-255 adopted October 8, 2019

**REQUIRED CHANGES TO WORK PROGRAM(S):** None

**ATTACHMENTS:** (1) VA Code §46.2s1217, (2) Contract modification No. 4

**STAFF:** Lynne Lancaster, DPW (646-6006)

# 1

## Section 46.2-1217 of the Code of Virginia



## VA CODE § 46.2-1217

**§ 46.2-1217. Local governing body may regulate certain towing.**

The governing body of any county, city, or town by ordinance may regulate services rendered pursuant to police towing requests by any business engaged in the towing or storage of unattended, abandoned, or immobile vehicles. The ordinance may include delineation of service areas for towing services, the limitation of the number of persons engaged in towing services in any area, including the creation of one or more exclusive service areas, and the specification of equipment to be used for providing towing service. The governing body of any county, city, or town may contract for services rendered pursuant to a police towing request with one or more businesses engaged in the towing or storage of unattended, abandoned, or immobile vehicles. The contract may specify the fees or charges to be paid by the owner or operator of a towed vehicle to the person undertaking its towing or storage and may prescribe the geographical area to be served by each person providing towing services. The county, city, or town may establish criteria for eligibility of persons to enter into towing services contracts and, in its discretion, may itself provide exclusive towing and storage service for police-requested towing of unattended, abandoned, or immobile vehicles. Such criteria shall, for drivers of tow trucks and towing and recovery operators, be no less restrictive than those established pursuant to Chapter 28 (§ 46.2-2800 et seq.) of this title and regulations adopted pursuant thereto.

Prior to adopting an ordinance or entering into a contract pursuant to this section, the local governing body shall appoint an advisory board to advise the governing body with regard to the appropriate provisions of the ordinance or terms of the contract. The advisory board shall include representatives of local law-enforcement agencies, towing and recovery operators, and the general public.

"Police-requested towing" or "police towing request," as used in this section, includes all requests made by a law-enforcement officer of the county, city, or town or by a State Police officer within the county, city, or town pursuant to this article or Article 2 (§ 46.2-1209 et seq.) of this chapter and towing requests made by a law-enforcement officer at the request of the owner or operator of an unattended, abandoned, or immobile vehicle, when no specific service provider is requested by such owner or operator.

If an unattended, abandoned, or immobile vehicle is located so as to impede the free flow of traffic on a highway declared by resolution of the Commonwealth Transportation Board to be a portion of the interstate highway system and a law-enforcement officer determines, in his discretion, that the business or businesses authorized to undertake the towing or storage of the vehicle pursuant to an ordinance or contract adopted pursuant to this section cannot respond in a timely manner, the law-enforcement officer may request towing or storage service from a towing or storage business other than those authorized by such ordinance or contract.

If an unattended, abandoned, or immobile vehicle is towed as the result of a police-towing request, the owner or person having control of the business or property to which the vehicle is towed shall allow the owner of the vehicle or any other towing and

# 2

## Contract Modification



Contract No. 1600022041

**CITY OF RICHMOND**

**PROCUREMENT SERVICES CONTRACT MODIFICATION NO. 4**

**THIS CONTRACT MODIFICATION is made and entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between the City of Richmond, hereinafter referred to as the "City," and Manchester Marketing, Inc. T/A Seibert's Towing, hereinafter referred to as the "Contractor."**

**WITNESSETH**

**WHEREAS, the City and the Contractor entered into Contract No. 1600022041, dated June 23, 2016, for towing and tow lot operations;**

**WHEREAS, section 46.2-1217 of the Code of Virginia authorizes the City Council to specify in a contract for towing services the fees or charges to be paid by the owner or operator of a towed vehicle to the Contractor;**

**WHEREAS, on November 30, 2017, the City and the Contractor entered into Procurement Services Contract Modification No. 1 to specify certain oversized vehicle fees and to increase the maximum authorized contract amount;**

**WHEREAS, on October 8, 2018, by adoption of Ordinance No. 2018-255, the Council for the City of Richmond approved Procurement Services Contract Modification No. 2 to amend the Contract to document an increase for six vehicle rates set forth in subsection A of section 5.1 ("Authorized Charges or Rates") in Part IV ("Special Terms and Conditions") of the Contract;**

