



Before the  
**Colonial Beach Town Council**  
Held at  
**Colonial Beach Town Center, 22 Washington Ave**  
**Colonial Beach, VA 22443**

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Wednesday, May 18, 2022 at 6:00 PM  
Town Council Regular Meeting  
**AGENDA**

- 1. Call to Order**
- 2. Moment of Silence & Pledge of Allegiance**
- 3. Roll Call of Members**
- 4. Additions to the Agenda**
- 5. Approval of the Agenda**
- 6. Approval of Consent Agenda (TAB A)**
  - a. Approval of Minutes – September 22, 2021 & February 24, 2022
  - b. Resolution # 28-22, Amends & Appropriates FY 21-22 Budget, General Fund
- 7. Council Member Announcements**
- 8. Town Manager Update**
  - a. Monthly Update
  - b. Signage-Wayfinding & Gateway
  - c. Virginia Values Veterans (V3) Certification
- 9. Presentations**
  - a. **Westmoreland County Board of Supervisors, Mr. Trivett, District V Supervisor**
  - b. **Colonial Beach Public Schools, Dr. Mitchell, Superintendent**
- 10. Citizen Input**

## **11. Old Business**

- a. Bird-Electric Bikes & Scooters Update**, Nate Sulya, Management Fellow **(TAB B)**
- b. Resolution #25-22, Approves Small Purchase Procedures Policy**, Vivian Seay Giles, Town Attorney *(Deferred from June 1, 2022)* **(TAB C)**

## **12. New Business**

- a. Resolution #29-22, Authorizes Municipal Government to Apply for U.S. Department of Justice Funding to Enable the Police Department to Hire Civilian Accreditation Lead**, J.C. La Riviere, Grant Writer/Coordinator **(TAB D)**

## **13. Closed Meeting**

## **14. Adjournment**

# Tab A



**TO:** Town Council  
**FROM:** Lisa M. Okes, Finance Director/CFO  
**COPY:** India Adams-Jacobs, Town Manager  
**SUBJECT:** Budget Amendment – General Fund  
**DATE:** June 15, 2022

**SUMMARY:**

The Town has received additional \$51,000.00 of unbudgeted parking revenue, producing a revenue surplus. The Parking Department has unbudgeted expenditures for the Parking Study along with additional expenses for fees associated with the parking meters. Additionally, no overtime was budgeted for the Public Works departments. These additional funds will cover these budget shortfalls. Therefore, staff is requesting that Town Council approve the appropriation and amendment of the FY 2021-2022 General Fund budgets for the \$51,000.00 of revenue surplus.

**BACKGROUND:**

The Town has collected surplus revenue over the FY21-22 budget. There are unbudgeted items and excess expenditures in the parking department and unbudgeted overtime expense in Public Works. The surplus revenue collected to date will offset these unbudgeted items.

**ISSUE:**

The Parking Study and Public Works overtime were not included in the FY 21-22 budget. These items along with additional fees associated with the parking meters could create a shortfall in these line items.

**ALTERNATIVES:**

Allow the current budget shortfalls to remain in the General Fund.

**FISCAL IMPACT:**

The FY 2021-2022 General Fund budget will increase by \$51,000.00.

**RECOMMENDATION:**

Staff recommends that council appropriate and amend the FY21-22 General Fund budget for the \$51,000.00.

COUNCIL PAPER

At the meeting held on June 15, 2022 at the Colonial Beach Town Hall

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**RESOLUTION # 28-22, Amends and Appropriates Fiscal Year 2021-2022 Budget, General Fund**

**WHEREAS**, the Colonial Beach Town Council finds it necessary to make the following amendments to the Fiscal Year 2021-2022 budget.

