

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
March 12, 2019

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, March 12, 2019, 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:

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

Other Officials Present:

John A. Vithoulkas, County Manager
Joseph P. Rapisarda, Jr., County Attorney
Lt. Col. Alisa A. Gregory, Chief Deputy 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
Randall R. Silber, Deputy County Manager for Community Development

Mr. Nelson called the meeting to order at 7:01 p.m. He led the recitation of the Pledge of Allegiance.

Reverend Dr. Kimberly A. Ridley, Pastor of The Light Community Church, delivered the invocation.

On motion of Mr. Branin, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved the February 26, 2019, Regular and Special Meeting Minutes.

The vote of the Board was as follows:

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

No: None

MANAGER'S COMMENTS

On April 4, 2007, Henrico County's first civilian Emergency Manager, Anna McRay, assumed responsibility for planning, preparing, mitigating, and recovering from events and disasters of all shapes and sizes. During her nearly 13 years of service to the County, Mrs. McRay has demonstrated an unwavering work ethic to the County's recovery efforts and has dedicated herself to creating a resilient government and community while managing

floods, snow storms, major public training exercises, and regional public safety events. Throughout her tenure, she has been recognized by the Commonwealth of Virginia and the Federal Emergency Management Agency (FEMA) for her outstanding contributions, extensive knowledge, and insightful perspective of emergency management best practices and policies. In 2018, Mrs. McRay won the Regional Emergency Medical Services (EMS) Award for Outstanding Preparedness and Response. Her outcomes have led her to serve on Virginia Department of Emergency Management (VDEM) and FEMA advisory councils and focus groups. Most recently, Mrs. McRay was appointed by the Governor to serve on the Secure and Resilient Commonwealth Panel, which provides guidance to the Governor on policies and practices to ensure the safety of all Virginians. She is moving on to an exciting new chapter in her career as the Assistant Director of Emergency Management in New Hanover County (Wilmington), North Carolina. Her last day with Henrico County is March 15. Mr. Vithoulkas presented Mrs. McRay with Henrico County's Manager Medal of Merit, which is bestowed upon individuals who distinguish themselves by exceptional, meritorious service and in the performance of outstanding actions or through exemplary contributions for the good of other individuals or the entire Henrico community. Joining Mrs. McRay for this presentation was Acting Fire Chief Alec Oughton. Mr. Thornton and Mr. Nelson acknowledged the presence of Mrs. McRay's husband and daughter, who were in the audience. Mr. Nelson remarked that the Board will remember Mrs. McRay is in Wilmington and if any major storms hit there will know all is well because she is taking care of the situation.

BOARD OF SUPERVISORS' COMMENTS

Mr. Branin thanked departmental staff who presented information on County services at a new resident forum he hosted in the Three Chopt District on March 11.

RECOGNITION OF NEWS MEDIA

Mr. Nelson recognized Chris Suarez Rojas from the *Richmond Times-Dispatch*.

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS

69-19 REZ2018- 00049 Tuckahoe	CA Senior Living Holdings: Request to conditionally rezone from R-2 One-Family Residence District to R-6C General Residence District (Conditional) part of Parcel 752-739-1406 containing 5.647 acres located on the east line of N. Parham Road at its intersection with Derbyshire Road.
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Mr. Vithoulkas noted this item and Agenda Item No. 70-69 (PUP2018-00020) were companion cases and would be presented together (in a joint public hearing) but would require two separate votes.

Jean Moore, Assistant Director of Planning, responded to a comment and questions from Mrs. O'Bannon regarding the subject site's land use and zoning designations. Jim Theobald presented the case on behalf of the applicant. He narrated a slide presentation titled *Parham Road Senior Living*. During his presentation, Mr. Theobald provided an aerial photograph of the subject site and reviewed a conceptual site plan, elevations, proffered conditions, and setback illustrations for the

proposed development. He also addressed anticipated traffic that will be generated by Parham Road Senior Living and commented on the four community meetings held by the applicant concerning this case that resulted in a substantial revision to the proffered conditions initially proposed by the applicant. In response to questions from Mrs. O'Bannon, Mr. Theobald addressed concerns from the adjacent neighborhood and other residents pertaining to community meeting notifications, generator and emergency vehicle noise, traffic safety, stormwater runoff, landscaping, and building heights. In response to questions from Mr. Branin, Mr. Theobald and Public Works Director Steve Yob elaborated on a 90-acre watershed in which the subject site is located and an existing Best Management Practices (BMP) stormwater retention pond in the neighboring Raleigh subdivision.

