

COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
REGULAR MEETING  
March 27, 2018

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, March 27, 2018 at 7:00 p.m. in the Board Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico County, Virginia.

**Members of the Board Present:**

Frank J. Thornton, Chairman, Fairfield District  
Tyrone E. Nelson, Vice Chairman, Varina District  
Thomas M. Branin, Three Chopt District  
Courtney D. Lynch, Brookland District  
Patricia S. O'Bannon, Tuckahoe District

**Other Officials Present:**

John A. Vithoulkas, County Manager  
Joseph P. Rapisarda, Jr., County Attorney  
Michael L. Wade, Sheriff  
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board  
Timothy A. Foster, P.E., Deputy County Manager for Community Operations  
W. Brandon Hinton, Deputy County Manager for Administration  
Douglas A. Middleton, Deputy County Manager for Public Safety  
Anthony J. Romanello, Deputy County Manager for Community Services  
Randall R. Silber, Deputy County Manager for Community Development

Mr. Thornton called the meeting to order at 7:02 p.m. and led the recitation of the Pledge of Allegiance.

The Reverend Mi Sook Ahn, Pastor of Fairmount United Methodist Church, delivered the invocation.

On motion of Mrs. O'Bannon, seconded by Mr. Branin, and by unanimous vote, the Board approved the minutes of the February 27, 2018, Regular and Special Meetings.

The vote of the Board was as follows:

Yes: Thornton, Nelson, Branin, Lynch, O'Bannon

No: None

**MANAGER'S COMMENTS**

On February 22, Safe Harbor held its 2018 Beacon of Hope Award event at the Tuckahoe Women's Club. This award was established in 2007 to recognize an individual or agency in the community that has demonstrated outstanding work to support victims of domestic

violence, sexual assault, or human trafficking. Two employees of the Commonwealth's Attorney's Office, Deputy Commonwealth's Attorney Mike Feinmel and Victim/Witness Program Director Shelly Shuman-Johnson, were winners of this year's award. Mr. Feinmel has spoken before the General Assembly and in 2015 worked with Shared Hope International to co-author Virginia's commercial sex trafficking law. Ms. Shuman-Johnson has worked directly with over 300 human trafficking cases for the past six years and advocated for a human trafficking shelter that became a reality in 2017. Their tireless energy, compassion, and care for human trafficking survivors have transformed and saved lives. The Commonwealth's Attorney's Office is led by Shannon Taylor.

### **BOARD OF SUPERVISORS' COMMENTS**

Mr. Thornton announced the Chairman of the School Board has requested the Board of Supervisors call a joint meeting with the School Board to follow up on a discussion from the previous week concerning the Schools budget. As soon as a date and location have been selected by the two boards, the public will be notified, and an agenda will be provided.

Mr. Branin read a letter he received the previous day from the administrator of Westport Rehab recognizing the great leadership and customer service of Robert Morris, who led a team from the County's Department of Public Utilities in quickly responding to an emergency resulting from a blockage in the sewage system. Mr. Morris took control of the situation by assessing the problem and resolving it with the help of his team. He kept Westport's administration informed at every step of the way. Mr. Branin thanked Mr. Morris on behalf of the Board for going above and beyond.

Mrs. Lynch recognized and thanked a group of persons in the audience who were attending the meeting at her invitation in support of educators and Henrico's public schools. She also thanked Mr. Vithoulkas and her colleagues on the Board for hearing the voice of the citizens and being willing to discuss their concerns during this budget cycle in a public forum.

Mr. Nelson noted the Chairmen and Vice Chairmen of the Board of Supervisors and School Board met earlier in the day to look at pay compression and other issues. He further noted all the members of the Board of Supervisors appreciate and value teachers and school administrators and there is a consensus among both boards to take a comprehensive approach towards such issues as pay compression, retention of teachers, and student-teacher ratios.

Mrs. O'Bannon pointed out she attended this past weekend the installation of the new pastor at Quioccasin Baptist Church, The Reverend Dr. Theodore T. Brown. Dr. Brown is only the ninth pastor to serve the church since it was formed in 1866. Mrs. O'Bannon extended congratulations to everyone at the church.

### **RECOGNITION OF NEWS MEDIA**

Mr. Thornton recognized Michael O'Connor from the *Richmond Times-Dispatch*.

### **BOARD OF SUPERVISORS' COMMENTS (continued)**

Mr. Thornton recognized the following Boy Scouts from Troop 418, sponsored by St. Stephen's Episcopal Church, who were observing the meeting to fulfill merit badge and rank

requirements: Jake Ames (Citizenship in the Community), Will Ames (Citizenship in the Community), Nate Filson (Star), Ben Mayes (Citizenship in the Community), Carter Moerner (Citizenship in the Community and Family Life), Brandan Mollenauer (Citizenship in the Community), and Sam Shaia (Citizenship in the Community).

## **PRESENTATIONS**

Mrs. Lynch presented a proclamation recognizing April 8 - 14, 2018, as Crime Victims' Rights Week. Accepting the proclamation were Shelly Shuman-Johnson, Director of the Victim/Witness Assistance Program, and Shannon Taylor, Commonwealth's Attorney. Joining them were Deputy Commonwealth's Attorney Matt Ackley; Victim Services Specialists Kristen Camp, Erica Clark, Renee Duffy, Natalie Kent, Nicole Mayton, and Audrey Parrish; and Management Assistants Sam Gilroy and Susan Haynes.

Mr. Branin presented a proclamation recognizing April 8 - 14, 2018, as Public Safety Telecommunicators Week. Accepting the proclamation was Captain Bryan Cook, Commanding Officer for Communications. Joining him were Major Pete MacRae, Deputy Chief of Police for Administrative Services; Steve Weis, Emergency Communications Manager; Alysa Morgan, Senior Communications Supervisor; Linda Cox, Communications Supervisor; and Communications Officers Jacob Brush, Jessica Brush (2017 Emergency Communications Officer of the Year), Megan Reeves, Sheri Weldon, and Teri Wootton.

Mrs. O'Bannon presented a proclamation recognizing April 2018 as Child Abuse Prevention Month. Accepting the proclamation were Jeanine Harper, Executive Director of Greater Richmond SCAN (Stop Child Abuse Now), and Shawn Rozier, Assistant Director of Social Services. Joining them was Ty Parr, Director of Social Services.

Mr. Thornton presented a proclamation recognizing April 2018 as Keep Henrico Beautiful Month. Accepting the proclamation was Lynne Yurchak, Chairperson of the Keep Henrico Beautiful Committee and Brookland District representative. Joining her were Brookland District representative Norma Jean Beaken; Fairfield District representatives Dale Alexander, Marian Martin, Brian Montgomery, and Marc Rene; Three Chopt District representative Jennifer Sanford-Caples; Tuckahoe District representatives Jim Barrett and Kendall Tyree; Varina District representatives Bland Goddin, Norma Harris, and Aileen Rivera; Assistant Public Utilities Director Bentley Chan; Solid Waste Division Director Jon Clary; and Keep Henrico Beautiful Executive Coordinator Megan Brown.

## **PUBLIC HEARING ITEM**

73-18                      Resolution - Approval of Issuance of Bonds by the Suffolk Redevelopment and Housing Authority for the Hope Village Apartments - Fairfield District.

Mr. Rapisarda provided an overview of this item, on which the Board was holding two concurrent, advertised public hearings. Mr. Vithoulkas spoke to the significance of an agreement that was negotiated by the County with the owners of Hope Village Apartments alongside the project's financing plan to address maintenance and safety issues. He suggested the agreement sets a model for the County going forward that could be applied to the former Essex Village housing complex. Mr. Vithoulkas thanked Mr.

Rapisarda for his work on the agreement and Colonel Middleton for his efforts with Essex Village, currently known as St. Luke Apartments.

James Moore, a resident of Henrico County, questioned how the proposed bond issuance and associated improvements would impact the existing residents of Hope Village Apartments. Bobby Byrd, a vice president of the parent company that owns the apartments, responded to this question. Mr. Vithoulkas clarified for Mr. Moore that the resolution before the Board would authorize bond financing for the renovation of Hope Village Apartments and that no residents would be displaced by the project. Mr. Byrd assured Mr. Moore that tenants would not face a rent increase.

In response to a question from Fairfield District resident Arthur Garthright, Mr. Vithoulkas clarified that Hope Village Apartments and EssexVillage/St. Luke Apartments are under separate ownership.

In response to a question from Fairfield District resident Monica Hutchinson, Mr. Byrd explained that Hope Village does not currently have a tenants' association but the new ownership he represents plans to have individual discussions with tenants and a tenant meeting prior to construction. He responded to another question from Ms. Hutchinson pertaining to tenant input for the proposed renovations. Mr. Thornton supported an inference by Ms. Hutchinson that all the residents need to be organized appropriately after the project has jelled. Mr. Nelson suggested Ms. Hutchinson obtain Mr. Byrd's contact information, so they can stay in touch during this process.

In response to a question from Alicia Wright, Mr. Rapisarda advised that there will be semiannual inspections of the property. Ms. Wright recommended to Mr. Byrd that the new owners establish a formal tenants' association with voting power.

No one from the public spoke in opposition to this item.

On motion of Mrs. O'Bannon, seconded by Mr. Branin, and by unanimous vote, the Board approved this item – see attached resolution.

## **PUBLIC COMMENTS**

Kristie Kinsella, co-founder of Equitable Advocates and a resident of the Brookland District, asked the Board of Supervisors to delay holding its joint meeting with the School Board until after spring break as many parents and teachers will be out of town that week. She encouraged collaboration during this meeting and the consideration of additional funding to address teacher pay, classroom overcrowding, and disparities in resources and opportunities among the school population.

Mr. Garthright expressed concerns regarding the County's community revitalization ordinances, the concentration of affordable housing in the Laburnum Avenue corridor, the allocation of meals tax revenues, conditions at Glen Lea Elementary School, the School

Board's public comment procedures, division in the community, and using school children to promote political agendas.

Gay Donna Vandergriff, a resident of the Brookland District, thanked the Board for funding schools and libraries and asked the Board to think about what the dollars it allocates to schools represent and how these dollars can impact children's futures.

Chrystal Doyle, a resident of the Brookland District, thanked the Board for taking on the challenge of pay compression and teacher salaries.

Brenda Jean, a resident of the Fairfield District, voiced concerns pertaining to the cycle of step increases for Henrico teachers.

Sam Ulmschneider, a resident of the Brookland District and teacher at Maggie L. Walker Governor's School, thanked the Board for considering pay compression as an important issue and suggested Henrico can serve as a model for other jurisdictions.

Arnaldo Cardona, a resident of the Brookland District, spoke to the importance of investing in teachers, including funding for staff development.

Beth McKenzie-Mohr, a resident of the Brookland District and substitute teacher in Henrico County, asked the Board to consider additional pay for teachers, instructional aides, and substitute teachers.

Bud Cothorn, a resident of the Brookland District, stated concerns relating to the School Board's public comment procedures and the issue of pay compression for Henrico's teachers. He asked the Board of Supervisors to encourage the School Board to be more open with the public in solving problems.

## **GENERAL AGENDA**

74-18                      Introduction of Ordinance - To Amend and Reordain the Following Sections of the Code of the County of Henrico Titled:

20-414 "Enumerated; amount of license tax"  
20-416 "Scientific research and development services"  
20-446 "Enumerated; amount of license tax"  
20-475 "Enumerated; amount of tax"  
20-506 "Tax on owners and operators"  
20-507 "Tax on promoters generally"  
20-509 "Tax on promoters of athletic contests or races"  
20-531 "Levy of tax; amount"  
20-559 "Amount of tax"  
20-560 "Speculative builders"  
20-600 "Hotels"  
20-601 "Restaurants, soda fountains and similar businesses"  
20-624 "Small loan companies"  
20-625 "Persons other than small loan companies lending money for purchase of chattels secured by liens; purchasers of conditional sales contracts"

20-626 "Other moneylenders"  
 20-627 "Persons making first mortgage loans or purchasing mortgage notes"  
 20-648 "Amount of tax"  
 20-650 "Commission merchants"  
 20-691 "License required; tax basis"  
 20-692 "Amount of tax"  
 20-793 "Term defined; amount of tax"  
 20-818 "Amount of tax on persons furnishing water"  
 20-819 "Amount of tax on persons furnishing heat, light and power, and gas"  
 and  
 20-821 "Amount of tax for telephone and telegraph businesses"

to Raise the Threshold and Deduction for Business License Taxes from \$200,000 to \$300,000.

Ned Smither, Director of Finance, responded to a question from Mrs. O'Bannon.

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached introduction of ordinance.

75-18 Introduction of Ordinance - To Amend and Reordain Section 20-78 of the Code of the County of Henrico Titled "Elderly or permanently and totally disabled persons" to Increase the Maximum Income and Net Worth Allowed for Participants in the Real Estate Advantage Program.

Mr. Smither responded to questions from Mrs. O'Bannon.

On motion of Mrs. O'Bannon, seconded by Mr. Branin, and by unanimous vote, the Board approved this item – see attached introduction of ordinance.

76-18 Resolution - Approval of Royal Medical Transportation, LLC to Operate a Medical Transport Service in Henrico County.

Tony McDowell, Fire Chief, responded to a question from Mrs. O'Bannon regarding this item.

On motion of Mr. Nelson, seconded by Mr. Branin, and by unanimous vote, the Board approved this item – see attached resolution.

77-18 Resolution - Award of Contract - Boiler and Domestic Hot Water Heater - Jail West.

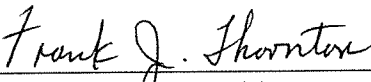
John Neal, Director of General Services, responded to a question from Mrs. O'Bannon.

On motion of Mr. Branin, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached resolution.

- 78-18                    Resolution - Signatory Authority - Donation of Real Property - Malvern Hill Property, Turkey Island Creek Property, and 10000 Carters Mill Road - Varina District.
- On motion of Mr. Nelson, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.
- 79-18                    Introduction of Ordinance - To Amend and Reordain Subsection (a) of Section 23-361 Titled “Water service and volume charges,” and Subsection (a) of Section 23-362 Titled “Sewer service charges and rates” of the Code of the County of Henrico, to Change Utility Charges.
- On motion of Mr. Nelson, seconded by Mr. Branin, and by unanimous vote, the Board approved this item – see attached introduction of ordinance.
- 80-18                    Resolution - Award of Construction Contract - Water Reclamation Facility Capital Improvement Program FY17 - Varina District.
- On motion of Mr. Nelson, seconded by Mr. Branin, and by unanimous vote, the Board approved this item – see attached resolution.
- 81-18                    Resolution - Signatory Authority - Amendment to Contract for Engineering Design Services - Sadler Road Improvements (UPC #60934) - Three Chopt District.
- On motion of Mr. Branin, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.
- 82-18                    Resolution - Signatory Authority - Amendment to Contract for Engineering Design Services - Three Chopt Road Improvements (UPC #50528) - Three Chopt and Tuckahoe Districts.
- Steve Yob, Director of Public Works, responded to a question from Mrs. O'Bannon.
- On motion of Mrs. O'Bannon, seconded by Mr. Branin, and by unanimous vote, the Board approved this item.
- 83-18                    Resolution - Signatory Authority - Amendment to Contract for Engineering Design Services - Dabbs House Road Improvements (UPC #60933) - Varina District.
- Mr. Yob responded to a question from Mr. Nelson.
- On motion of Mr. Nelson, seconded by Mr. Branin, and by unanimous vote, the Board approved this item – see attached resolution.
- 84-18                    Resolution - Signatory Authority - Amendment to Agreement with Virginia Department of Transportation - Dabbs House Road Improvements (UPC 60933) - Varina District.

On motion of Mr. Nelson, seconded by Mr. Branin, and by unanimous vote,  
the Board approved this item – see attached resolution.

There being no further business, the meeting was adjourned at 8:56 p.m.