**WHEREAS**, the Town has received additional unbudgeted parking revenue of \$51,000.00 and;

**WHEREAS**, there are unbudgeted expenses in the Parking Department and public works overtime that require funding, and;

**NOW THEREFORE BE IT RESOLVED**, that the Town Council at its regular meeting held on Wednesday, June 15, 2022 hereby adopts and appropriates an amendment to the Fiscal Year 2021-2022 budget as follows:

	FY 2021-22 Adopted	FY 2021-22 Revised	Change
General Fund	\$8,881,078.26	\$8,932,078.26	+\$51,000.00

Breakdown of revenue and expenditure allocations:

General Fund

DB 100-041340-3100 – Contracts for Professional Services	\$22,500.00
DB 100-043140-1283 – Salaries – Overtime	\$275.00
DB 100-043140-3330 – Repair & Maintenance Contractual	\$6,700.00
DB 100-043140-5805 – Bank Charges	\$7,000.00
DB 100-041100-1214 - Salaries – Overtime	\$3,200.00
DB 100-042300-1283 - Salaries – Overtime	\$2,685.00
DB 100-043100-1283 - Salaries – Overtime	\$4,870.00
DB 100-043100-1383 – Salaries Part-Time	\$3,770.00
CR 100-016070-0002 – Permit Parking	\$51,000.00

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# Tab B



**TO:** Town Council  
**FROM:** Nate Sulya, Management Fellow  
**COPY:** India Adams-Jacobs, Town Manager  
**SUBJECT:** Bird Vendor Update  
**DATE:** June 15, 2022

**SUMMARY:**

This memo provides information about Bird and the company's electric scooters and bicycles. A Bird representative met with Town Council once before and twice with staff. The most recent meeting between Bird and staff was to gather more information about the company's electric scooters/bicycles and operations in Colonial Beach. Town staff seek direction from council regarding a potential rollout.

**BACKGROUND:**

Bird, a micro-electric mobility company, is seeking to introduce the company's electric scooters and bicycles to the Town of Colonial Beach. Following Bird's previous presentation to council, staff met with Bird to gather more information. During this meeting staff learned:

1. There is no direct comparison to other localities because Colonial Beach will be the smallest locality Bird has deployed scooters and bicycles in
2. No methodology was used to select Colonial Beach; however, Bird believes the Town's geographic layout and tourist population is conducive to this mode of transportation
3. Bird contracts with local operators to maintain the fleet of electric scooters and bicycles; there is minimal involvement from town staff
4. A controlled rollout would help make sure that appropriate levels of electric scooters and bicycles are available to meet usage demands
5. A trial period could be established from July – December; the Town and Bird would decide after this period if the continued partnership made sense to both parties

**ISSUE:**

The town was approached by Bird, a ride share company to launch ride sharing services in the Town of Colonial Beach. The company presented at a prior council workshop, town council requested more information and follow up regarding options to provide the electric bikes, in addition to scooters. The representative from Bird met with town staff to provide more information and clarity regarding their model, options for Colonial Beach and the option to provide a pilot program this season and reassess for next year.

**ALTERNATIVES:**

The town could forgo entering an agreement with Bird to provide bike and scooter ride sharing services to our town via a third party.

**FISCAL IMPACT:**

A rideshare agreement would generate \$.20 per ride to the Town.

**RECOMMENDATION:**

Staff recommend the Town conduct a pilot program of both bikes and scooters to begin in July and run through December of this year.

# Tab C



**TO:** Town Council  
**FROM:** Vivian Seay Giles, Town Attorney  
**COPY:** India Adams-Jacobs, Town Manager  
**SUBJECT:** Small Purchase Procedures Policy  
**DATE:** June 15, 2022

**SUMMARY:**

A draft small purchase procedures policy is presented for your consideration. Small purchase policies are authorized under the Virginia Public Procurement Act to facilitate the purchase of goods and services by government entities in strict accordance with the law without the requirement of a formal bidding process for smaller transactions. Please note that any policy establishing a requirement for Town Council approval of purchases exceeding a defined dollar amount is separate and apart from the small purchase procedures policy; such a directive requiring Town Council approval of larger purchases would exist separate from, but work in conjunction with, the small purchase procedures policy.