The following persons spoke in support of this item:

Dave Smith, a representative of the applicant in its real estate matters and a resident of the Sleepy Hollow subdivision in the Tuckahoe District, commented on the strong demand for senior housing in this area of Henrico and noted the absence of senior living facilities of this type south of Patterson Avenue.

Benita Felmus, a resident of the Grayson Hill subdivision and President of Temple Beth-El, commented on the need of having life care facilities close to one's neighborhood and suggested the proposed facility will have less traffic impact than a synagogue.

Mike Mickel, a resident of the Countryside subdivision in the Tuckahoe District, remarked that the applicant has done an outstanding job communicating with residents in the area and accommodating their design requests and suggested any other type of development on this site would have a negative impact on traffic and noise and would pay fewer taxes.

The following individuals spoke in opposition to this case:

Bob Richmon, a resident and representative of the Raleigh subdivision in the Tuckahoe District, expressed concerns relating to stormwater runoff, traffic, and building heights and stated a preference for residential homes on the site similar to those in his neighborhood.

Robert Cooper, a resident of the Kinross subdivision in the Tuckahoe District, voiced safety concerns about the impact of the proposed development on two dams that are downstream of the subject site.

Pete Teodori, a resident of the Raleigh subdivision in the Tuckahoe District, conveyed concerns about the precedent this rezoning request would set for an adjoining unimproved site, the effect of the proposed development on surrounding residential property values, and the institutional facade and appearance of the proposed facility.

Mr. Theobald responded to the concerns raised by the speakers opposing this item. He commented on the relatively small traffic volume anticipated by the proposed development, the use of brick color and buffers to mitigate visual impacts, the applicant's stormwater retention plan, and the facility's non-effect or potentially positive effect on residential property values.

At Mrs. O'Bannon's request, Mr. Yob offered an update on the Patterson-Parham intersection road project, which is currently in the design phase and has been funded. He also cited traffic counts that document a recent decline in traffic on Parham Road. In response to a question from Mrs. O'Bannon, Ms. Moore commented on the compatibility of the proposed development with the County's land use plan and existing development in the area. Mrs. O'Bannon commented on the case within the context of the County's land use plan and revisited her discussions with County staff and the applicant in addressing concerns pertaining to traffic, drainage, building height, and employee shift changes through legally binding proffers. She stated that the case was well vetted.

On motion of Mrs. O'Bannon, seconded by Mr. Branin, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item with the following proffered conditions:

1. **Use.** The only permitted principal use on the Property shall be for a Life Care Facility.
2. **Conceptual Plan.** Development of the Property shall be in general conformance with the Conceptual Site Plan entitled "Parham Road Senior Living Henrico County, VA" dated February 1, 2019, prepared by Kimley Horn, attached hereto (the "Conceptual Plan"), (see case file) which Conceptual Plan is conceptual in nature and may vary in detail, unless otherwise requested and specifically approved at the time of Plan of Development.
3. **Elevation.** Development shall be in general conformance with the architectural appearance shown on the elevation attached hereto entitled "Birds Eye View", attached hereto (see case file), unless otherwise requested and specifically approved at the time of Plan of Development.
4. **Exterior Materials.** The exposed portion of each exterior wall surface (front, rear and sides) of any building shall be similar to the exposed portions of other exterior walls of such building in architectural treatment and materials. Any building shall have exposed exterior walls (above finished grade and exclusive of trim) of stone, stone veneer, brick, cementitious siding, or a combination of the foregoing unless different architectural treatment and/or

materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development.