  
\_\_\_\_\_  
Chairman, Board of Supervisors  
Henrico County, Virginia



# Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

## CRIME VICTIMS' RIGHTS WEEK

*April 8 - 14, 2018*

**WHEREAS**, Americans are the victims of 20 million crimes each year, affecting individuals and communities; and

**WHEREAS**, years of investment in crime victims' rights and services have developed a system of victim response that can help victims recover from crimes; and

**WHEREAS**, reaching and serving all victims of crime is essential to supporting thriving communities, because those who receive holistic services and support are more likely to remain invested in their communities; and

**WHEREAS**, dedicated victim service providers are working every day to meet the needs of crime victims, yet there are still too many victims without meaningful access to rights and services; and

**WHEREAS**, many victims face barriers—such as isolation, distrust of authorities, language limitations, lack of transportation, or cultural barriers—that keep them from accessing the services and criminal justice systems that can help them recover from crime; and

**WHEREAS**, we must make a dedicated effort to expand the circle of those prepared to respond to victims and link them to the resources that help them recover; and

**WHEREAS**, engaging a broader array of healthcare providers, community leaders, faith organizations, educators, and businesses can provide new links between victims and services that improve their safety, healing, and access to justice; and

**WHEREAS**, National Crime Victim's Rights Week provides an opportunity to recommit to ensuring that all victims of crime—especially those who are challenging to reach or serve—are afforded their rights and receive a trauma-informed response; and

**WHEREAS**, the Henrico County Victim/Witness Assistance Program is hereby dedicated to strengthening victims and survivors in the aftermath of crime, building resilience in our communities and our victim responders, and working for justice for all victims and survivors.

**NOW, THEREFORE, BE IT PROCLAIMED** that the Board of Supervisors of Henrico County, Virginia, hereby recognizes April 8 - 14, 2018, as Crime Victims' Rights Week; reaffirms the County's commitment to creating a victim service and criminal justice response that assists all victims of crime during Crime Victims' Rights Week and throughout the year; and expresses gratitude and appreciation for those community members, victim service providers, and criminal justice professionals who are committed to improving our response to all victims of crime so that they may find relevant assistance, support, justice, and peace.



*Frank J. Thornton*  
Frank J. Thornton, Chairman  
Board of Supervisors

*Barry R. Lawrence*  
Barry R. Lawrence, Clerk  
March 27, 2018

# Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

## **PUBLIC SAFETY TELECOMMUNICATORS WEEK**

***April 8 - 14, 2018***

**WHEREAS**, the Communications Officers of the Henrico County Police Division serve the local community by answering telephone calls for fire, police, and emergency medical services assistance and by ensuring that the appropriate response is dispatched as efficiently as possible; and

**WHEREAS**, Communications Officers perform with distinction a vital duty to the citizens of Henrico County in protecting their health and safety; and

**WHEREAS**, Henrico citizens depend on the skill, expertise, and commitment of these professionals, who provide unselfish service on a daily basis in very stressful situations.

**NOW, THEREFORE, BE IT PROCLAIMED** that the Board of Supervisors of Henrico County, Virginia, hereby recognizes April 8 - 14, 2018, as Public Safety Telecommunicators Week; encourages all Henrico citizens to make note of this observance; and salutes the County's Communications Officers for their exemplary professionalism, service, and performance.



*Frank J. Thornton*  
Frank J. Thornton, Chairman  
Board of Supervisors

*Barry R. Lawrence*  
Barry R. Lawrence, Clerk  
March 27, 2018

# Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

## **CHILD ABUSE PREVENTION MONTH**

*April 2018*

**WHEREAS**, 55,258 children in the Commonwealth of Virginia received Child Protective Services intervention as a result of suspected abuse and neglect in fiscal year 2017 as documented by the Virginia Department of Social Services; and

**WHEREAS**, the Henrico County Department of Social Services responded to 822 reports of child abuse and neglect involving 1,085 children, with 727 children identified as needing services in our community; and

**WHEREAS**, child abuse and neglect is a serious community problem requiring comprehensive community solutions; and

**WHEREAS**, Henrico County strives to develop strong partnerships among social service and law enforcement agencies, schools, religious and civic organizations, medical facilities, and businesses to implement those solutions; and

**WHEREAS**, many dedicated individuals and organizations throughout Henrico County work daily to break the cycle of child abuse and neglect and to find families the assistance they need; and

**WHEREAS**, all citizens should become more aware of the negative effects of child abuse and neglect; the importance of raising children in safe and nurturing environments; and the opportunity to support children and families, including fathers, so that children can grow into successful, healthy, and productive adults.

**NOW, THEREFORE, BE IT PROCLAIMED** that the Board of Supervisors of Henrico County, Virginia, hereby recognizes April 2018 as Child Abuse Prevention Month and calls upon Henrico citizens to participate in appropriate programs and activities that help protect children in the local community from abuse and neglect.



*Barry R. Lawrence*

Barry R. Lawrence, Clerk

March 27, 2018

*Frank J. Thornton*

Frank J. Thornton, Chairman  
Board of Supervisors

# Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

## **KEEP HENRICO BEAUTIFUL MONTH**

*April 2018*

**WHEREAS**, littering is unlawful, unsightly, and hazardous to health; and

**WHEREAS**, the Keep Henrico Beautiful program and Keep Henrico Beautiful Committee of appointed volunteers were established in 1980 to develop and lead educational litter prevention activities and encourage participation of all Henrico County residents in litter prevention and recycling; and

**WHEREAS**, for the past 38 years, members of the Keep Henrico Beautiful Committee have dedicated their time, talent, and energy to the successful direction of anti-litter educational programs; and

**WHEREAS**, the Keep Henrico Beautiful Committee disseminates educational materials and sponsors programs, special events, and workshops to foster public awareness of the environment; and

**WHEREAS**, several thousand Henrico County residents now participate in litter prevention and recycling projects, including the "Because We Care" volunteer litter pick-up program, through their community associations, churches, scout troops, school clubs, civic groups, and businesses; and

**WHEREAS**, the Keep Henrico Beautiful program has maintained a strong relationship with Henrico schools by providing classroom presentations and lesson plans on litter prevention and recycling that correlate with the Virginia Standards of Learning.

**NOW, THEREFORE, BE IT PROCLAIMED** that the Board of Supervisors of Henrico County, Virginia, hereby recognizes April 2018 as Keep Henrico Beautiful Month, urges all Henrico residents to show their environmental stewardship by not littering and by recycling, and encourages the public to celebrate our clean county by joining the efforts of Keep Henrico Beautiful.



*Barry R. Lawrence*  
Barry R. Lawrence, Clerk  
March 27, 2018

*Frank J. Thornton*  
Frank J. Thornton, Chairman  
Board of Supervisors



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 73-18  
Page No. 1 of 1

Agenda Title: RESOLUTION – Approval of Issuance of Bonds by the Suffolk Redevelopment and Housing Authority for the Hope Village Apartments – Fairfield District

For Clerk's Use Only:

Date: 3/27/2018

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Branin  
(2) (2)

REMARKS

APPROVED

YES NO OTHER

Branin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lynch, C.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

After holding duly advertised, concurrent public hearings on March 27, 2018, the Board of Supervisors approved the attached resolution.

Comments: This resolution has been requested by Hope Preservation LP, a Delaware limited partnership, the owner of Hope Village Apartments.

By Agency Head \_\_\_\_\_

By County Manager \_\_\_\_\_

Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

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

**RESOLUTION – Approval of Issuance of Bonds by the Suffolk Redevelopment and Housing Authority for the Hope Village Apartments – Fairfield District**

WHEREAS, the Board of Supervisors of Henrico County, Virginia (the “Board”) is the governing body of Henrico County, Virginia (the “County”); and

WHEREAS, Hope Village Apartments (the “Apartments”), located at 1605 Hope Road in the County, is a 100-unit, multi-family residential rental housing development which qualifies as a “qualified residential rental project” within the meaning of Section 142(d) of the Internal Revenue Code of 1986, as amended (the “Code”); and

WHEREAS, the owner of the Apartments, Hope Preservation LP, a Delaware limited partnership (the “Owner”), intends to rehabilitate the Apartments; and

WHEREAS, the Owner will spend approximately \$42,000 per unit on labor and materials to improve the safety and living conditions at the Apartments with outdoor lighting that enhances security for the residents and complies with County and the Virginia Housing Development Authority standards, by ensuring accessible walking paths from accessible apartment units to all common area amenities, by repairing damaged stairwell railings, and adding fire prevention features; and

WHEREAS, in accordance with federal tax law which fosters private investments in affordable housing, the Owner wishes to access private funds from the capital markets through the sale of tax-exempt bonds in an aggregate amount not to exceed \$13,000,000 (the “Bonds”) to finance, together with other funds, the acquisition, rehabilitation and equipping of the Apartments, including the costs of the aforementioned improvements, along with the funding of debt service and other reserve funds and the payment of issuance and other transaction costs (collectively, the “Project”); and

WHEREAS, in order to accomplish this, the Owner has sought assistance from the Suffolk Redevelopment and Housing Authority (the “Authority”), as the County does not have a redevelopment and housing authority organized pursuant to the Virginia Housing Authorities Law, Chapter 1, Title 36 of the Code of Virginia of 1950, as amended (the “Act”); and

WHEREAS, the Authority held a public hearing on January 23, 2018, on the issuance of revenue bonds to assist in financing the Project and adopted a resolution on January 23, 2018, agreeing to issue its bonds for such purpose, subject to, among other requirements, approval by the Board as required by Section 36-23 of the Act; and

WHEREAS, the Suffolk City Council adopted a resolution approving the issuance of the bonds on March 7, 2018; and

WHEREAS, Section 36-23 of the Act authorizes the Authority to provide financing assistance for multi-family residential housing developments in the County, provided the Board, after holding an advertised public hearing on the matter, adopts a resolution which declares a need for the Authority to exercise its powers within the County; and

WHEREAS, Section 36-23 of the Act requires further that before the Authority may issue bonds to assist with the Project, the consent must be obtained from any other housing authority with bonds outstanding on a project in the County; and

WHEREAS, the Harrisonburg Redevelopment and Housing Authority (the "Harrisonburg Authority") has bonds outstanding to assist in financing in the County, and, at the request of the Authority, the Harrisonburg Authority expressed its consent to the issuance by the Authority of bonds to assist with the Project; and

WHEREAS, certified copies of the aforementioned resolutions and the consent of the Harrisonburg Authority have been filed with the County evidencing the actions taken by the respective bodies; and

WHEREAS, the Board has held an advertised public hearing on March 27, 2018, regarding the need for the Authority to exercise its powers in the County as required by Section 36-23 of the Act following notice of such hearing in the form attached hereto as Exhibit A, published in a newspaper having general circulation within the County at least 10 days prior to the date set for such hearing as required by Section 36-23 of the Act; and

WHEREAS, the Board has held an additional, concurrent public hearing on March 27, 2018, on the Apartments and the issuance of the bonds as required by Section 147(f) of the Code, following notice of such hearing in the form attached hereto as Exhibit B, published in a newspaper of general circulation within the County on March 13 and 20, 2018, once a week for two successive weeks with the second advertisement published at least six but not more than 21 days before the date set for such hearing, in keeping with Section 15.2-4906 of the Code of Virginia, and serving as reasonable notice as required by applicable public hearing requirements of the Code; and

WHEREAS, a fiscal impact statement complying with the requirements of Section 15.2-4907 of the Code of Virginia has been filed with the Board; and

WHEREAS, the County and the Owner have negotiated the Agreement and Memorandum of Understanding, in substantially the form attached hereto as Exhibit C (the "Agreement"), that creates certain operational and maintenance standards for the project; and

WHEREAS, the advertised public hearings provided opportunities for interested persons to be heard, for the expressions of opinion, for arguments on the merits, and for the introduction of documentary evidence pertinent to the proposed issuance of the Bonds and the Authority's exercise of its powers in the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County, Virginia, as follows:

1. The Board acknowledges that with the assistance of the Authority through the issuance of its tax-exempt bonds, the financing would enable the aforementioned safety improvements to be implemented and the safety of the tenants at the Apartments and the

surrounding environs of the County would consequently be improved insofar as the improvements made would be made with the proceeds of the Bonds, and therefore the Board hereby declares that there is a need for the Authority to exercise its powers within the County.

2. The Board finds, as required by Section 36-23 of the Act, that the dwelling accommodations available to the persons in the Apartments could be significantly improved and made substantially safer if the Authority exercises its powers within the territorial boundaries of the County.

3. The Board makes the appropriate findings as required by Section 36-23 of the Act, acknowledges the consent provided by the Harrisonburg Authority recited above, and approves the issuance of the bonds by the Authority for the Project, as required by Section 147(f) of the Code.

4. The Board approves the Agreement in substantially the form attached hereto as Exhibit C.

5. The Board's approval of this resolution is expressly contingent upon immediate execution of the Agreement.

6. This approval does not constitute an endorsement to prospective purchasers of the Bonds or of the creditworthiness of the Project or the Owner.

7. The issuance of the Bonds shall not create a debt or pledge of the full faith and credit of the Commonwealth of Virginia, the County, the City of Suffolk, Virginia or the Authority.

8. This resolution applies exclusively to the Project only. Nothing herein contained shall be construed to authorize or permit the Authority to exercise its powers or engage in any other project financing except as authorized by the resolution.

9. This resolution shall take effect immediately upon its adoption and will remain in effect for a period of one year from the date of its adoption.



**Exhibit A**  
**Form of First Public Hearing Notice**

## **NOTICE OF PUBLIC HEARING**

**TUESDAY, MARCH 27, 2018**

All persons interested in the proposed authorization for the Suffolk Redevelopment and Housing Authority (the "Authority") to issue bonds for a multi-family housing project in Henrico County, Virginia (the "County"), should take notice that the Board of Supervisors of Henrico County (the "County Board") will hold a public hearing on Tuesday, March 27, 2018, at 7:00 p.m., at the Henrico Western Government Center, 4301 E. Parham Road, Henrico, Virginia 23228, which hearing may be adjourned or continued without further notice.

The County Board will hold a public hearing to determine in accordance with Section 36-23 of the Virginia Code whether dwelling accommodations in the County can be made substantially safer through the authorization of the Authority to exercise its powers to issue tax-exempt bonds for the benefit of facilities located within the territorial boundaries of the County.

Any person interested in the authorization of the Authority to finance a facility within the territorial boundaries of the County may appear at the hearing and present his or her views. Written comments regarding the proposed bonds or requests for additional information may be submitted electronically to the Clerk of the County Board prior to the public hearing by completing the Citizen Participation Form available on the County Board's website, <https://henrico.us/supervisors/>. Alternatively, written comments or requests for additional information may be submitted by regular mail prior to the hearing to the County Board care of Andrew R. Newby, Assistant County Attorney, P.O. Box 90775, Henrico, Virginia 23273-0775.

Clerk of the Board of Supervisors of Henrico County, Virginia

**Exhibit B**  
**Form of Second Public Hearing Notice**

## NOTICE OF PUBLIC HEARING

**TUESDAY, MARCH 27, 2018**

All persons interested in the proposed authorization for the Suffolk Redevelopment and Housing Authority (the "Authority") to issue bonds for a multi-family housing project in Henrico County, Virginia (the "County") should take notice that pursuant to Section 147(f) of the Internal Revenue Code the Board of Supervisors of the County (the "County Board") will hold a public hearing on Tuesday, March 27, 2018, at 7:00 p.m., at the Henrico Western Government Center, 4301 E. Parham Road, Henrico, Virginia 23228, which hearing may be adjourned or continued without further notice.

The Authority has been requested by Hope Preservation, LP, a Delaware limited partnership (the "Applicant"), to issue tax-exempt bonds in an amount not to exceed \$13,000,000, to provide financing for the acquisition and rehabilitation of a 100 unit, 6.785 acre affordable multi-family residential rental project known as the Hope Village Apartments and comprised of 12 two-story walk-up buildings and two accessory buildings, the funding of debt service and other reserve funds and the payment of costs of issuance (collectively, the "Project"). The Project is located at 1605 Hope Road, Glen Allen, Virginia 23060. The Project will be owned and operated by the Applicant, whose principal place of business is located at Fairstead Affordable, 250 W. 55th Street, 35th Floor, New York, New York 10019.

Such bonds, if issued, will not create a debt or pledge of the full faith and credit of the Commonwealth of Virginia, the County or the Authority, and will be limited obligations of the Authority, payable solely from funds provided by the Applicant for payment on the bonds.

Any person interested in the issuance of the bonds or the Project may appear at the hearing and present his or her views. Written comments regarding the proposed bonds or requests for additional information may be submitted electronically to the Clerk of the County Board prior to the public hearing by completing the Citizen Participation Form available on the County Board's website, <https://henrico.us/supervisors/>. Alternatively, written comments or requests for additional information may be submitted by regular mail prior to the hearing to the County Board care of Andrew R. Newby, Assistant County Attorney, P.O. Box 90775, Henrico, Virginia 23273-0775.