**WHEREAS, on June 5, 2019, the City and the Contractor entered into Procurement Services Contract Modification No. 3 to ratify all acts of the City and the Contractor that were in accordance with the provisions of Procurement Services Contract Modification No. 2 since adoption of Ordinance No. 2018-255;**

**WHEREAS, pursuant to section 1.1 ("Commencement and Expiration") of the General Terms and Conditions of the Contract, the initial term of the Contract is June 23, 2016, through June 22, 2021;**

**WHEREAS, section 1.3 ("Renewal") of the General Terms and Conditions of the Contract provides the City the option to renew the Contract for up to three one-year renewal terms;**

**WHEREAS, the City and the Contractor now desire to amend the Contract to (i) document the exercise of the first option to renew the Contract for one year provided by section 1.3 of the General Terms and Conditions for the term of June 23, 2021, through June 22, 2022, and (ii) document an increase in five rates listed in subsection A of section 5.1 ("Authorized Charges or Rates") in Part IV ("Special Terms and Conditions") of the Contract; and**

**WHEREAS, the Council for the City of Richmond has approved this Contract Modification by Ordinance No. \_\_\_\_\_, adopted \_\_\_\_\_, 2021;**

**NOW, THEREFORE, for and in consideration of the mutual benefit to be derived by the City and the Contractor, the City and the Contractor agree that the Contract is hereby modified as follows:**

- 1. The Contract is hereby renewed for the term commencing at midnight on June 23, 2021, and ending at 11:59 p.m. on June 22, 2022, pursuant to section 1.3 of the General Terms and Conditions of the Contract.**

2. The chart containing charges and rates set forth in subsection A of section 5.1 ("Authorized Charges or Rates") in Part IV ("Special Terms and Conditions") of the Contract (as amended) is hereby replaced in its entirety as follows:

Abandoned	\$110	Plus storage \$45/day after 24 hours
Accidents	\$160 \$178	7AM-7PM 7PM-7AM Plus \$45/day upon entering lot Extra clean-up \$20
City Citations	\$110	Plus storage \$45/day after 24 hours
Release on Scene	\$40	
Disabled	\$89 \$99	Plus \$45/day upon entering lot 7AM-7PM 7PM-7AM
DMV/Admin Fee	\$52	Applied after 72 hours
Driver's Arrest	\$110	Plus storage \$45/day after 24 hours
Environmental/CAPS	\$110	Plus storage \$45/day after 24 hours
Flipover	\$60	
Hold for Investigation (HFI)	\$95	Plus storage \$45/day 24 hours after notice
Jump Start	\$50	
Lockout	\$50	
Mileage	\$3 mile \$4.50/mile	Outside Richmond City limits Oversized vehicle mileage
Private Property	\$125	Plus storage \$45/day after 24 hours
Retows	\$60	\$45 for auction vehicle in city limits
Stolen	\$85 \$85	Plus storage \$45/day after 24 hours 7AM-7PM 7PM-7AM
Storage	\$45/day	Including weekends/holidays
Tire Change	\$45	Per tire
Traffic/Parking Violation	\$110	Plus storage \$45/day after 24 hours
Convenience Tows	\$40	Towing of operable City vehicles
Winching	\$68	Per hour/one hour minimum

<b>Winching oversized vehicles</b>	<b>\$100</b>	<b>Per hour/one hour minimum</b>
<b>Oversized Vehicle Fee</b>	<b>\$150</b> <b>\$50/day storage rate</b>	<b>(10,001 – 16,000 lbs.)</b>
<b>Oversized Vehicle Fee</b>	<b>\$275</b> <b>\$55/day storage rate</b>	<b>(16,001 – 26,000 lbs.)</b>
<b>Oversized Vehicle Fee</b>	<b>\$350/hour</b> <b>\$60/day storage rate</b>	<b>(over 26,001 lbs.)</b>
<b>Air hook up</b>	<b>\$55</b>	
<b>Cage brakes</b>	<b>\$55</b>	
<b>Remove Drive Shaft</b>	<b>\$55</b>	
<b>Additional labor/stand-by time</b> <b>\$60/hour</b>		
<b>Vehicles are available for release from 7:00AM to 8:00PM.</b> <b>After hours release fee - \$35, 8:00PM-7:00AM.</b>		

3. Except as expressly modified herein, all other terms and conditions of the Contract shall remain in full force and effect and shall be binding upon the City and the Contractor.