Following consideration, it is recommended that the attached policy be adopted with limits established at amounts agreeable to Town Council (highlighted in blue). Referenced forms (highlighted in yellow) will be drafted by staff following adoption of a policy.

**BACKGROUND:**

The Virginia Public Procurement Act has, since its adoption in 1981, provided for streamlined procurement procedures for transactions under established dollar amounts. Those streamlined procedures are not available automatically but instead require the adoption of a small purchase procedures policy. Without such a policy, all transactions would require that a competitive process (RFP or IFB) be employed.

The Town of Colonial Beach has a small purchase procedures policy, but that policy has not been reviewed since 2010. Due to changes in the law and inflation generally, it is advisable to review a local policy periodically to ensure that the policy is consistent with the Virginia Public Procurement Act and to ensure that the dollar limits correlate to the current economic climate. That is to say, in order to achieve the efficiencies provided by the small purchase procedures policy option, the limits of the adopted policy generally are in need of increase from time to time.

**RECOMMENDATION:**

It is recommended that the Town of Colonial Beach Town Council adopt the attached updated small purchase procedures policy with transaction limits (highlighted in blue) established at levels agreeable to the Town Council. Should Town Council wish to retain additional control over purchases, a separate policy.

**COUNCIL PAPER**

**At the meeting held on Wednesday, June 15, 2022 at the Colonial Beach Town Hall**

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**RESOLUTION #25-22, Adopts Small Purchase Procedures Policy**

**BE IT RESOLVED**, that Town Council at a regular scheduled meeting on June 15, 2022, hereby adopts the attached Small Purchase Procedures Policy.



**Town of Colonial Beach, Virginia**  
**Small Purchase Procedures Policy**  
**Va. Code § 2.2-4303(G)**  
**Adopted \_\_\_\_\_, 2022**

- A. The Virginia Public Procurement Act permits a locality to establish written small purchase procedures for purchases from non-governmental contractors that do not require competitive sealed bids or competitive negotiation, on the condition that such procedures provide for competition wherever practicable. Va. Code § 2.2-4303(G). The following small purchase procedures have been established by the Town Council of the Town of Colonial Beach, Virginia (the “**Town Council**”) for use by the Town of Colonial Beach, Virginia (the “**Town**”) when acquiring (1) materials, supplies, equipment, printing, or other goods and non-professional services from nongovernmental contractors where the estimated cost is less than or equal to \$200,000, (2) professional services through single or term contracts if the aggregate or the sum of all phases is not expected to exceed \$80,000, and (3) transportation-related construction if the aggregate or sum of all phases is not expected to exceed \$25,000. In general, the objective of this policy shall be to provide the Town and its taxpayers with the best value possible - reflecting high quality and competitive pricing - through efficient and effective use of the competitive market.
- B. General Policies
1. The procedures established in this chapter are intended to provide for competition wherever practicable and shall be applied to further this intent.
  2. The Town may choose to require the complete bidding procedures set forth in the Virginia Public Procurement Act or more stringent requirements in addition to or in lieu of the methods provided in these procedures. Reasons for imposing such requirements may include, but shall not be limited to, (1) a belief that a more competitive price could be obtained or (2) to comply with more stringent funding source procurement requirements.
  3. The Town shall not procure goods or services in a piecemeal manner, split procurement into multiple parts, or request that the selected vendor invoice the Town at intervals for the purpose of reducing the estimated cost of the



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procurement below the thresholds listed in Section A above or paragraphs one through three of Section D below.