Clerk of the Board of Supervisors of Henrico County, Virginia

Exhibit C  
Form of Agreement and Memorandum of  
Understanding

## AGREEMENT AND MEMORANDUM OF UNDERSTANDING

This Agreement and Memorandum of Understanding ("MOU") is made and entered into effective as of March 27, 2018 by and between Henrico County, Virginia (the "County") and Hope Preservation LP, a Delaware limited partnership ("Owner") (collectively, the "Parties").

### RECITALS

- A. The Owner is the purchaser of certain improved real property in Henrico County, Commonwealth of Virginia, consisting of an apartment community commonly known as Hope Village Apartments (comprised of one hundred (100) apartment units) having an address of 1605 Hope Road, Glen Allen, VA 23060 described generally in Exhibit A (the "Property").
- B. The Property is subject to a Housing Assistance Payments Contract pursuant to the United States Housing Act of 1937, 42 U.S.C. 1437 and the Department of Housing and Urban Development Act 42 U.S.C. 3531.
- C. The Owner intends to pursue tax-exempt bond financing and tax credit equity to fund rehabilitation improvements to the Property (the "Financing").
- D. The Owner has obtained an inducement resolution from the Suffolk Redevelopment and Housing Authority for the issuance of its bonds in an amount not to exceed \$13,000,000 to finance the rehabilitation improvements contemplated for the Property.
- E. The Owner requests the Henrico County Board of Supervisors to adopt a resolution on March 27, 2018 authorizing the Suffolk Redevelopment and Housing Authority to issue bonds to finance the rehabilitation. A copy of the resolution to be presented is attached to the MOU as Exhibit B.
- F. In consideration of the adoption of the resolution by the Henrico County Board of Supervisors, this MOU is intended to outline for the County the commitment of the Owner upon the closing of the Financing to undertake certain rehabilitation improvements to the Property and other commitments outlined here.

## UNDERSTANDING AND AGREEMENT

1. Defined Terms. All terms not otherwise defined herein shall have the meanings set forth below.
  - 1.1. "HUD" shall mean the Department of Housing and Urban Development.
  - 1.2. "Lender" shall mean the financial institution, bank, investor group or other funding source that provides financing to the Owner.
  - 1.3. "Project" shall mean the acquisition and rehabilitation of the Property, together with the Financing of such activities.
  - 1.4. "VHDA" shall mean the Virginia Housing and Development Authority.
2. Term. This MOU shall have a term of fifteen (15) years from the effective date and shall be binding on subsequent owners of the Property (and any portion of the Property).
3. Condition of Property. The Owner shall maintain the Property in a decent, safe and sanitary manner in accordance with the applicable standards of HUD and state and local laws. The Owner shall provide to the County through the County Manager or his designee a copy of any physical inspection report undertaken by HUD, at the reasonable request of the County. Further, the Owner agrees to use its best efforts to cure any deficiency in any improvement identified in such report or identified by a County building inspector, within ten (10) business days of receiving written notice of the deficiency, or, if such deficiency cannot be reasonably cured in such ten (10) business day period, such longer period as may be necessary to address such deficiency provided that Owner is diligently pursuing cure of such deficiency. If the deficiency presents an imminent threat to the safety of residents requiring curing in less than 10 days, then the Owner agrees to use its best efforts to cure the deficiency as soon as reasonably possible. The Owner shall also allow County officials and employees to inspect the Property as provided in Paragraph 11 of this MOU.
4. Improvements. As part of the Project, the Owner agrees to complete, at a minimum, the actions listed in the rehabilitation scope per Exhibit C (Improvements Scope). All such improvements shall be completed within 24 months from the closing of the Financing.
5. Minimum Investment for Site Improvements. As part of the Project, the Owner agrees to obtain site plan approval for all new site improvements for which approval is required by the County. Owner agrees to work in good faith to address any reasonable requests made by the County that fall outside the site plan approval process.
6. Property Maintenance Reserve Fund. The Financing will include the establishment of a reserve account to assist in the funding of required repairs and be made available to the project in accordance with Lender requirements.

7. Mitigation of Displacement of Residents. The Owner agrees to take all reasonable steps to mitigate the displacement of current residents during and subsequent to completion of the Project in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (49 USC 4601 *et seq.*). In the event tenants are required to relocate temporarily because of rehabilitations activities; such relocation shall not exceed twelve (12) months and all reasonable efforts shall be made to limit the relocation to fourteen (14) days, except for units being retrofitted for accessibility standards. During the relocation period, Owner shall reimburse tenants for (1) the actual cost incurred in moving to and from the Property for relocation purposes; and (2) any increased housing and utility costs at the temporary housing location. Owner shall also provide notice and advisory services in the event temporary relocation is required, including but not limited to (1) advance written notice of the date and approximate duration of the temporary relocation; (2) the address of the suitable, decent, safe, and sanitary dwelling to be made available for the temporary period; and terms and conditions under which the tenant may lease and occupy a decent, safe, and sanitary dwelling in the building upon completion of the rehabilitation.
8. Meetings. The Parties, or Owner's Property Management designee (the "Property Manager"), including at least one representative from the County Police Department and other such representatives as may be designated by the County, will meet annually, and additionally whenever reasonably requested by the County, to discuss the physical and social conditions of the Property and to assess compliance with the provisions of this MOU. In assessing compliance with the terms of this MOU, the Owner agrees to make available upon reasonable request by the County such work orders or other records that show Owner's compliance with the provisions of this MOU.
9. Cooperation with Local Law Enforcement. The Owner, through coordination with its Property Manager, shall work in concert with local law enforcement agencies and actively participate in any programs recommended by such agencies to reduce and prevent crime and to ensure the safety and well-being of all residents at the Property. Such work shall include, without limitation, establishment of a Neighborhood Watch program for the Property.
10. Security.
  - a. Owner shall maintain video camera recording devices at the Property, and will provide video footage when requested by law enforcement when given reasonable notice;
  - b. Site lighting will be improved and maintained to meet standards outlined by VHDA design requirement standards;
  - c. The Owner shall at all times maintain and comply with the most current version of the Affordable Housing Management Plan approved by HUD; and



d. Playgrounds shall have signage to denote that use is permitted only from dawn to dusk.

11. Inspection by County Employees. On a semi-annual basis, the Owner agrees to allow County employees to access the Property, including, upon seven (7) days notice to the residents thereof, the interior of housing units, and any other onsite facilities, to ensure compliance with this MOU and with federal, state, and local laws and regulations associated with the condition of the property. Such inspections may include up to ten (10) percent of the apartment units. The Owner agrees to cooperate with the County to obtain the permission of individual residents necessary to fulfill this requirement. Any access to such units shall be consistent with due process and privacy rights available to such individuals. The Owner further agrees to cure any deficiency identified by County employees within ten (10) business days of receiving notice of the deficiency, or, if such deficiency cannot be reasonably addressed in such ten (10) day period, such longer period as may be necessary to cure such deficiency, provided that Owner is diligently pursuing cure of such deficiency. If the deficiency presents an imminent threat to the safety of the residents requiring curing in less than 10 days, then the Owner agrees to use its best efforts to cure the deficiency as soon as reasonably possible.
12. On-Site Property Manager. The Owner shall ensure that its Property Manager will maintain an employee on site during regular business hours at the Property, and a management employee shall be identified who will serve as a primary point of contact for the County, and emergency management support in the form of access to a Property Manager Employee is available twenty-four hours a day, seven days per week.
13. Background Checks. The Owner shall conduct all required background checks on prospective tenants in accordance with fair housing, state, and local laws and abide by all legal restrictions concerning prospective residents' criminal backgrounds.
14. Consequences of Breach. In the event of a breach by the Owner of any of the terms of this MOU, and upon Owner's receipt of written notice of the breach from the County, the Owner shall have ten (10) business days to cure the breach to the reasonable satisfaction of the County or, if such breach cannot be reasonably cured in such ten (10) day period, such longer period as may be necessary to address such breach provided that Owner is diligently pursuing cure of such breach. If the breach presents an imminent threat to the safety of residents requiring curing in less than 10 days, then the Owner agrees to use its best efforts to cure the deficiency as soon as reasonably possible. The cure of any breach made or tendered by any limited partner of the Owner shall be deemed to be a cure by the Owner and shall be accepted or rejected on the same basis as if made or tendered by the Owner. If the breach is not so cured beyond any cure periods, County may take any action at law or in equity, including seeking specific performance, to cause a cure of such breach. If the County is successful in such action against Owner,

Owner agrees to pay all costs and reasonable attorney's fees expended by the County in pursuing such action.

15. Amendments. This MOU may be amended only by the written agreement of the parties.
16. Notices. Notices to any party shall be sent to the addresses of that party set forth below. Any party may require notices to be sent to a different address by giving notice thereof to the other party. All notices or other communication required or permitted hereunder shall be in writing, and shall be deemed to have been given on (i) the third (3<sup>rd</sup>) day after deposit in the United States mail, postage prepaid, (ii) the first (1<sup>st</sup>) day after deposit with Federal Express or similar overnight delivery services, or (iii) deliver if delivered personally.

Owner:

Hope Preservation LP  
c/o Fairstead Affordable  
250 West 55th Street, 35th Floor  
New York, New York 10019

County:

Henrico County Attorney's Office  
Post Office Box 90775  
Henrico, Virginia 23273-0755

17. No Opposition to Owner Tax Credit Allocation Request. The County hereby agrees that it will not oppose the Owner's application for Affordable Housing tax credits that will be submitted to VHDA in connection with the Project.
18. Compliance by Owner with HUD, VHDA and Lender Requirements. The County agrees that compliance by the Owner with the provisions of this MOU is not intended to, and does not, supersede or conflict with any HUD, VHDA and Lender requirements regarding the Property rehabilitation activities or Owner responsibilities described herein. Therefore, the parties agree to interpret and apply this MOU in a manner that will not require the Owner to undertake anything that is prohibited by any HUD, VHDA or Lender requirements.
19. Transfer of Property and Assumption of this Agreement by Successors and Assigns. Throughout the term of this Agreement, the Owner shall provide written notice of any proposed sale or assignment of its ownership rights in the Property to any third party or affiliate at least ten (10) days prior to the consummation of such transaction. Owner hereby covenants and agrees that any third party or affiliate that acquires all or any portion of its ownership interest in the Property shall be required, as a condition

precedent to the transfer of the Property to such purchaser, to assume in writing all the obligations and responsibilities of the Owner to the County in accordance with this Agreement throughout its term. The notice of any such sale or transfer of the Property shall include a copy, in substantially final form, of the Purchase and Sale Agreement by which the Property is to be sold that includes a provision or a separate Assignment Agreement whereby the purchaser expressly assumes and agrees to the terms of this Agreement.

As evidenced by the signature below of their authorized representative, the Owner and the County hereby agree to the terms of this Memorandum of Understanding.

**SIGNATURE PAGE TO FOLLOW**

COUNTY:

HENRICO COUNTY, VIRGINIA

By: \_\_\_\_\_  
Name: John Vithoukas  
Its: Henrico County Manager

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO to-wit:

I, the undersigned, a Notary Public in and for the jurisdiction aforesaid, do hereby certify that John Vithoukas, whose name is signed to the foregoing Agreement and Memorandum and Understanding, has acknowledged the same before me in my jurisdiction aforesaid and sworn the information is accurate to the best of his knowledge and belief.

Given under my hand this \_\_\_ day of March, 2018.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

Commission number: \_\_\_\_\_

OWNER:  
**HOPE PRESERVATION LP,**  
a Delaware limited partnership

By: **Hope Preservation GP LLC,**  
a Delaware limited liability company,  
its General Partner

By: \_\_\_\_\_  
Name: John Tatum  
Its: Authorized Signatory

STATE OF NEW YORK

COUNTY/CITY OF \_\_\_\_\_ to-wit:

I, the undersigned, a Notary Public in and for the jurisdiction aforesaid, do hereby certify  
that \_\_\_\_\_, whose name is signed to the foregoing Agreement and Memorandum and  
Understanding, has acknowledged the same before me in my jurisdiction aforesaid and sworn the  
information is accurate to the best of his knowledge and belief.

Given under my hand this \_\_ day of March, 2018.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

Commission number: \_\_\_\_\_

## EXHIBIT A

### Property Legal Description

All that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Glen Allen, County of Henrico, Commonwealth of Virginia.

Beginning at a lead hub on the southern line of Mountain Road, which lead hub is located thereon at the intersection of the eastern line of Hope Road as such line curves to the right and the southern line of Mountain Road; thence along and with the southern line of Mountain Road South  $75^{\circ}27'29''$  East 233.10 feet to a rod on the southern line of Mountain Road; thence continuing along and with the southern line of Mountain Road South  $77^{\circ}03'21''$  East 298.06 feet to a rod on the southern line of Mountain Road; thence South  $22^{\circ}30'01''$  East 487.10 feet to a rod; thence South  $69^{\circ}29'59''$  West 470.44 feet to a rod; thence North  $20^{\circ}30'01''$  West 727.63 feet to a rod; thence along a curve to the right having a radius of 100.00 feet for a distance of 61.16 feet to a lead hub located on the southern line of Mountain Road which marks the point of beginning.

NOTE: Being Parcel No. 780-761-7996, County of Henrico.

NOTE: Parcel No. shown for informational purposes only.

## EXHIBIT B

### Form of Board of Supervisors Resolution

#### **RESOLUTION – Approval of Issuance of Bonds by the Suffolk Redevelopment and Housing Authority for the Hope Village Apartments – Fairfield District**

WHEREAS, the Board of Supervisors of Henrico County, Virginia (the “Board”) is the governing body of Henrico County, Virginia (the “County”); and

WHEREAS, Hope Village Apartments (the “Apartments”), located at 1605 Hope Road in the County, is a 100-unit, multi-family residential rental housing development which qualifies as a “qualified residential rental project” within the meaning of Section 142(d) of the Internal Revenue Code of 1986, as amended (the “Code”); and

WHEREAS, the owner of the Apartments, Hope Preservation LP, a Delaware limited partnership (the “Owner”), intends to rehabilitate the Apartments; and

WHEREAS, the Owner will spend approximately \$42,000 per unit on labor and materials to improve the safety and living conditions at the Apartments with outdoor lighting that enhances security for the residents and complies with County and the Virginia Housing Development Authority standards, by ensuring accessible walking paths from accessible apartment units to all common area amenities, by repairing damaged stairwell railings, and adding fire prevention features; and

WHEREAS, in accordance with federal tax law which fosters private investments in affordable housing, the Owner wishes to access private funds from the capital markets through the sale of tax-exempt bonds in an aggregate amount not to exceed \$13,000,000 (the “Bonds”) to finance, together with other funds, the acquisition, rehabilitation and equipping of the Apartments, including the costs of the aforementioned improvements, along with the funding of debt service and other reserve funds and the payment of issuance and other transaction costs (collectively, the “Project”); and

WHEREAS, in order to accomplish this, the Owner has sought assistance from the Suffolk Redevelopment and Housing Authority (the “Authority”), as the County does not have a redevelopment and housing authority organized pursuant to the Virginia Housing Authorities Law, Chapter 1, Title 36 of the Code of Virginia of 1950, as amended (the “Act”); and

WHEREAS, the Authority held a public hearing on January 23, 2018, on the issuance of revenue bonds to assist in financing the Project and adopted a resolution on January 23, 2018, agreeing to issue its bonds for such purpose, subject to, among other requirements, approval by the Board as required by Section 36-23 of the Act; and

WHEREAS, the Suffolk City Council adopted a resolution approving the issuance of the bonds on March 7, 2018; and

WHEREAS, Section 36-23 of the Act authorizes the Authority to provide financing assistance for multi-family residential housing developments in the County, provided the Board, after holding an advertised public hearing on the matter, adopts a resolution which declares a need for the Authority to exercise its powers within the County; and

WHEREAS, Section 36-23 of the Act requires further that before the Authority may issue bonds to assist with the Project, the consent must be obtained from any other housing authority with bonds outstanding on a project in the County; and

WHEREAS, the Harrisonburg Redevelopment and Housing Authority (the "Harrisonburg Authority") has bonds outstanding to assist in financing in the County, and, at the request of the Authority, the Harrisonburg Authority expressed its consent to the issuance by the Authority of bonds to assist with the Project; and

WHEREAS, certified copies of the aforementioned resolutions and the consent of the Harrisonburg Authority have been filed with the County evidencing the actions taken by the respective bodies; and

WHEREAS, the Board has held an advertised public hearing on March 27, 2018, regarding the need for the Authority to exercise its powers in the County as required by Section 36-23 of the Act following notice of such hearing in the form attached hereto as Exhibit A, published in a newspaper having general circulation within the County at least 10 days prior to the date set for such hearing as required by Section 36-23 of the Act; and

WHEREAS, the Board has held an additional, concurrent public hearing on March 27, 2018, on the Apartments and the issuance of the bonds as required by Section 147(f) of the Code, following notice of such hearing in the form attached hereto as Exhibit B, published in a newspaper of general circulation within the County on March 13 and 20, 2018, once a week for two successive weeks with the second advertisement published at least six but not more than 21 days before the date set for such hearing, in keeping with Section 15.2-4906 of the Code of Virginia, and serving as reasonable notice as required by applicable public hearing requirements of the Code; and

WHEREAS, a fiscal impact statement complying with the requirements of Section 15.2-4907 of the Code of Virginia has been filed with the Board; and

WHEREAS, the County and the Owner have negotiated the Agreement and Memorandum of Understanding, in substantially the form attached hereto as Exhibit C (the "Agreement"), that creates certain operational and maintenance standards for the project; and

WHEREAS, the advertised public hearings provided opportunities for interested persons to be heard, for the expressions of opinion, for arguments on the merits, and for the introduction of documentary evidence pertinent to the proposed issuance of the Bonds and the Authority's exercise of its powers in the County.



NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County, Virginia, as follows:

1. The Board acknowledges that with the assistance of the Authority through the issuance of its tax-exempt bonds, the financing would enable the aforementioned safety improvements to be implemented and the safety of the tenants at the Apartments and the surrounding environs of the County would consequently be improved insofar as the improvements made would be made with the proceeds of the Bonds, and therefore the Board hereby declares that there is a need for the Authority to exercise its powers within the County.
2. The Board finds, as required by Section 36-23 of the Act, that the dwelling accommodations available to the persons in the Apartments could be significantly improved and made substantially safer if the Authority exercises its powers within the territorial boundaries of the County.
3. The Board makes the appropriate findings as required by Section 36-23 of the Act, acknowledges the consent provided by the Harrisonburg Authority recited above, and approves the issuance of the bonds by the Authority for the Project, as required by Section 147(f) of the Code.
4. The Board approves the Agreement in substantially the form attached hereto as Exhibit C.
5. The Board's approval of this resolution is expressly contingent upon immediate execution of the Agreement.
6. This approval does not constitute an endorsement to prospective purchasers of the Bonds or of the creditworthiness of the Project or the Owner.
7. The issuance of the Bonds shall not create a debt or pledge of the full faith and credit of the Commonwealth of Virginia, the County, the City of Suffolk, Virginia or the Authority.
8. This resolution applies exclusively to the Project only. Nothing herein contained shall be construed to authorize or permit the Authority to exercise its powers or engage in any other project financing except as authorized by the resolution.
9. This resolution shall take effect immediately upon its adoption and will remain in effect for a period of one year from the date of its adoption.

## EXHIBIT C

### Improvements Scope

This exhibit provides an overview of the construction scope commitments of the owner in accordance to the Memorandum of Understanding.

#### **In-unit scope narrative**

*The following scope will be completed for all apartment units:*

- Replacement of flooring in living areas, kitchens, and bedrooms
- Painting of the unit interior
- Replacement or addition of all appliances to include stove, range hood, refrigerator, and dishwasher
- Replacement appliances shall meet the EPA's Energy qualified program requirements
- Repairing of damaged drywall
- Replacement of kitchen cabinets and countertops
- Replacement of the bathroom vanity, medicine cabinet, toilet and fixtures, and exhaust fans
- Replacement of interior lighting fixtures
- Install interconnected smoke detectors with a 10-year battery backup in the common areas and mechanical closets of each apartment building; in each sleeping room and hallway in each apartment unit; in the community building, and in the leasing/laundry building. Battery-operated detectors with wireless connectivity will be substituted for all but the one hard-wired detector that is required in the hallway outside of the bedrooms in each unit
- Replace all damage subfloor materials and/or joists observed during renovations of each unit
- During the installation of kitchen cabinets in a unit, 3 probe holes (12" x 12") and three access panels will be created and installed. The purpose of these probes is to visually inspect the kitchen sink in wall plumbing, the bathroom sink in wall plumbing (assuming it is located in the kitchen wet wall), and the shower wall plumbing (assuming it is located in the kitchen wall). Any leaks or evidence of leaks will be thoroughly investigated and repaired at the time of install
- Fire prevention or suppression features shall be provided for all cooking surfaces
- Ensure matching interior hardware in unit
- Clean interior of ducts and seal duct joints
- Inspect electrical panel boards in each unit to verify all conductors, overcurrent protection and panel board components are safe and operable. Verify all terminal connections are secure and there is no evidence of damage within the panel board due to overheating or arcing. Replace any damaged panel board equipment, conductors, or overcurrent device.

*The following scope will be completed for some units:*

- Replace HVAC heat pumps to meet a SEER standard rating of 14.0 or more. Scope provides for replacement for 71 apartments
- Replace water heaters for 86 units. Replacement water heaters shall have an energy factor greater than or equal to 67% for gas water heaters or greater than or equal to 93% for electric water heaters
- Replacement of interior doors. A total of 28 replacement interior doors are included in scope.
- Ten units will be converted to meet UFAS/UD accessibility standards.

### **Building envelope and site work narrative**

- Replace building exterior doors
- Replace damaged gutters and downspouts
- Replace all roof coverings within five years of warranty expiring or if compromised by leaks.
- Provide minimum R-38 ceiling insulation throughout attic areas
- Inspect all attics and replace all damaged roof/ceiling framing, roof sheathing and flashing materials at roof penetrations
- The entire private on-site sanitary sewer system (as-built in 1973) shall be inspected via CCTV to determine if repair or replacement of any of the lines is needed. Owner will obtain report and make necessary repairs and maintain the system in accordance with VHDA/DEQ requirements. A copy of the report and documentation of any repairs will be shared with the County
- Provide exterior ducts with minimum R-8 insulation
- Upgrade site lighting in accordance with the new Plan of Development
- Provide dumpster screening
- Provide accessible route in accordance with the new Plan of Development
- Provide landscaping improvements in accordance with the new Plan of Development
- Replace flooring in common mechanical closets in apartment buildings where needed
- Provide electric heaters in common foyer area
- Repair damaged paving
- Power wash masonry façade
- Replace or repair all loose or damaged stair handrails

### **The following item is not within this scope of improvements but is being considered as a potential optional item by the Owner:**

- Replace all exterior vinyl siding with a cementitious siding product such as hardy plank or equivalent.

### **The following item is not within this scope of improvements and is instead a maintenance item addressed by section 3 of the Agreement and Memorandum of Understanding:**

- The parking lot shall be maintained in good repair including the striping. Inoperable vehicles shall be removed from the parking lot. Site lighting shall be maintained in good working order. Landscaping shall be maintained in accordance with the approved Plan of Development.



**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

Agenda Item No. **74-18**  
Page No. 1 of 1

**Agenda Title: INTRODUCTION OF ORDINANCE – See attached**

For Clerk's Use Only:

Date: 3/27/2018

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

**BOARD OF SUPERVISORS ACTION**

Moved by (1) O'Bannon Seconded by (1) Nelson  
(2) \_\_\_\_\_ (2) \_\_\_\_\_

REMARKS:

**APPROVED**

YES NO OTHER

Branin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lynch, C.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Clerk is directed to advertise, in the Richmond Times-Dispatch on April 3, 2018, and April 10, 2018, the following ordinance for a public hearing to be held at the Board Room on April 24, 2018, at 7:00 p.m.:

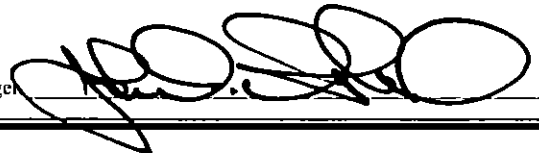
"AN ORDINANCE to amend and reordain the following sections of the Code of the County of Henrico titled 20-414 'Enumerated; amount of license tax' 20-416 'Scientific research and development services' 20-446 'Enumerated; amount of license tax' 20-475 'Enumerated; amount of tax' 20-506 'Tax on owners and operators' 20-507 'Tax on promoters generally' 20-509 'Tax on promoters of athletic contests or races' 20-531 'Levy of tax; amount' 20-559 'Amount of tax' 20-560 'Speculative builders' 20-600 'Hotels' 20-601 'Restaurants, soda fountains and similar businesses' 20-624 'Small loan companies' 20-625 'Persons other than small loan companies lending money for purchase of chattels secured by liens; purchasers of conditional sales contracts' 20-626 'Other moneylenders' 20-627 'Persons making first mortgage loans or purchasing mortgage notes' 20-648 'Amount of tax' 20-650 'Commission merchants' 20-691 'License required; tax basis' 20-692 'Amount of tax' 20-793 'Term defined; amount of tax' 20-818 'Amount of tax on persons furnishing water' 20-819 'Amount of tax on persons furnishing heat, light and power, and gas' and 20-821 'Amount of tax for telephone and telegraph businesses' to raise the threshold and deduction for business license taxes from \$200,000 to \$300,000. A copy of the full text of this ordinance shall be on file in the Office of the County Manager."

Comments: The Director of Finance recommends approval of this Board paper, and the County Manager concurs.

By Agency Head



By County Manager



Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

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

**ORDINANCE – To Amend and Reordain the Following Sections of the Code of the County of Henrico Titled:**

20-414	"Enumerated; amount of license tax"
20-416	"Scientific research and development services"
20-446	"Enumerated; amount of license tax"
20-475	"Enumerated; amount of tax"
20-506	"Tax on owners and operators"
20-507	"Tax on promoters generally"
20-509	"Tax on promoters of athletic contests or races"
20-531	"Levy of tax; amount"
20-559	"Amount of tax"
20-560	"Speculative builders"
20-600	"Hotels"
20-601	"Restaurants, soda fountains and similar businesses"
20-624	"Small loan companies"
20-625	"Persons other than small loan companies lending money for purchase of chattels secured by liens; purchasers of conditional sales contracts"
20-626	"Other moneylenders"
20-627	"Persons making first mortgage loans or purchasing mortgage notes"
20-648	"Amount of tax"
20-650	"Commission merchants"
20-691	"License required; tax basis"
20-692	"Amount of tax"
20-793	"Term defined; amount of tax"
20-818	"Amount of tax on persons furnishing water"
20-819	"Amount of tax on persons furnishing heat, light and power, and gas"
and	
20-821	"Amount of tax for telephone and telegraph businesses"

**to Raise the Threshold and Deduction for Business License Taxes from \$200,000 to \$300,000.**

**BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:**

1. That Section 20-414 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-414. Enumerated; amount of license tax.**

- (a) Every person engaged in one or more of the following businesses and having a definite place of business in the county, provided that the gross receipts of the business exceed ~~\$200,000.00~~ **\$300,000.00**, shall pay a license tax equal to the greater of \$30.00 or 0.20 percent of the difference between the gross receipts of the business and ~~\$200,000.00~~ **\$300,000.00**.

Accountant (other than certified public accountant).  
Administration and management of health care plans.  
Adult educational services, except those provided by religious or nonprofit organizations.  
Appraiser or evaluator of personal property or damages to personal property.  
Appraiser or evaluator of real estate for others for compensation.  
Arboriculturist or pruner of trees and shrubs.  
Assayer.  
Auctioneer.  
Auditing company or firm.  
Blueprinter.  
Bookkeeper, public.  
Botanist.  
Business management.  
Claims adjustor.  
Collection agent or agency.  
Commercial artist.  
Common crier.  
Computer consultant or programmer.  
Conductor of seminars.  
Consulting or consultant service.  
Custom house broker or freight forwarder.  
Draftsman.  
Ecologist.  
Erection or improvement of buildings, furnisher of plans or specifications for or persons employed in consulting capacity in connection with architect.  
Interpreter.  
Investment broker, consultant or advisor.  
Lumber measurer.  
Manufacturer's agent.  
Marriage or business counselor.  
Merchandise broker.  
Paralegal or legal assistant.  
Photostater.  
Public relations counselor and furnisher of publicity.  
Recorder of proceedings in any court, commission or organization.  
Recorder of securities transactions.  
Sales agent or agency.  
Security broker, dealer.  
Sign painter or service.

Social counselor.  
Speech therapist.  
Tax return preparer or tax consultant.  
Taxidermist.  
Technician, including dental or medical.  
Telecommunications services, including, but not limited to, telephone and cellular mobile radio communication services, provided by persons not subject to tax under section 20-821.  
Title abstract or guaranty.

- (b) If the gross receipts of the business are ~~\$200,000.00~~ **\$300,000.00** or less, an application shall be required to be filed, but no tax shall be due or paid.

2. That Section 20-416 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-416. Scientific research and development services.**

- (a) Every person engaged in the business of furnishing scientific research and development services and having a definite place of business in the county, provided that the gross receipts of the business exceed ~~\$200,000.00~~ **\$300,000.00**, shall pay a license tax equal to the greater of \$30.00 or 0.20 percent of the difference between the gross receipts of the business and ~~\$200,000.00~~ **\$300,000.00**.

- (b) If the gross receipts of the business are ~~\$200,000.00~~ **\$300,000.00** or less, an application shall be required to be filed, but no tax shall be due or paid.

3. That Section 20-446 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-446. Enumerated; amount of license tax.**

- (a) Every person engaged in one or more of the following businesses and having a definite place of business in the county, provided that the gross receipts of the business exceed ~~\$200,000.00~~ **\$300,000.00**, shall pay a license tax equal to the greater of \$30.00 or 0.20 percent of the difference between the gross receipts of the business and ~~\$200,000.00~~ **\$300,000.00**.

Abattoir.  
Airport.  
Addressing letters or envelopes.  
Advertising.  
Advertising agents and agency.  
Agent finding tenants for and renting single rooms.  
Ambulance service.

Analytical laboratory.  
Artist, literary, craft and other creative productions.  
Artist's representative.  
Awnings: erecting, installing, storing or taking down.  
Barbershop.  
Baths: Turkish, Roman or other like bath or bath parlor.  
Beauty parlor.  
Billiard, pool or bagatelle parlor.  
Blacksmith shop.  
Blood or other body fluids: withdrawing, processing, storage.  
Boat landing or boat basin.  
Bodies, preparing for burial.  
Boiler shop and machine shop.  
Booking agent.  
Bottle exchange.  
Bounty hunter.  
Bowling alley.  
Burglar alarms, servicing.  
Business research service.  
Canvasser.  
Caterer.  
Cemetery.  
Chartered club.  
Check cashing or currency exchange services.  
Chicken hatchery.  
Cleaning: chimneys; clothes, hats, carpets or rugs; outside of buildings; furnaces; diapers and infants' underwear; linens, coats and aprons; windows; towels; work clothes; houses.  
Clerical help, labor or employment.  
Coin-operated machine services, excluding coin machine operators and pay telephones.  
Computer information on-line services.  
Concert manager.  
Correspondent establishment or bureau.  
Credit bureau.  
Data processing services.  
Demineralization of water.  
Detective services.  
Detoxification of chemicals.  
Dietician.  
Domestic help, labor or employment.  
Duplicating services.  
Dyeing clothes, hats, carpets or rugs.  
Electrologist.  
Embalmer.  
Employment agency and staffing firm.



Engineering laboratory.  
Environmental cleanup and related services.  
Escort or dating service.  
Films, leasing to others for compensation.  
Frozen food locker plant.  
Fumigation or disinfection of rats, termites, vermin or insects of any kind.  
Funerals, conducting.  
Garbage, trash or refuse collection service.  
Gardener.  
Golf course: miniature; driving range; open to public.  
Hairdressing establishment.  
Horses and mules: exhibiting trained and educated horses; boarding or keeping; renting.  
Impoundment lot.  
Interior decorator.  
Janitorial service.  
Kennel or small animal hospital.  
Laundry.  
Lawn maintenance.  
Letter writing.  
Locating of apartments, rooms or other living quarters.  
Lock repairing.  
Locksmith.  
Mailing services.  
Manicurist.  
Massage practitioner.  
Masseur.  
Messenger service, except telephone or telegraph messenger service.  
Mimeographing.  
Monogramming.  
Motion picture theater.  
Motor vehicles: cleaning, greasing, polishing, oiling, repairing, towing, washing, vulcanizing, electrical and battery repair work.  
Motor vehicles for hire and transportation of passengers, chauffeured.  
Multigraphing.  
Nursing homes and personal care facilities, including assisted living.  
Nursing services, including nurses, nursing assistants and personal care providers.  
Packaging services.  
Packing, crating, shipping, hauling or moving goods or chattels for others.  
Parking lot for storage of or parking of motor vehicles.  
Personnel agency.  
Pet sitter.  
Photographer.  
Photographic film processing and development.  
Picture framing or gilding.  
Plating or coating metals or other materials.