IN WITNESS WHEREOF, the City and the Contractor have executed this instrument as of the respective dates written below.

**FOR THE CITY:**

**FOR THE CONTRACTOR:**

\_\_\_\_\_  
Director of Procurement Services

\_\_\_\_\_  
Printed Name: \_\_\_\_\_

\_\_\_\_\_  
Date


\_\_\_\_\_  
Printed Title: \_\_\_\_\_

\_\_\_\_\_  
Date: \_\_\_\_\_

\_\_\_\_\_  
J. E. Lincoln Saunders  
Acting Chief Administrative Officer

\_\_\_\_\_  
Date

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Assistant City Attorney

3/15/2021

\_\_\_\_\_  
Date

## **Advisory Board for the Assessment of Towing Fees and the Storage of Vehicles**

Via Zoom

November 18, 2021

9:00- 10:00 am

### **Agenda**

1. Introductions
2. Purpose of meeting
3. Selection of Chairman
4. Approval of Minutes from February 16, 2021
5. Update on acquisition of software
6. Open Forum
7. Adjourn

**City of Richmond**

**Meeting Time 9:00 AM**

**Advisory Board for the Assessment of Towing Fees and Vehicle Storage**

**Thursday, November 18, 2021**

**via Microsoft Teams Video Conference**

Acting Chairman Lieutenant Harold Giles called the meeting to order of the City's Advisory Board for the Assessment of Towing Fees and the Storage of Vehicles (The Board) on November 18, 2021. The Board members present included: Lt. Harold Giles, police representatives, Mathew Appleget, citizen representative and towing operators Charles Woodson Jr., Megan Amaya Simms and Ronda Lawson. Lynne Lancaster and Quinton Hill of the City's Department of Public Works (DPW), Greg Lukanuski of the City Attorney's Office, Councilwoman Katherine Jordan, City Council Liaison Sven Philipps and Melvin Lawson, Seibert's Towing and a citizen Gregg Johnson were present.

**Purpose of Meeting:** Expressions of concerns regarding the Towing Fees and Vehicle Storage for the City of Richmond.

**Minutes Approval Request:** Request for minutes from previous meeting on February 16, 2021 to be reviewed and approved. So moved for approval and properly seconded. Meeting was allowed to proceed.

**Selection of Chairman:** Harold Giles volunteered to be chairman. Motion was made and properly seconded to allow Mr. Giles to be chairman.

**Update on Software Acquisition:** The software to allow for towed vehicles to be looked up has been attempted since 2011 and there is no movement on the purchase of it.

**Open Forum:**

- Mr. Gregg Johnson handed floor to discuss by Lynne Lancaster. Mr. Johnson was charged \$702.00 after he was out of town for an extended period of time. As a result his street was cleaned while he was gone and his vehicle was towed by Seibert's and accrued a citation, towing, and storage fee.
- Seibert's towing charges \$45.00 a day for vehicle storage after the first 24 hours a vehicle is on the lot.
- Mrs. Ronda Lawson with Seibert's Towing explained the reasoning behind the parking and storage fees/taxes.

Mr. Melvin Lawson with Seibert's Towing noted the following in regards to costs, liability, and security:

- Vehicles with certain violations can be released 24 hours a day.
- Electronic Security fence costs \$1300 a month.

- There is a person maintaining the lot.
- The liability of their company with their trucks and vehicles on the lot.
- The City of Richmond is allowed to be regulated.
- The City of Richmond gets \$25 per citation.
- Vehicles are stored for minimum of 30 days before it is able to go to auction.

State code caps the storage fees of a vehicle to the value of the vehicle.

The most recent audit on the City of Richmond's towing was last done in 2011.

Mr. Mathew Appleget expressed issues with the Virginia Commonwealth Code as it applies to DMV and their methods of prompt and more up to date methods of communication, such as emails, when vehicles are towed.

Mr. Lawson stated that when a vehicle is cited to be towed attempts are made to contact the owners or secondary means of contact (relatives, etc.) in regards to the vehicles being moved but frequently the contact information is no longer accurate or up to date.

**Next Steps Proposed by Katherine Jordan:**

- How can the public be notified (other than signage) about street cleaning?
- DPW communication strategies to residents.
- The potential to get DMV involved to notify the public.
- Is there an appeal process that does not require going to court?

Lt. Giles adjourned the meeting.