4. The receipt of written quotations is preferred.
5. All verbal quotes must be documented by the employee receiving said quote. A **standard Town form** shall be available for this purpose.
6. When practicable, the Town shall inquire about available discounts or sales.
7. The Town may, but shall not be required to, follow the methods provided in these procedures for procurements of goods or services which are exempt from requirements of competition under the Virginia Public Procurement Act (Va. Code § 2.2-4300, et seq.).
8. Where the estimated cost exceeds the thresholds listed in Subsection A, the Town shall follow the applicable provisions of the Virginia Public Procurement Act (Va. Code § 2.2-4300, et seq).
9. In the event that the required number of quotes under Subsection D cannot be obtained, the Town must document either that there are no other vendors available to provide the good or perform the service (single source determination), or that a reasonable effort was made to contact other vendors with no response. Documentation of such reasonable effort to contact vendors should include copies of correspondence requesting the quote and confirmation from the purchaser that no response was received. **A standard Town form** shall be available for this purpose.
10. When applicable, the Town may make use of existing contracts in other localities for the purchase of similar goods and services. The contract price shall satisfy the purpose of one quotation.
11. A contract may include provisions for modification of the contract during performance, but no fixed-price contract may be increased by more than twenty-five percent or to the point where the total contract price will exceed the thresholds listed in Subsection A without the advance written approval of the Board of Supervisors of Colonial Beach Town. In no event may the amount of any contract, without adequate consideration, be increased for any purpose,



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including, but not limited to, relief of an offeror from the consequences of an error in its quote or offer.

12. In the solicitation or awarding of contracts, the Town shall not discriminate against an offeror because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by federal or state law relating to discrimination in employment.
13. Whenever solicitations are made, the Town shall to the greatest extent possible include businesses selected from a list made available by the Department of Small Business and Supplier Diversity.
14. The Town encourages the participation of small businesses and businesses owned by women and minorities in procurement transactions.
15. Pursuant to Va. Code § 2.2-4311.1, any Contractor does not, and shall not during the performance of any Contract with the Town, knowingly employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986.
16. Pursuant to Va. Code § 2.2-4343.1, in all invitations to bid, requests for proposals, contracts, and purchase orders, the Town does not discriminate against faith-based organizations. "Faith-based Organization" means a religious organization that is, or applies to be, a contractor to provide goods or services for programs funded by the block grant provided pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193.

C. Definitions.

1. The term "contracts" includes written agreements as well as all agreements, verbal or written, to purchase goods or services made in compliance with the procedures outlined in this policy including documentation.
2. "Small purchases" are single or term contracts for goods or services where the estimated sum or aggregate of all phases does not exceed the thresholds set forth in **Paragraph A** above.
3. "Professional services" means work performed by an independent contractor within the scope of the practice of accounting, actuarial services, architecture,



land surveying, landscape architecture, law, dentistry, medicine, optometry, pharmacy, or professional engineering.

4. "Nonprofessional services" means any services not specifically identified as professional services in the definition of professional services.
5. "Transportation-related construction" means building, altering, repairing, improving, or demolishing any improvement that facilitates the movement or safety of people and/or goods.
6. The estimated cost of a contract shall be according to a single purchase order, not the annual total for a particular vendor. Unit orders shall not be split in order to reduce the invoice total.
7. Price quotes should be written. If a written quote cannot be acquired, then a verbal quote is appropriate if the requirements of Subsection B(5) are followed. A supplier's current price list may serve the same purpose as obtaining a quote. It is the responsibility of the employee receiving a verbal quote to document thoroughly on a **Town form** the price and the good or service to be provided.

D. Procurement methods.

1. Purchases up to \$30,000.
  - a. Purchases where the estimated cost of goods, professional services, or nonprofessional services **does not exceed \$30,000** may be made upon receipt of at least one commercially reasonable written or verbal quotes from at least one vendor.
  - b. The Town shall seek additional quotes whenever there is reason to believe a materially better value could be found.
  - c. Where more than one quote has been obtained for goods or nonprofessional services, the Town shall select the supplier with the lowest responsive and responsible quote. It shall be consistent with this policy for the Town to consider product quality, service, and vendor reliability in determining whether a quote is responsive and/or responsible.