Polygraphic services.  
Press clipping service.  
Pressing clothes, hats, carpets or rugs.  
Protective agents or agencies.  
Public address system.  
Public skating rink.  
Publisher of county or city directory.  
Real estate broker.  
Reducing salon or health club.  
Registries: physicians' or nurses'.  
Renting airplanes.  
Renting any kind of tangible personal property, except a person engaged in a short-term rental business subject to tax under article X of this chapter.  
Renting or furnishing automatic washing machines.  
Repair, renovating or servicing the following: bicycles; radios and television apparatus; electric refrigerators; pianos; pipe organs or other musical instruments; fire extinguishers; road construction machinery; road repair machinery; farm machinery; industrial or commercial machinery; business office machinery or appliances; household appliances; shoes; watches; jewelry; umbrellas; harnesses; leather goods or shoes; guns; window shades; dolls; cameras; toys; fountain pens; pencils; Kodaks; lawn mowers; mattresses or pillows; mirrors; electric motors; scales; saws or tools; rewinding electric apparatus; furniture; clothing or hosiery; septic tanks or systems; hats; carpets; rugs; repairing, servicing or renovating any other article not mentioned.  
Scalp treating establishment.  
Seamstress or tailor.  
Sewage collection and disposal.  
Sponging clothes, hats, carpets or rugs.  
Spotting clothes, hats, carpets or rugs.  
Statistical or actuarial service.  
Stevedoring.  
Survey taker.  
Telephone answering or sanitizing service.  
Telephone wiring or installation.  
Tennis court.  
Theater.  
Ticket, transportation, travel and tour agents or brokers.  
Title search.  
Typesetting.  
Undertaker.  
Warehouse for storage of merchandise, tobacco, furniture, or other goods, wares or materials; cold storage warehouses; warehouse for icing or precooling goods, wares or merchandise.  
Wheelwright shop.  
Window dresser.

(b) If the gross receipts of the business are ~~\$200,000.00~~ **\$300,000.00** or less, an application shall be required to be filed, but no tax shall be due or paid.

4. That Section 20-475 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-475. Enumerated; amount of tax.**

(a) Every person engaged in one or more of the following businesses or professions and having a definite place of business in the county, provided that the gross receipts of the business or profession exceed ~~\$200,000.00~~ **\$300,000.00**, shall pay a license tax equal to the greater of \$30.00 or 0.20 percent of the difference between the gross receipts of the business and ~~\$200,000.00~~ **\$300,000.00**.

Architect.

Attorney at law.

Ceramic engineer.

Certified public accountant.

Chemical engineer.

Chemist.

Chiropodist.

Chiropractor.

Civil engineer.

Coal mining engineer.

Consulting engineer.

Contracting engineer.

Dentist.

Doctor of medicine.

Electrical engineer.

Heating and ventilating engineer.

Highway engineer.

Homeopath.

Industrial engineer.

Landscape architect.

Mechanical engineer.

Metallurgist.

Mining engineer.

Naturopathist (naturopath).

Optometrist.

Osteopath.

Patent attorney or agent.

Physician.

Physician services, chiropodist services, chiropractor services, dentist services, doctor of medicine services, homeopath services, naturopath services, optometrist services, osteopath services, physiotherapist services, podiatrist services,

psychologist services, radiologist services or surgeon services provided by a health maintenance organization.

Physician's services provided by a nonprofessional corporation.

Physiotherapist.

Podiatrist.

Professional engineer.

Psychiatrist.

Psychologist.

Radio engineer.

Radiologist.

Railway engineer.

Refrigerating engineer.

Sanitary engineer.

Stream power engineer.

Structural engineer.

Surgeon.

Surveyor.

Veterinarian.

- (b) If the gross receipts of the business are ~~\$200,000.00~~ **\$300,000.00** or less, an application shall be required to be filed, but no tax shall be due or paid.

5. That Section 20-506 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-506. Tax on owners and operators.**

- (a) Every person owning and operating an amusement park, garden, athletic field or park, coliseum and auditorium devoted to general amusement and entertainment which is open to the public and where admission charges are made and where a professional basketball, baseball or football game is conducted or where a motion picture, ballet, play, drama, lecture, monologue, comedy, musical review, musical show or concert is exhibited or conducted, or where an instrumental or vocal concert or concert presenting both instrumental and vocal music is conducted by another or others, or where there is presented or conducted a public show, exhibition or performance of any kind, or where there is operated an aggregation of Ferris wheels, toboggan ring or cane games, baby, knife or cane racks, shooting galleries, merry-go-rounds, hobbyhorses or carousels or where dancing is permitted, to which an admission fee is charged or for which compensation is in any manner received either directly or indirectly for the privilege of dancing, provided that the gross receipts of the business exceed ~~\$200,000.00~~ **\$300,000.00**, shall pay a license tax equal to the greater of \$30.00 or 0.20 percent of the difference between the gross receipts of the business and ~~\$200,000.00~~ **\$300,000.00**.
- (b) If the gross receipts of the business are ~~\$200,000.00~~ **\$300,000.00** or less, an application shall be required to be filed, but no tax shall be due or paid.

6. That Section 20-507 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-507. Tax on promoters generally.**

- (a) Every person presenting a motion picture, ballet, drama, lecture, monologue, comedy, musical review, musical show or concert, or an instrumental or vocal concert or a concert of both instrumental and vocal music, or presenting a public show, exhibition or performance of any kind, or operating a merry-go-round, hobbyhorse, carousel or the like, or conducting a public dance, provided that the gross receipts of the business exceed ~~\$200,000.00~~ \$300,000.00, shall pay a license tax equal to the greater of \$30.00 or 0.20 percent of the difference between the gross receipts of the business and ~~\$200,000.00~~ \$300,000.00.
- (b) If the gross receipts of the business are ~~\$200,000.00~~ \$300,000.00 or less, an application shall be required to be filed, but no tax shall be due or paid.

7. That Section 20-509 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-509. Tax on promoters of athletic contests or races.**

- (a) Every person presenting a professional basketball, baseball, football, wrestling or boxing match or similar competitive athletic performance, or presenting an automobile, horse, dog or animal race or automobile driving contest or stock race, provided that the gross receipts of the business exceed ~~\$200,000.00~~ \$300,000.00, shall pay a license tax equal to the greater of \$30.00 or 0.20 percent of the difference between the gross receipts of the business and ~~\$200,000.00~~ \$300,000.00.
- (b) If the gross receipts of the business are ~~\$200,000.00~~ \$300,000.00 or less, an application shall be required to be filed, but no tax shall be due or paid.

8. That Section 20-531 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-531. Levy of tax; amount.**

- (a) Every person who engages in the business of entering or offering to enter into bonds for others for compensation, whether as a principal or surety, provided that the gross receipts of the business exceed ~~\$200,000.00~~ \$300,000.00, shall pay a license tax equal to the greater of \$30.00 or 0.20 percent of the difference between the gross receipts of the business and ~~\$200,000.00~~ \$300,000.00.

- (b) If the gross receipts of the business are ~~\$200,000.00~~ **\$300,000.00** or less, an application shall be required to be filed, but no tax shall be due or paid.

9. That Section 20-559 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-559. Amount of tax.**

- (a) Every contractor, for the privilege of transacting business in the county, including the performance in the county of a contract accepted outside the county, provided that the gross fees or gross receipts of the business exceed ~~\$200,000.00~~ **\$300,000.00**, shall pay a license tax as follows:

- (1) A fee contractor shall pay the greater of \$30.00 or 1.50 percent of the difference between the gross amount of all fees received from contracts accepted on a fee basis and ~~\$200,000.00~~ **\$300,000.00**; and

- (2) A contractor other than a fee contractor shall pay the greater of \$30.00 or 0.15 percent of the difference between the gross receipts from all contracts accepted on a basis other than a fee basis and ~~\$200,000.00~~ **\$300,000.00**.

- (b) If the gross amount of all fees received from contracts accepted on a fee basis or the gross receipts from all contracts accepted on a basis other than a fee basis is ~~\$200,000.00~~ **\$300,000.00** or less, an application shall be required to be filed, but no tax shall be due or paid.

10. That Section 20-560 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-560. Speculative Builders.**

- (a) Every person engaged in the business of erecting a building for the purpose of selling or renting it and making no contract with a duly licensed contractor for the erection of such building, whether or not such person contracts with one or more duly licensed contractors for one or more portions, but does not contract with any one person for all of the work of erecting any one of such buildings, shall be deemed to be a speculative builder and for the privilege of transacting business in this county, provided that the total costs of the business exceed ~~\$200,000.00~~ **\$300,000.00**, shall pay a license tax equal to the greater of \$30.00 or 0.15 percent of the difference between the entire cost (both hard and soft) of erecting the building, exclusive of the value of the land, but including the cost of off-site improvements (namely, water systems, sanitary sewerage systems, storm drainage systems and road, curb and gutter improvements) and ~~\$200,000.00~~ **\$300,000.00**.

- (b) If the entire costs of the business are ~~\$200,000.00~~ **\$300,000.00** or less, an application shall be required to be filed, but no tax shall be due or paid.

. . . .

11. That Section 20-600 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-600. Hotels.**

. . . .

- (b) *Levy; amount of tax.* Every person operating a hotel, as defined in the preceding section, provided that the gross receipts of the business exceed ~~\$200,000.00~~ **\$300,000.00**, shall pay an annual license tax equal to the greater of \$30.00 or 0.20 percent of the difference between gross receipts of the business, except receipts from the cost of telephone service and use, and except rent from stores or other space operated independently on ground level with an outside entrance, and ~~\$200,000.00~~ **\$300,000.00**.

- (c) If the gross receipts of the business are ~~\$200,000.00~~ **\$300,000.00** or less, an application shall be required to be filed, but no tax shall be due or paid.

12. That Section 20-601 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-601. Restaurants, soda fountains and similar businesses.**

- (a) Every person engaged in the business of operating an eating house, lunchstand, lunchroom, restaurant or soda fountain, or who shall sell, offer for sale, cook or otherwise furnish for compensation, diet, food or refreshments of any kind, at his house or place of business, for consumption therein, provided that the gross receipts of the business exceed ~~\$200,000.00~~ **\$300,000.00**, shall pay a license tax therefor equal to the greater of \$30.00 or 0.20 percent of the difference between the gross receipts of the business and ~~\$200,000.00~~ **\$300,000.00**.

- (b) If the gross receipts of the business are ~~\$200,000.00~~ **\$300,000.00** or less, an application shall be required to be filed, but no tax shall be due or paid.

. . . .

13. That Section 20-624 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-624. Small loan companies.**

- (a) Every person licensed pursuant to Code of Virginia, title 6.2, ch. 15 (Code of Virginia, § 6.2-1500 et seq.), provided that the gross receipts of the business exceed ~~\$200,000.00~~ **\$300,000.00**, shall pay a license tax equal to the greater of \$30.00 or 0.20 percent of the difference between the gross receipts of the business, excluding repayments of principal, and ~~\$200,000.00~~ **\$300,000.00**. In no event, however, shall the tax calculated as 0.20 percent, as stated in this subdivision, exceed \$90,000.00.
- (b) If the gross receipts of the business, excluding repayments of principal, are ~~\$200,000.00~~ **\$300,000.00** or less, an application shall be required to be filed, but no tax shall be due or paid.

14. That Section 20-625 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-625. Persons other than small loan companies lending money for purchase of chattels secured by liens; purchasers of conditional sale contracts.**

- (a) Every person, other than a person licensed pursuant to Code of Virginia, title 6.2, ch. 15 (Code of Virginia, § 6.2-1500 et seq.), engaged in the business of lending money to others for the purchase of motor vehicles, refrigerators, radios, oil or gas burners, electrical appliances, household furniture or equipment, or any other goods or chattels, whether new or used, secured by a lien on such goods or chattels, or paying the purchase price of any goods or chattels for the buyer and securing the sum so paid by a lien on the goods or chattels, or, by the purchase from a dealer of conditional sales contracts or chattels, mortgages, and the notes or other obligations, if any, secured thereby, or in any other manner or by any other method financing in whole or in part, the purchase of such goods or chattels by or for others; and every person, other than a person licensed pursuant to Code of Virginia, title 6.2, ch. 15 (Code of Virginia, § 6.2-1500 et seq.), engaged in the business of lending money to others, secured by lien on such goods or chattels, whether for the purchase thereof or not, provided that the gross receipts of the business exceed ~~\$200,000.00~~ **\$300,000.00**, shall pay a license tax equal to the greater of \$30.00 or 0.20 percent of the difference between the gross receipts of the business, excluding repayments of principal, and ~~\$200,000.00~~ **\$300,000.00**. In no event, however, shall the tax calculated under the provision of the previous sentence as 0.20 percent exceed \$90,000.00.
- (b) If the gross receipts of the business, excluding repayments of principal, are ~~\$200,000.00~~ **\$300,000.00** or less, an application shall be required to be filed, but no tax shall be due or paid.

. . . .

15. That Section 20-626 of the Code of the County of Henrico be amended and reordained as follows:



**Sec. 20-626. Other moneylenders.**

- (a) Every person, except those engaged in first mortgage loans and first mortgage note purchasing, conducting or engaging in any of the following money lending or note purchasing occupations, businesses or trades; namely: an industrial loan company, loan or mortgage company, insurance premium finance company, pawnshop or pawnbroker, a factor, a buyer of promissory notes, deed of trust notes or installment loan agreements, provided that the gross receipts of the business exceed ~~\$200,000.00~~ \$300,000.00, shall pay for the privilege an annual license tax therefor equal to the greater of \$30.00 or 0.20 percent of the difference between the gross receipts of the business and ~~\$200,000.00~~ \$300,000.00. In no event, however, shall the tax calculated under the provision of the previous sentence as 0.20 percent exceed \$90,000.00.
- (b) If the gross receipts of the business are ~~\$200,000.00~~ \$300,000.00 or less, an application shall be required to be filed, but no tax shall be due or paid.

. . . . .

16. That Section 20-627 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-627. Persons making first mortgage loans or purchasing mortgage notes.**

- (a) Every person conducting or engaging in a first mortgage money lending or first mortgage note purchasing occupation, business or trade, provided that the gross receipts of the business exceed ~~\$200,000.00~~ \$300,000.00, shall pay for the privilege an annual license tax therefor equal to the greater of \$30.00 or 0.20 percent of the difference between the gross receipts of the business and ~~\$200,000.00~~ \$300,000.00. In no event, however, shall the tax calculated under the provision of the previous sentence as 0.20 percent exceed \$90,000.00.
- (b) If the gross receipts of the business are ~~\$200,000.00~~ \$300,000.00 or less, an application shall be required to be filed, but no tax shall be due or paid.

. . . . .

17. That Section 20-648 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-648. Amount of tax.**

- (a) Every person engaged in the business of a retail merchant, provided that the gross receipts of the business exceed ~~\$200,000.00~~ \$300,000.00, shall pay a license tax

equal to the greater of \$30.00 or 0.20 percent of the difference between the gross receipts of the business and ~~\$200,000.00~~ \$300,000.00.

- (b) If the gross receipts of the business are ~~\$200,000.00~~ \$300,000.00 or less, an application shall be required to be filed, but no tax shall be due or paid.

18. That Section 20-650 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-650. Commission merchants.**

- (a) For purposes of this article, the term "commission merchant" shall mean any person engaged in the business of selling merchandise on commission by sample, circular, or catalogue for a regularly established retailer, who has no stock or inventory under his control other than floor samples held for demonstration or sale and owned by the principal retailer. A commission merchant shall be taxed on commission income and shall not be subject to tax on total gross receipts from such sales. Every person engaged in the business of a commission merchant, provided that the gross commissions of the business exceed ~~\$200,000.00~~ \$300,000.00, shall pay a license tax equal to the greater of \$30.00 or 0.20 percent of the difference between the gross commissions of the business and ~~\$200,000.00~~ \$300,000.00.

- (b) If the gross receipts of the business are ~~\$200,000.00~~ \$300,000.00 or less, an application shall be required to be filed, but no tax shall be due or paid.

. . . . .

19. That Section 20-691 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-691. License required; tax basis.**

- (a) Provided that the total amount of purchases of the business exceed ~~\$200,000.00~~ \$300,000.00 every person engaged in the business of a wholesale merchant shall obtain a license for the privilege of doing business in the county and shall pay a license tax therefor to be measured by the amount of purchases made by him during the next preceding license year.

- (b) If the purchases of the business are ~~\$200,000.00~~ \$300,000.00 or less, an application shall be required to be filed, but no tax shall be due or paid.

. . . . .

20. That Section 20-692 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-692. Amount of tax.**

• • • •

- (b) Each wholesale merchant shall receive a deduction of ~~\$200,000.00~~ \$300,000.00 from purchases prior to determining his tax liability.

21. That Section 20-793 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-793. Term defined; amount of tax.**

• • • •

- (b) Every coin-machine operator shall pay a license tax equal to \$200.00 plus 0.20 percent of the difference between the gross receipts received by the operator from coin machines or devices operated within the county and ~~\$200,000.00~~ \$300,000.00.

22. That Section 20-818 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-818. Amount of tax on persons furnishing water.**

- (a) Every person engaged in the business of furnishing water, provided that the gross receipts of the business exceed ~~\$200,000.00~~ \$300,000.00, shall pay for the privilege an annual license tax equal to 0.50 percent of the difference between the gross receipts of the business accruing to such person from sales to the ultimate consumer in the county and ~~\$200,000.00~~ \$300,000.00.
- (b) If the gross receipts of the business are ~~\$200,000.00~~ \$300,000.00 or less, an application shall be required to be filed, but no tax shall be due or paid.

23. That Section 20-819 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-819. Amount of tax on persons furnishing heat, light and power, and gas.**

- (a) Every person engaged in the business of furnishing heat, light and power, and gas for domestic, commercial and industrial consumption in the county, provided that the gross receipts of the business exceed ~~\$200,000.00~~ \$300,000.00, shall pay for the privilege an annual license tax equal to 0.50 percent of the difference between the gross receipts of the business accruing to such person from sales to the ultimate consumer in the county and ~~\$200,000.00~~ \$300,000.00.
- (b) If the gross receipts of the business are ~~\$200,000.00~~ \$300,000.00 or less, an application shall be required to be filed, but no tax shall be due or paid.

. . . .

24. That Section 20-821 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-821. Amount of tax for telephone and telegraph businesses.**

- (a) Any person engaged in the business of providing telephone service, including cellular mobile radio communications services, or telegraph service in the county, provided that the gross receipts of the business exceed ~~\$200,000.00~~ \$300,000.00, shall pay a license tax equal to 0.50 percent of the difference between the gross receipts of the business accruing to such person from sales to the ultimate consumer in the county and ~~\$200,000.00~~ \$300,000.00.
- (b) If the gross receipts of the business are ~~\$200,000.00~~ \$300,000.00 or less, an application shall be required to be filed, but no tax shall be due or paid.

. . . .

25. That this ordinance shall be in full force and effect on and after January 1, 2019.

**COMMENTS:** The Director of Finance recommends approval of this Board paper, and the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 75-18  
Page No. 1 of 1

Agenda Title: INTRODUCTION OF ORDINANCE – To Amend and Reordain Section 20-78 of the Code of the County of Henrico Titled “Elderly or permanently and totally disabled persons” to Increase the Maximum Income and Net Worth Allowed for Participants in the Real Estate Advantage Program

For Clerk's Use Only:

Date: 3/27/2018

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Branin  
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lynch, C.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Clerk is directed to advertise, in the Richmond Times-Dispatch on April 3, 2018, and April 10, 2018, the following ordinance for a public hearing to be held at the Board Room on April 24, 2018, at 7:00 p.m.:

"AN ORDINANCE to amend and reordain section 20-78 of the Code of the County of Henrico titled 'Elderly or permanently and totally disabled persons' to increase the maximum income and net worth allowed for participants in the Real Estate Advantage Program. A copy of the full text of this ordinance shall be on file in the Office of the County Manager."

Comments: The Director of Finance recommends approval of this Board paper, and the County Manager concurs.

By Agency Head

By County Manager

Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

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

**ORDINANCE – To Amend and Reordain Section 20-78 of the Code of the County of Henrico Titled “Elderly or permanently and totally disabled persons” to Increase the Maximum Income and Net Worth Allowed for Participants in the Real Estate Advantage Program**

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

1. That Section 20-78 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-78. Elderly or permanently and totally disabled persons.**

• • • •

(e) *Criteria for exemption.* Exemption shall be granted to persons subject to the following provisions:

• • • •

(3) The gross combined income of the owner during the year immediately preceding the taxable year shall be determined by the director to be an amount not to exceed ~~\$67,000.00~~ **\$75,000.00**. Gross combined income shall include only those sources of gross income that are subject to tax under federal income tax laws, regulations, rules, or policies, without regard to whether a tax return is actually filed, of the owner, the spouse and the owner's relatives living in the dwelling for which exemption is claimed. Gross combined income shall not include life insurance benefits or receipts from borrowing or other debt. For the purpose of this subsection, the first \$10,000.00 of annual income of each of the owner's relatives, other than a spouse, living in the dwelling and who does not qualify for the exemption provided by subsection (e)(4) of this section shall be excluded in computing gross combined income. The term "owner," as used in this subsection, shall also be construed as "owners."

• • • •

(5) The net combined financial worth of the owner as of December 31 of the year immediately preceding the taxable year shall be determined by the director to be an amount not to exceed ~~\$350,000.00~~ **\$400,000.00**. Net combined financial worth shall include the value of all assets, including the present value of all equitable interests, of the owners and spouse of any owner, excluding the fair market value of the dwelling and the land, not exceeding ten acres, upon which it is situated and

for which exemption is claimed. The value of household furnishings is excluded from the computation of net worth.

• • • •

2. That this ordinance shall be in full force and effect beginning on January 1, 2019.



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 76-18

Page No. 1 of 2

**Agenda Title: RESOLUTION – Approval of Royal Medical Transportation, LLC to Operate a Medical Transport Service in Henrico County**

<b>For Clerk's Use Only:</b>  Date: <u>3/27/2018</u>  <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	<b>BOARD OF SUPERVISORS ACTION</b>  Moved by (1) <u>Nelson</u> Seconded by (1) <u>Branin</u> (2) _____ (2) _____  REMARKS: <b>APPROVED</b>	<table><thead><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr></thead><tbody><tr><td>Branin, T.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Lynch, C.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Nelson, T.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></tbody></table>		YES	NO	OTHER	Branin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lynch, C.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		YES	NO	OTHER																						
Branin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Lynch, C.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

**WHEREAS**, Royal Medical Transportation, LLC is seeking to obtain an EMS license from the Virginia Department of Health – Office of Emergency Medical Services; and

**WHEREAS**, Royal Medical Transportation, LLC has an office located at 6010 N. Crestwood Avenue, Henrico, VA 23230 in the Brookland District; and

**WHEREAS**, Royal Medical Transportation, LLC proposes to provide medical transportation services within the County for agencies and businesses they have contracts with; and

**WHEREAS**, Royal Medical Transportation, LLC has assured the County's Division of Fire that it will not respond to calls for emergency 911 services within the County unless requested by the County through its EMS system; and

**WHEREAS**, Royal Medical Transportation, LLC has advised the County of its desire to operate within the County but, before it may do so, the Board of Supervisors must, pursuant to Virginia Code § 15.2-955 and 12VAC5-31-420, adopt a resolution approving its operation within the County.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Henrico County that:

1. Royal Medical Transportation, LLC is approved to provide a medical transport service within the entire geographical area of the County.

By Agency Head

Anthony E. Miller

By County Manager

[Signature]

Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

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



**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

Agenda Item No. 76-18

Page 2 of 2

**Agenda Title: RESOLUTION – Approval of Royal Medical Transportation, LLC to Operate a Medical Transport Service in Henrico County**

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2. This approval does not authorize Royal Medical Transportation, LLC to respond to calls for emergency 911 services from the general public except when so requested by the County through its EMS system.
3. Nothing in the Resolution shall be deemed to recognize Royal Medical Transportation, LLC as an integral part of the official safety program of the County.

Comments: The Fire Chief recommends approval of this Board paper; the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 77-18

Page No. 1 of 2

Agenda Title: RESOLUTION - Award of Contract -Boiler and Domestic Hot Water Heater - Jail West

For Clerk's Use Only:

Date: 3/27/2018

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Branin Seconded by (1) Nelson  
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T. ☒ ☐ ☐  
Lynch, C. ☒ ☐ ☐  
Nelson, T. ☒ ☐ ☐  
O'Bannon, P. ☒ ☐ ☐  
Thornton, F. ☒ ☐ ☐

WHEREAS, the County received four bids on February 22, 2018, in response to Invitation to Bid No. 17-1541-11JCK and Addendum No. 1 to provide a boiler and domestic hot water heater at Jail West; and,

WHEREAS, the bids were as follows:

<u>Bidder</u>	<u>Bid Amount</u>
Southern Air, Inc. Lynchburg, VA	\$248,563
Valley Boiler and Mechanical Inc. Roanoke, VA	\$249,800
WACO, Inc. Sandston, VA	\$253,230
Capitol Boiler Works, Inc. Ashland, VA	\$254,672

WHEREAS, after a review and evaluation of the bids received, it was determined that Southern Air, Inc. is the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors:

- The contract is awarded to Southern Air, Inc. the lowest responsive and responsible bidder, in the amount of \$248,563 pursuant to Invitation to Bid No. 17-1541-11JCK, Addendum No. 1, and the bid submitted by Southern Air, Inc.

By Agency Head

By County Manager

Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

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

**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

Agenda Item 77-18  
Page No. 2 of 2

Agenda Title: **RESOLUTION - Award of Contract – Boiler and Domestic Hot Water  
Heater - Jail West**

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2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

**Comment:** Funding to support the contract is available within the project budget. The Director of General Services and the Purchasing Director recommend approval of this Board paper, and the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 78-18

Page No. 1 of 2

Agenda Title: RESOLUTION — Signatory Authority — Donation of Real Property — Malvern Hill Property, Turkey Island Creek Property, and 10000 Carters Mill Road — Varina District

For Clerk's Use Only:

Date: 3/27/2018

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Nelson Seconded by (1) O'Bannon  
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lynch, C.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, the County has provided Capital Region Land Conservancy ("CRLC") with a grant pursuant to Va. Code § 15.2-953 and the Open-Space Land Act in the amount of \$1,500,000 for the acquisition of a tract of land containing approximately 871 acres known as Malvern Hill Farm; and,

WHEREAS, CRLC brought together a diverse group of stakeholders interested in the preservation of the educational, historical, and recreational value of Malvern Hill Farm, including the Richard S. Reynolds Foundation, the Open Space Land Preservation Trust, the Virginia Department of Historic Resources, the Virginia Department of Conservation and Recreation, the Cabell Foundation, the Mary Morton Parsons Foundation, the Virginia Land Conservation Foundation, and the American Battlefield Protection Program, all of whom also provided CRLC with funds for the acquisition of Malvern Hill Farm; and,

WHEREAS, Malvern Hill Farm was the site of military activity and encampments during the American Revolutionary War and War of 1812, encompasses the Civil War battlefields of the pivotal Battles of Glendale and Malvern Hill, and is the site of various historic buildings, structures, and features; and,

WHEREAS, Malvern Hill Farm has been listed on the Virginia Landmarks Register and the National Register of Historic Places since 1969; and,

WHEREAS, in recognition of the educational, historical, and recreational value of the property, CRLC intends to place one or more conservation easements (the "Conservation Easement") on portions of Malvern Hill Farm as follows: (1) an approximately 401.1-acre parcel known as the "Malvern Hill Property" and shown as Parcel 3 on Exhibit A, and (2) an approximately 11.9-acre parcel known as the "Turkey Island Creek Property" and shown as Parcel 6 on Exhibit A; and,

By Agency Head

By County Manager

Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

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



**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

Agenda Item No. 78-18

Page No. 2 of 2

**Agenda Title: RESOLUTION — Signatory Authority — Donation of Real Property — Malvern Hill Property, Turkey Island Creek Property, and 10000 Carters Mill Road — Varina District**

---

WHEREAS, CRLC also intends to place the Conservation Easement on an approximately 15.1-acre parcel adjoining the Malvern Hill Property known as 10000 Carters Mill Road, which is completely within the study areas for the Battles of Glendale and Malvern Hill and is shown as Parcel 7 on Exhibit A; and,

WHEREAS, CRLC has offered to convey the Malvern Hill Property, the Turkey Island Creek Property, and 10000 Carters Mill Road to the County subject to the Conservation Easement at no cost; and,

WHEREAS, these properties have educational, historical, and recreational value to the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that:

1) the County Manager is authorized to execute all documents, in a form approved by the County Attorney, necessary to accept the Malvern Hill Property, the Turkey Island Creek Property, and 10000 Carters Mill Road; and,

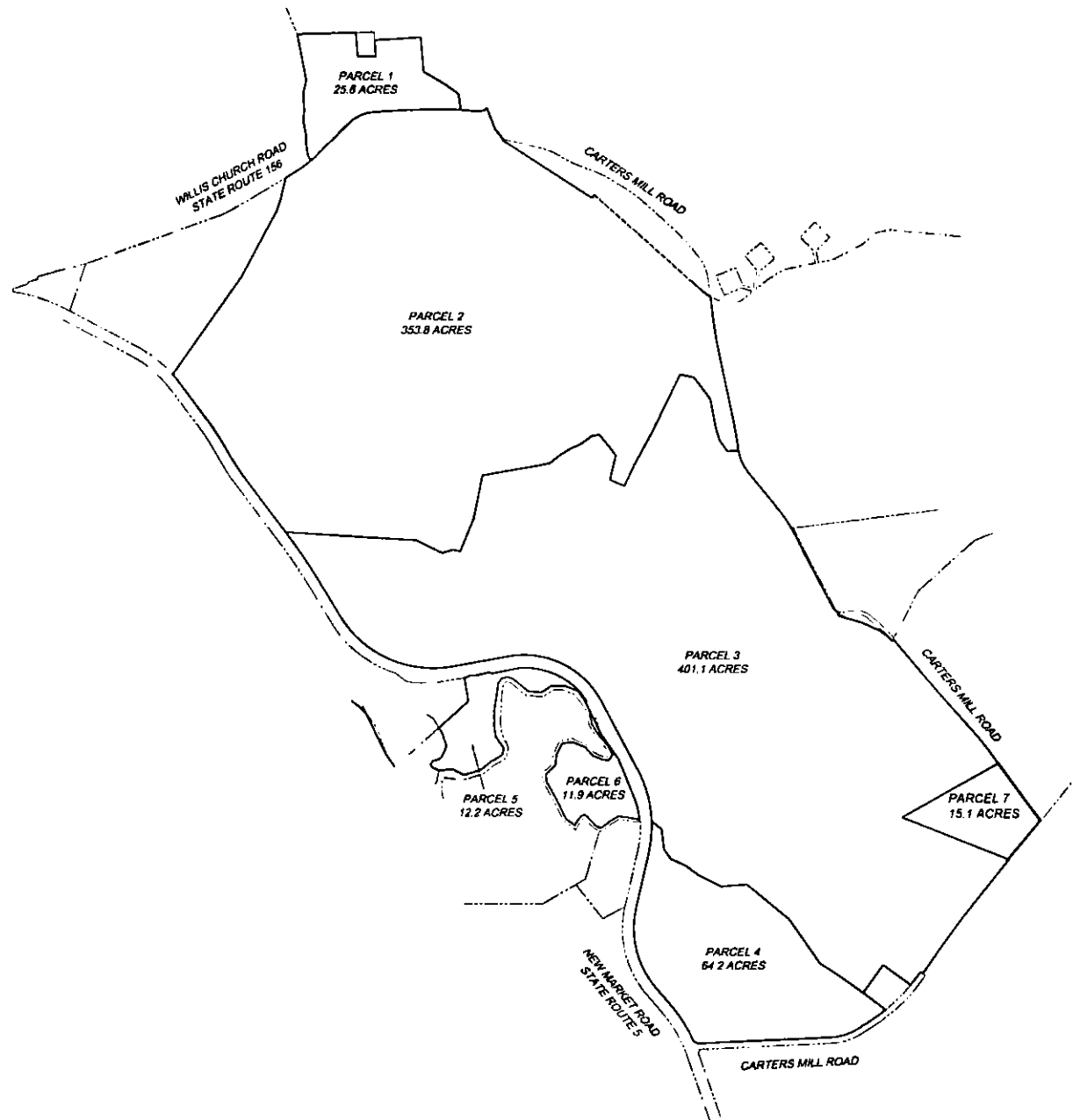
2) the County Manager and County Attorney are authorized to undertake all steps necessary to complete the conveyance to the County, including recording the deed and a title insurance policy insuring the County's interest in the property; and,