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- d. Where more than one quote has been obtained for professional services, the Town shall negotiate with the vendor determined to be the most qualified, responsible, and suitable; cost shall not be the sole determining factor. If a satisfactory contract cannot be negotiated with such vendor, negotiations shall then be undertaken with the next most qualified, responsible, and suitable vendor, and shall continue in this manner until a satisfactory contract is agreed upon.
2. Purchases greater than \$30,000 and up to \$100,000 (where this policy still applies).
- a. Purchases where the estimated cost of goods, professional services, or nonprofessional services exceeds \$30,000 but does not exceed \$100,000 may be made upon receipt of written or verbal quotes from at least two unrelated vendors, upon the approval of Town Council and, when applicable, subject to the provisions of **Section B(9)** above.
- b. For goods and nonprofessional services, the Town shall select the supplier with the lowest responsive and responsible quote. It shall be consistent with this policy for the Town to consider product quality, service, and vendor reliability in determining whether a quote is responsive and/or responsible.
- c. For professional services, the Town shall negotiate with the vendor determined to be the most qualified, responsible, and suitable; cost shall not be the sole determining factor. If a satisfactory contract cannot be negotiated with such vendor, negotiations shall then be undertaken with the next most qualified, responsible, and suitable vendor, and shall continue in this manner until a satisfactory contract is agreed upon.
- E. Exceptions to competitive requirements.

The Town of Colonial Beach has determined that competition normally is either not practicable or available for small purchases of the following goods or services which, accordingly, may be purchased without receipt of quotes from additional vendors:



1. Books, pre-printed materials, reprints and subscriptions (e.g., print or electronic), prerecorded audio and video cassettes and slide presentations when only available from the publisher/producer.
2. Any items purchased under a cooperative procurement under Va. Code § 2.2-4304.
3. Academic/research consulting services.
4. Honoraria, entertainment (speakers, lecturers, musicians, etc.).
5. Royalties and film rentals when only available from producer or protected distributors.
6. Membership dues.
7. Advertisements such as in newspapers, magazines, journals, radio, television, etc.
8. Utility charges.

F. Contract Requirements.

1. Every contract of more than \$ 10,000 shall include the following provisions:
  - a. During the performance of this contract, the contractor agrees as follows:
    - i. The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.



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- ii. The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.
  - iii. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.
  - iv. The contractor will include the provisions of the foregoing paragraphs i, ii, and iii in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.
- b. During the performance of this contract, the contractor agrees to (i) provide a drug-free workplace for the contractor's employees; (ii) post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the contractor's workplace and specifying the actions that will be taken against employees for violations of such prohibition; (iii) state in all solicitations or advertisements for employees placed by or on behalf of the contractor that the contractor maintains a drug-free workplace; and (iv) include the provisions of the foregoing clauses in every subcontract or purchase order of over \$ 10,000, so that the provisions will be binding upon each subcontractor or vendor. For the purposes of this section, "*drug-free workplace*" means a site for the performance of work done in connection with a specific contract awarded to a contractor in accordance with this chapter, the employees of whom are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession or use of any controlled substance or marijuana during the performance of the contract.
2. Every Contract, regardless of amount, shall include:
- a. A payment clause that obligates the contractor to take one of the two following actions within seven days after receipt of amounts paid to the contractor by the Town for work performed by the subcontractor under that contract:



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- i. Pay the subcontractor for the proportionate share of the total payment received from the Town attributable to the work performed by the subcontractor under that contract; or
    - ii. Notify the Town and subcontractor, in writing, of his intention to withhold all or a part of the subcontractor's payment with the reason for nonpayment.
  - b. A payment clause that requires (i) individual contractors to provide their social security numbers and (ii) proprietorships, partnerships, and corporations to provide their federal employer identification numbers.
  - c. An interest clause that obligates the contractor to pay interest to the subcontractor on all amounts owed by the contractor that remain unpaid after seven days following receipt by the contractor of payment from the Town for work performed by the subcontractor under that contract, except for amounts withheld as allowed in subdivision 1.
  - d. An interest rate clause stating, "Unless otherwise provided under the terms of this contract, interest shall accrue at the rate of one percent per month." Any such contract awarded shall further require the contractor to include in each of its subcontracts a provision requiring each subcontractor to include or otherwise be subject to the same payment and interest requirements with respect to each lower-tier subcontractor. A contractor's obligation to pay an interest charge to a subcontractor pursuant to the payment clause in this section shall not be construed to be an obligation of the Town. A contract modification shall not be made for the purpose of providing reimbursement for the interest charge. A cost reimbursement claim shall not include any amount for reimbursement for the interest charge.
  - e. A certification stating that all quotes or proposals are made in full compliance with the Virginia Conflicts of Interest Act and without collusion or fraud and that they have not offered or received any kickbacks or inducements from any other bidder or offeror, supplier, manufacturer or subcontractor in connection with their bid or proposal and that they have not conferred on any public employee having official responsibility for this procurement transaction any payment, loan subscription, advance, deposit



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of money, services or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value was exchanged.

DRAFT

# Tab D



**TO:** The Honorable Mayor and Town Council  
**FROM:** J.C. LaRiviere, Grant Writer/Coordinator  
**COPY:** India Adams-Jacobs, Town Manager; Gregory Deaver, Chief of Police  
**SUBJECT:** Resolution of Support for Community Policing Development Accreditation Program Grant Application  
**DATE:** June 15, 2022

**SUMMARY:**

The purpose of this memo and the accompanying resolution is to demonstrate Council support for the Town’s grant application to the U.S. Department of Justice Community Policing Development Accreditation Program to fund the hiring of a civilian employee to facilitate the Police Department’s accreditation process.

**BACKGROUND:**

The Colonial Beach Police Department (CBPD) lost its accreditation several years ago. Accreditation is an important process to undertake because it establishes a high standard that must be met to retain accreditation. The process involves incorporating best practices, staying apprised of shifting legal and regulatory frameworks, continuous and frequent training of officers- all with the goal of helping CBPD meet the highest possible standard in order to provide the residents of Colonial Beach with high-quality public safety services.

**ALTERNATIVES:**

Town Council could decide not to support the grant application. In this circumstance, Town staff would cease efforts to secure this funding. Accreditation efforts would need to be executed in-house, which would significantly impact departmental workflow.

**FISCAL IMPACT:**

There is no local match.

**RECOMMENDATION:**

Town staff recommends that Town Council pass a resolution of support for the Town’s Community Policing Development Program grant application to the U.S. Department of Justice.

**COUNCIL PAPER**

**At the regular meeting held on Wednesday, June 15, 2022 at the Colonial Beach Town Center**

**RESOLUTION #29-22, Authorizes Municipal Government to Apply for U.S. Department of Justice Funding to Enable the Police Department to Hire Civilian Accreditation Lead**

**WHEREAS**, The Colonial Beach Police Department was formerly accredited lost its accreditation; and

**WHEREAS**, the accreditation process would enable the Police Department to implement best practices, stay apprised of shifting legal and regulatory frameworks, and increase the level of service provided by the Police Department; and

**WHEREAS**, maintaining accreditation will ensure that a high level of service is maintained in future years.

**NOW, THEREFORE, BE IT RESOLVED** by the Colonial Beach Town Council at its regular meeting on June 1, 2022 that:

1. The Colonial Beach Town Council officially endorses and authorizes the municipal government’s grant application to hire a civilian to facilitate the Police Department’s accreditation process.
2. The Colonial Beach Town Council recognizes the benefits of obtaining and maintaining accreditation.

**AYE**

**NAY**

**AYE**

**NAY**

Mayor Schick

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Thomas Moncure

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Vicki Roberson

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Andrea Clement

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David Williams

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Caryn Self Sullivan

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Kenneth Allison

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Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_