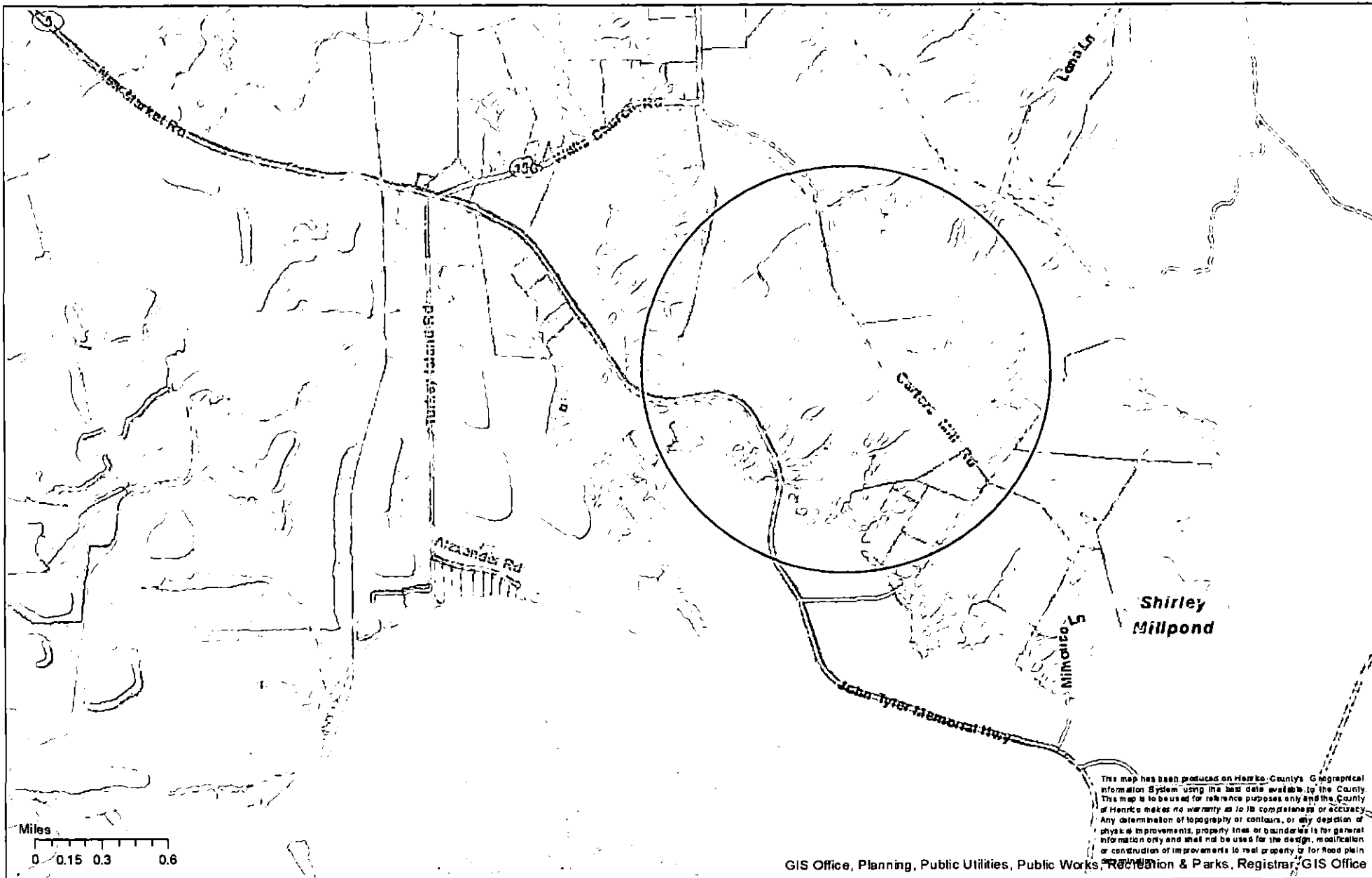
3) the Board recognizes the contributions of the Richard S. Reynolds Foundation, the Open Space Land Preservation Trust, the Virginia Department of Historic Resources, the Virginia Department of Conservation and Recreation, the Cabell Foundation, the Mary Morton Parsons Foundation, the Virginia Land Conservation Foundation, and the American Battlefield Protection Program towards the preservation of Malvern Hill Farm; and,

4) the Board extends its thanks on behalf of the County to CRLC for its part in preserving Malvern Hill Farm and its significant contribution to the County and the general public of this historic site.

Comments: The Directors of Real Property and Recreation and Parks recommend approval of this Board paper; the County Manager concurs.

**Exhibit A**





**VICINITY MAP**  
**MALVERN HILL, TURKEY ISLAND CREEK AND 10000 CARTERS MILL RD**  
**ACCEPTANCE OF 413 +/- ACRES**  
**VARINA DISTRICT**





COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 79-18  
Page No. 1 of 1

Agenda Title: INTRODUCTION OF ORDINANCE — To Amend and Reordain Subsection (a) of Section 23-361 Titled “Water service and volume charges,” and Subsection (a) of Section 23-362 Titled “Sewer service charges and rates” of the Code of the County of Henrico, to Change Utility Charges

For Clerk's Use Only:

Date: 3/27/2018

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Nelson Seconded by (1) Branin  
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T.	✓		
Lynch, C.	✓		
Nelson, T.	✓		
O'Bannon, P.	✓		
Thornton, F.	✓		

The Clerk is authorized to advertise in the Richmond Times-Dispatch on April 1, 2018, and April 8, 2018, the following ordinance for a public hearing to be held on April 24, 2018, at 7:00 p.m. in the Board Room.

“An ordinance to amend and reordain Subsection (a) of Section 23-361 titled ‘Water service and volume charges,’ and Subsection (a) of Section 23-362 titled ‘Sewer service charges and rates’ of the Code of the County of Henrico, to change utility charges. A copy of the full text of this ordinance shall be on file in the Office of the County Manager.”

The advertisement of the ordinance shall contain all of the information specified and required by Section 15.2-107 of the Code of Virginia.

Comment: The Director of Public Utilities recommends approval of this Board paper, and the County Manager concurs.

By Agency Head

*ASB. Ench*

By County Manager

*[Signature]*

Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

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



**ORDINANCE — To Amend and Reordain Subsection (a) of Section 23-361 Titled "Water service and volume charges," and Subsection (a) of Section 23-362 Titled "Sewer service charges and rates" of the Code of the County of Henrico, to Change Utility Charges**

**BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:**

1. That Subsection (a) of Section 23-361 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 23-361. Water service and volume charges.**

- (a) *Amount of charges.* The charges for water service shall consist of a service charge and a volume charge, as follows:

- (1) *Service charge.* All users billed bimonthly shall pay the following charge. Users billed monthly shall pay one-half of this charge.

a. Connected Users:

<i>Meter Size (Inches)</i>	<i>Bimonthly</i>	
5/8 or 3/4	\$14.20	<u>\$14.90</u>
1	33.55	<u>35.20</u>
1½	61.65	<u>64.75</u>
2	94.70	<u>99.45</u>
3	156.15	<u>163.95</u>
4	250.85	<u>263.40</u>
6	484.85	<u>509.10</u>
8	970.40	<u>1,018.90</u>
10	970.40	<u>1,018.90</u>

- b. Single-family residential users with fire sprinkler system, five-eighths-inch, three-fourths-inch or one-inch meter: \$14.20 \$14.90
- c. Not connected, single-family and multi-family residential users, per single-family residential unit: \$14.20 \$14.90
- d. When there is a backup service connection, the owner shall pay the amount of the service charge in subsection (a) for both the regular service connection and the backup service connection.

- (2) *Volume charge.* In addition to the service charges, the following volume charges shall apply to all water delivered:

<i>Consumption Block Hundred Cubic Feet</i>			<i>Volume Charge</i>
<i>Monthly</i>	<i>Bimonthly</i>		<i>Per 100 Cubic Feet</i>
First 5,000	10,000	<del>\$ 3.26</del>	<b><u>\$3.42</u></b>
Next 35,000	70,000	<del>2.22</del>	<b><u>2.33</u></b>
Over 40,000	80,000	<del>1.60</del>	<b><u>1.68</u></b>

For single-family residential customers using six CCF or less bimonthly, the volume charge shall be ~~\$2.02~~ **\$2.13** per CCF.

• • • •

2. That Subsection (a) of Section 23-362 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 23-362. Sewer service charges and rates.**

- (a) *Amount of charges.* The charges for sewer service shall consist of a service charge and a volume charge, as follows:

- (1) *Service charge.* All users billed bimonthly for water service shall pay the following charge based on the size of the water meter which serves or the size of the water meter which would serve the premises if one were installed. Users billed monthly shall pay one-half of this charge.

a. Connected users:

<i>Meter Size (Inches)</i>	<i>Bimonthly Charge</i>	
5/8 or 3/4	<del>\$28.60</del>	<b><u>\$30.05</u></b>
1	<del>47.35</del>	<b><u>49.70</u></b>
1½	<del>60.40</del>	<b><u>72.85</u></b>
2	<del>100.20</del>	<b><u>105.20</u></b>
3	<del>160.50</del>	<b><u>178.00</u></b>
4	<del>268.05</del>	<b><u>281.45</u></b>
6	<del>533.65</del>	<b><u>560.35</u></b>
8	<del>913.55</del>	<b><u>959.25</u></b>
10	<del>913.55</del>	<b><u>959.25</u></b>

- b. Single-family residential users with fire sprinkler system, five-eighths-inch, three-fourths-inch or one-inch meter: ~~\$28.60~~ **\$30.05**.

- c. Not connected, single-family and multi-family residential users, per single-family residential unit: ~~\$28.60~~ **\$30.05**.
- d. Connected and not metered single-family and multi-family residential users, per single-family residential unit: ~~\$75.20~~ **\$78.95**.

(2) *Volume charge.*

- a. In addition to the service charges, the following volume charges shall apply to all water delivered:

<i>Consumption Block Hundred Cubic Feet</i>			<i>Volume Charge</i>	
	<i>Monthly</i>	<i>Bimonthly</i>	<i>Per Hundred Cubic Feet</i>	
First	5,000	10,000	<del>\$3.45</del>	<b><u>\$3.63</u></b>
Next	35,000	70,000	<del>2.47</del>	<b><u>2.59</u></b>
Over	40,000	80,000	<del>2.22</del>	<b><u>2.33</u></b>

- b. For single-family residential customers using six CCF or less bimonthly, the volume charge shall be ~~\$2.42~~ **\$2.22** per CCF.
- c. For residential units receiving water service from the county, other than multifamily, bimonthly sewer volume charges shall be based on the lesser of actual usage or usage determined from the first meter reading cycle of the calendar year. For residential units receiving water service from the City of Richmond, other than multifamily, bimonthly sewer volume charges shall be based on usage determined from the first meter reading cycle of the calendar year. For the purpose of this subsection, if the first reading is estimated as provided in section 23-205 or if the user joins the system after the first reading cycle, or an allowance is made for an underground leak during the first billing cycle, billing shall not exceed charges for 20 14 CCF.

(3) *Industrial strong waste charge.* In addition to the charges set out in subsections (a)(1) and (2) of this section, there will be charged to individual users a strong waste charge as applicable:

- a. Suspended solids, when the concentrations of suspended solids exceed 275 milligrams per liter: ~~\$24.30~~ **\$25.50** per CWT for suspended solids in excess of 275 mg/l.
- b. BOD, when concentrations of BOD exceed 250 milligrams per liter: ~~\$33.70~~ **\$35.40** per CWT for BOD in excess of 250 mg/l.

• • • •

3. That this ordinance shall be in full force and effect from and after July 1, 2018, as provided by law and the following provisions:

Charges set forth in Sections 23-361 and 23-362 shall be pro-rated to apply the old and new charges to that proportion of water supplied and/or sewage collected prior to and after the effective date of the new rates. Calculation of such pro-rated charges shall be computed based on average daily use of service supplied.



**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

Agenda Item No. 80-18  
Page No. 1 of 2

**Agenda Title: RESOLUTION — Award of Construction Contract — Water Reclamation Facility  
Capital Improvement Program FY17 — Varina District**

For Clerk's Use Only:

Date: 3/27/2018

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

**BOARD OF SUPERVISORS ACTION**

Moved by (1) Nelson Seconded by (1) Branin  
(2) \_\_\_\_\_ (2) \_\_\_\_\_

REMARKS:

**APPROVED**

YES NO OTHER

Branin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lynch, C.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**WHEREAS**, the County received four bids on February 14, 2018, in response to Invitation to Bid No. 18-1551-1CLE and Addendum No. 1 for the Capital Improvement Program FY17 project at the Water Reclamation Facility in the Varina District; and,

**WHEREAS**, the project will include replacement of HVAC systems, valves, sluice gates, chemical tanks, pumps and associated electrical and controls equipment; and,

**WHEREAS**, the bids were as follows:

<u>Bidder</u>	<u>Bid Amount</u>
MEB General Contractors, Inc. Chesapeake, VA	\$ 658,000
Lisbon Buildings & Infrastructures, Inc. Red Oak, NC	\$ 695,000
Ulliman Schutte Construction, LLC Roanoke, VA	\$ 789,000
WACO, Inc. Sandston, VA	\$1,064,500

**WHEREAS**, after a review and evaluation of the bids received, it was determined that MEB General Contractors, Inc. is the lowest responsive and responsible bidder with a bid of \$658,000.

By Agency Head

By County Manager

Routing:

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Clerk, Board of Supervisors

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

**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

Agenda Item No. 80-18  
Page No. 2 of 2

**Agenda Title: RESOLUTION — Award of Contract — Water Reclamation Facility Capital Improvement Program FY17 — Varina District**

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**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors:

1. The contract is awarded to MEB General Contractors, Inc., the lowest responsive and responsible bidder, in the amount of \$658,000 pursuant to Invitation to Bid No. 18-1551-1CLE, Addendum No. 1, and the bid submitted by MEB General Contractors, Inc.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

Comments: Funding will be provided by the Water and Sewer Revenue Fund. The Director of Public Utilities and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 81-18  
Page No. 1 of 1

Agenda Title: RESOLUTION — Signatory Authority — Amendment to Contract for Engineering Design Services — Sadler Road Improvements (UPC #60934) — Three Chopt District

For Clerk's Use Only:

Date: 3/27/2018

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Brannin Seconded by (1) O'Bannon  
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Brannin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lynch, C.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, on February 24, 2004, the Board of Supervisors approved a contract with Austin Brockenbrough & Associates, LLP for \$928,259 for the preparation of design and construction plans for Sadler Road from Dominion Boulevard to 150 feet east of Cedar Branch Court (approximately 1.90 miles); and,

WHEREAS, on June 14, 2011, the Board approved a contract amendment for \$398,772 to separate the entire project into two phases, to update the Phase I design plans from Dominion Boulevard to Sadler Grove Road to current design criteria, and to finalize the Phase I plans for public hearing and advertisement; and,

WHEREAS, on April 28, 2015, the Board approved a second amendment for \$1,087,243 to re-combine the project into a single phase, to change the roadway section to include pedestrian facilities, to account for nearby development, and to comply with new federal and state requirements; and,

WHEREAS, additional work is required to design a proposed roundabout at Sadler Grove Road, shift the roadway alignment in response to citizen input received following the citizens information meeting, and provide a transportation management plan, signing and pavement marking plans, landscaping and lighting plan for the two proposed roundabouts, additional drainage design, utility designation, right-of-way plats, and right-of-way stakeout.

WHEREAS, Austin Brockenbrough & Associates, LLP and the Department of Public Works have negotiated a fixed lump sum fee of \$655,390 for the additional work.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors approves an amendment to the contract with Austin Brockenbrough & Associates, LLP for additional engineering design services for Sadler Road Improvements for a total fixed lump sum amount of \$655,390.

BE IT FURTHER RESOLVED that the County Manager is authorized to execute the amendment, in a form approved by the County Attorney.

COMMENTS: This project will be funded through Capital Projects Fund, Project #00611. The Director of Public Works recommends approval of the Board paper, and the County Manager concurs.

By Agency Head

By County Manager

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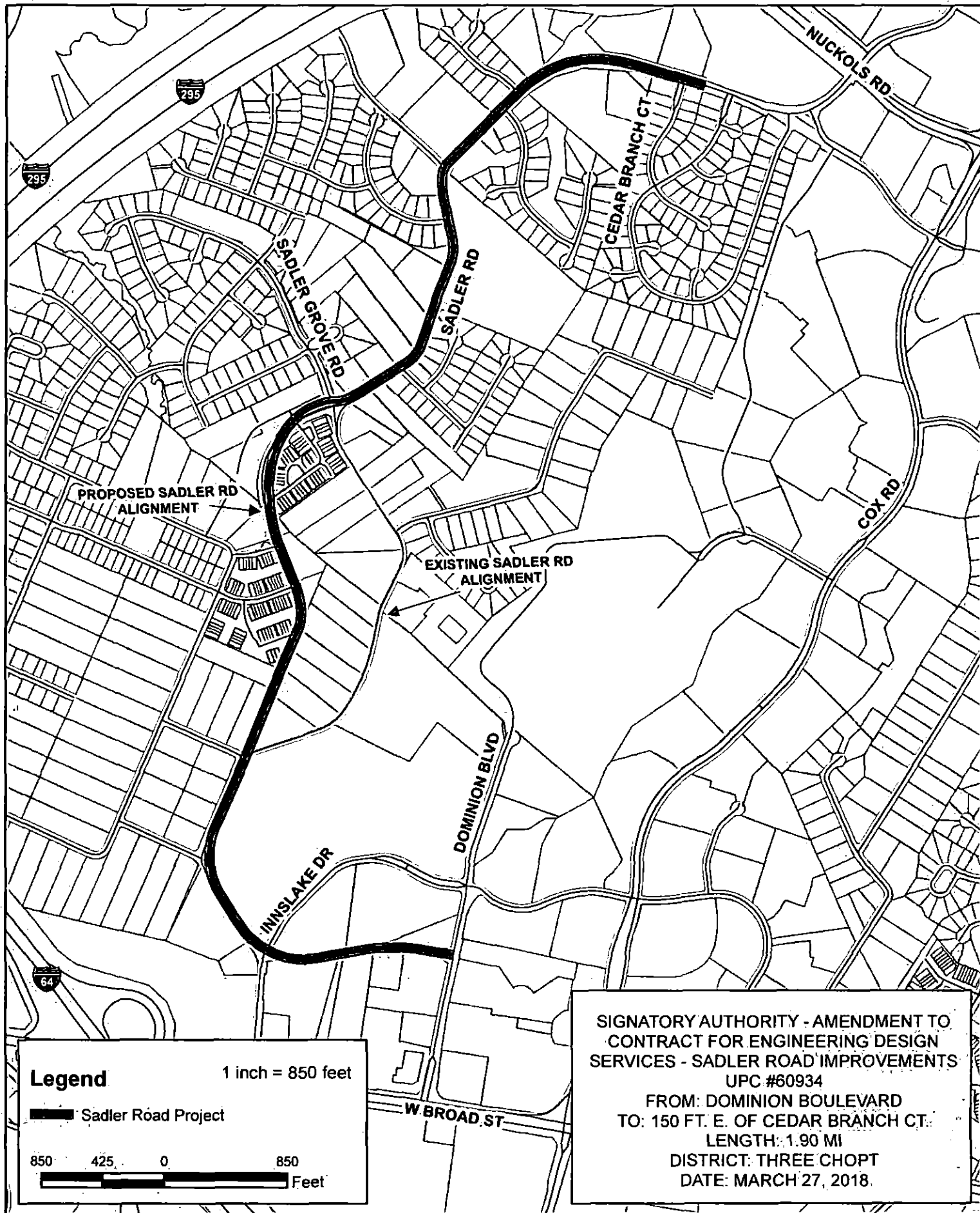
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Clerk, Board of Supervisors

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



# Sadler Road Improvements







COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 8218  
Page No. 1 of 2

Agenda Title: RESOLUTION — Signatory Authority — Amendment to Contract for Engineering Design Services - Three Chopt Road Improvements (UPC #50528) — Three Chopt and Tuckahoe Districts

For Clerk's Use Only:

Date: 3/27/2018

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Branin  
(2) (2)

REMARKS

APPROVED

YES NO OTHER

Branin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lynch, C.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, on January 25, 2005, the Board of Supervisors approved a contract with Earth Tech (now known as AECOM) for a total fixed lump sum fee of \$1,495,047.68 for the preparation of design and construction plans for Three Chopt Road from Barrington Hills Drive to 1,000 feet east of Gaskins Road (approximately 2.05 miles); and,

WHEREAS, on June 10, 2008, the Board approved a contract amendment for a total fixed lump sum fee of \$196,789.70 to extend the western boundary of the project approximately 1,245 feet to its new western terminus approximately 1,055 feet west of Barrington Hills Drive to better transition into existing improvements; and,

WHEREAS, on July 27, 2010, the Board approved a second amendment for a total fixed lump sum fee of \$137,325.01 to incorporate site and utility improvements due to private development along the corridor, to conduct hydraulic studies of the Stoney Run tributary crossing that were not required at time of the original contract, and to collect additional pavement cores to better evaluate the structural integrity of existing pavement; and,

WHEREAS, on February 12, 2013, the Board approved a third amendment for a total fixed lump sum fee of \$52,771.66 to conduct additional work required to comply with new Virginia Department of Transportation noise study regulations; and,

WHEREAS, on March 24, 2015, the Board approved a fourth amendment for a total fixed lump sum fee of \$387,963.15 to conduct additional work to comply with new federal and state requirements, to add sidewalk along both sides of the roadway, to add a right turn lane onto Cedarfield Parkway, to add conduit for future fiber communication facilities, to coordinate with adjacent development plans, and to prepare plats for right-of-way acquisitions; and,

WHEREAS, additional work is required incorporate design changes in response to citizen input received at the public hearing, comply with environmental regulations, and prepare additional right-of-way plats; and,

WHEREAS, AECOM and the Department of Public Works have negotiated a fixed lump sum fee of \$194,228.33 for the additional design work.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors approves an amendment to the contract with AECOM for additional engineering design services for Three Chopt Road Improvements for an additional total fixed lump sum amount of \$194,228.33.

By Agency Head

By County Manager

Routing:

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Clerk, Board of Supervisors

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

**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

Agenda Item No. **82718**

Page No. 2 of 2

**Agenda Title: RESOLUTION — Signatory Authority — Amendment to Contract for Engineering Design Services for Three Chopt Road Improvements (UPC #52528) — Three Chopt and Tuckahoe Districts**

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BE IT FURTHER RESOLVED that the County Manager is authorized to execute the amendment in a form approved by the County Attorney.

COMMENTS: Funding for this amendment will be provided from the Capital Projects Fund, Project #00607. The Director of Public Works recommends approval of this Board paper, and the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 83-18

Page No. 1 of 2

Agenda Title: RESOLUTION — Signatory Authority — Amendment to Contract for Engineering Design Services — Dabbs House Road Improvements (UPC #60933) — Varina District

For Clerk's Use Only: Date: 3/27/2018 <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	<b>BOARD OF SUPERVISORS ACTION</b> Moved by (1) Nelson Seconded by (1) Branin (2) (2) REMARKS: <b>APPROVED</b>	<table><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr><tr><td>Branin, T.</td><td>/</td><td></td><td></td></tr><tr><td>Lynch, C.</td><td>/</td><td></td><td></td></tr><tr><td>Nelson, T.</td><td>/</td><td></td><td></td></tr><tr><td>O'Bannon, P.</td><td>/</td><td></td><td></td></tr><tr><td>Thornton, F.</td><td>/</td><td></td><td></td></tr></table>		YES	NO	OTHER	Branin, T.	/			Lynch, C.	/			Nelson, T.	/			O'Bannon, P.	/			Thornton, F.	/		
		YES	NO	OTHER																						
Branin, T.	/																									
Lynch, C.	/																									
Nelson, T.	/																									
O'Bannon, P.	/																									
Thornton, F.	/																									

WHEREAS, on June 8, 2004, the Board of Supervisors approved a contract with Michael Baker, Jr., Inc. for the lump sum fee of \$1,010,879.17 for the preparation of design and construction plans for improvements to Dabbs House Road from Nine Mile Road to Creighton Road; and,

WHEREAS, on September 9, 2008, the Board approved a contract amendment for a total fixed lump sum fee of \$300,209.96 for additional design work for sanitary sewer extension, sewer replacement, water main extension, and additional roadway and drainage design with environmental studies; and,

WHEREAS, on February 22, 2011, the Board approved a second amendment for a total fixed lump sum fee of \$178,448.72 for design services to revise erosion and sediment control plans, to complete design tasks to tie-in the Creighton Road connector, and to perform additional drainage, utility, and environmental work; and,

WHEREAS, on June 26, 2012, the Board approved a third amendment for a total fixed lump sum fee of \$194,730.49 after an internal review identified cost-saving measures, including reducing the required amount of right-of-way and modifying the sidewalk and entrance design; and,

WHEREAS, on May 28, 2013, the Board approved a fourth amendment for a total fixed lump sum fee of \$262,509.78 for the engineering necessary to separate the project into two phases; and,

WHEREAS, on February 14, 2017, the Board approved a fifth amendment for a total fixed lump sum fee of \$99,910.39 for additional design work in response to citizen input received following the public hearing, to prepare traffic signal plans and coordination with the Virginia Department of Transportation at the intersection of Dabbs House Road and Nine Mile Road, and to provide engineering support during construction; and,

By Agency Head

By County Manager

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Date:

**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

Agenda Item No. 8318

Page No. 2 of 2

**Agenda Title: RESOLUTION — Signatory Authority — Amendment to Contract for Engineering Design Services  
— Dabbs House Road Improvements (UPC #60933) — Varina District**

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WHEREAS, additional work is required to perform geotechnical design, comply with environmental regulations, and conduct subsurface utility designation.

WHEREAS, Michael Baker, Jr., Inc. and the Department of Public Works have negotiated a fixed lump sum fee of \$101,875.52 for the additional work.

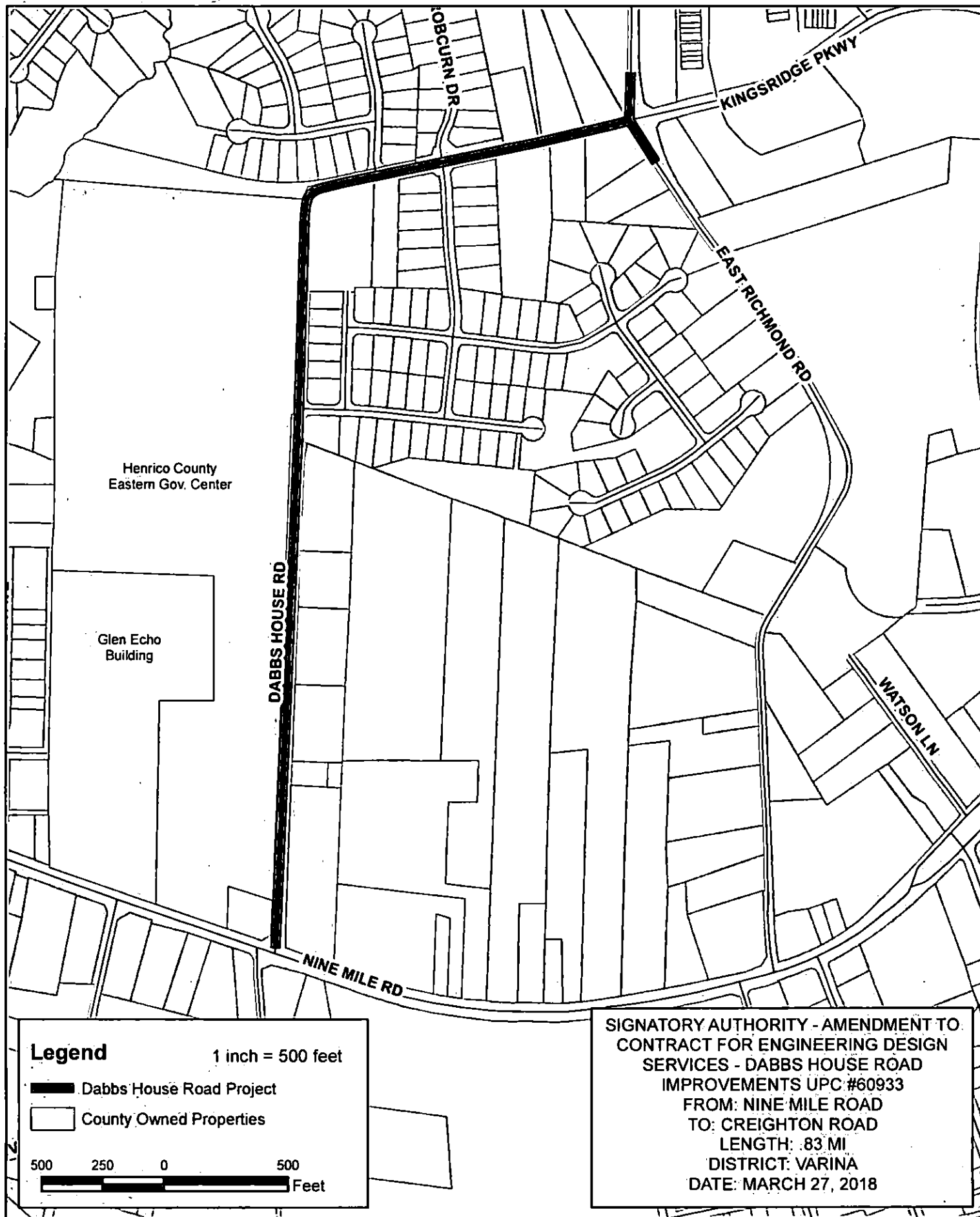
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors approves an amendment to the contract with Michael Baker Jr., Inc. for additional engineering design services for Dabbs House Road Improvements for the fixed lump sum fee of \$101,875.52.

BE IT FURTHER RESOLVED that the County Manager is authorized to execute the amendment in a form approved by the County Attorney.

COMMENTS: The funds for this project will be provided from the Capital Projects Fund, Project #00610. The Director of Public Works recommends approval of this Board paper, and the County Manager concurs.



# Dabbs House Road Improvements





COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 8418  
Page No. 1 of 1

Agenda Title: RESOLUTION — Signatory Authority — Amendment to Agreement with Virginia Department of Transportation — Dabbs House Road Improvements (UPC 60933) — Varina District

For Clerk's Use Only:

Date: 3/27/2018

- (X) Approved  
( ) Denied  
( ) Amended  
( ) Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Nelson Seconded by (1) Branin  
(2) (2)

REMARKS

APPROVED

YES NO OTHER

Branin, T.	✓		
Lynch, C.	✓		
Nelson, T.	✓		
O'Bannon, P.	✓		
Thornton, F.			

WHEREAS, in 2002, the Department of Public Works entered into a project administration agreement with the Virginia Department of Transportation ("VDOT") for improvements to Dabbs House Road; and,

WHEREAS, the estimated cost for the project has been revised from \$5,947,575 to \$13,289,743; and,

WHEREAS, additional funding for the project is available under the federal Regional Surface Transportation Program; and,

WHEREAS, VDOT will reimburse the County 100% of eligible project costs; and,

WHEREAS, because of VDOT charges, the estimated reimbursement to the County is \$13,172,743.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the County Manager is authorized to execute an amendment to the project administration agreement with VDOT in a form approved by the County Attorney.

BE IT FURTHER RESOLVED that the County will provide the necessary oversight to ensure the project is developed in accordance with all applicable federal, state, and local requirements for design, right-of-way acquisition, and construction of the project.

COMMENTS: Funding for project costs will be provided from the Capital Projects Fund, Project #00610. The Director of Public Works recommends approval of this Board paper, and the County Manager concurs.

By Agency Head

By County Manager

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Clerk, Board of Supervisors

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



# Dabbs House Road Improvements