5. **Buffer Along Parham Road.** A natural buffer area (i) within the area labeled "Tree Save Area" on the Conceptual Plan (see case file) and (ii) of a minimum of thirty-five (35) feet in width along the remaining Parham Road frontage of the Property in the location shown on the Conceptual Plan, shall be maintained except to the extent necessary or allowed for utility easements that may pass through the buffer in a generally perpendicular manner (unless currently existing), signage and other purposes requested and specifically approved, or if required, at the time of Plan of Development. Such buffers shall be in accordance with the requirements for a Transitional Buffer 35 (with credit for existing trees and shrubs) or as otherwise approved at the time of Plan of Development. Existing vegetation and underbrush may, and fallen, diseased or dead plant growth shall be removed from the buffer area, and if so removed, additional plantings shall be added.
6. **Buffer Adjacent to Montessori School.** A natural and/or landscaped buffer area of a minimum of twenty-five (25) feet in width shall be maintained along the southern boundary of the Property adjacent to the Montessori School property for the distance shown on the Conceptual Plan (see case file), except to the extent necessary or allowed for utility easements that may pass through the buffer in a generally perpendicular manner (unless currently existing), and other purposes requested and specifically approved, or if required, at the time of Plan of Development. Such buffer shall include a six (6) foot solid board fence along said Property line and the rear line, subject to any sight line requirements at the School entrance, and unless otherwise approved at the time of Plan of Development. Existing vegetation and underbrush may, and fallen, diseased or dead plant growth shall be removed from the buffer area, and if so removed, additional plantings shall be added.
7. **Stormwater Retention.** Permanent stormwater retention facilities shall be underground. Stormwater retention facilities shall be designed to exceed the legally required volume design by 20% during construction and 10% post-construction. The use of "Super Silt Fencing" shall be required during construction.
8. **Construction Activities.** The hours of exterior construction activities shall be restricted to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday with no construction activities on Sunday. During construction, a sign shall be posted on site in English and Spanish listing the hours of construction activity.

9. **Lighting.** Outdoor lighting shall be produced from concealed source style fixtures and shall be directed in a way to minimize glare on public roads and property lines. Parking lot lighting standards shall not exceed fifteen (15) feet in height as measured from the grade at the base of the lighting standard.
10. **Trash Receptacles, HVAC and Emergency Generators.** Dumpsters, trash receptacles, emergency generators and heating, ventilation, and air conditioning (HVAC) equipment shall be screened from view at ground level at the property lines in a manner approved at Plan of Development.
11. **Maintenance Activities.** Trash pick-up, parking lot cleaning, leaf blowing, and similar maintenance activities (excluding snow removal) shall be restricted to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday with no maintenance activities on Sunday.
12. **Underground Utilities.** All utility lines on the Property shall be underground, except for junction boxes, meters, existing and/or relocated existing overhead utility lines and lines in wetland areas.
13. **Signage.** Signs identifying the Property shall be ground mounted monument-style signs limited in height to six (6) feet, the base of which shall be landscaped, and any external lighting thereof shall be screened pursuant to a landscaping plan approved by the County. No portable and/or changeable copy signage shall be permitted on-site. Other than the sign panel, any detached signs shall be predominantly of brick and/or stone.
14. **Foundations.** There shall be a minimum vertical height of twelve (12) inches of brick, stone or stone veneer above grade utilized on slab-on-grade foundations to present the appearance of a crawl space.
15. **Gravel Prohibited.** Parking spaces, roads, and other access drives shall be paved. Gravel shall not be used as primary landscaping material.
16. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.
17. **Height.** Building height shall be limited to forty-four (44) feet.
18. **Restriction on Shift Changes.** Employee shift changes shall not occur between 7:30 a.m. and 8:30 a.m., nor between 5:00 p.m. and 6:00 p.m., weekdays.

The vote of the Board was as follows:

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

No: None

70-19
PUP2018-
00020
Tuckahoe

CA Senior Living Holdings: Request for a Provisional Use Permit under Sections 24-36.1(a), 24-120, and 24-122.1 of Chapter 24 of the County Code to allow a life care facility on part of Parcel 752-739-1406 located on the east line of N. Parham Road at its intersection with Derbyshire Road.

On motion of Mrs. O'Bannon, seconded by Mr. Branin, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item subject to following conditions:

1. All proffers approved with rezoning case REZ2018-00049 (see case file) shall be made a part of this Provisional Use Permit.
2. The total number of residential units shall not exceed 150. The total number of residential units in specific categories shall not exceed the following maximums:

58 independent living units

60 assisted living units

32 memory care units

Total: 150 units

The vote of the Board was as follows:

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

No: None

37-19
REZ2019-
00002
Fairfield

City of Richmond: Request to conditionally rezone from A-1 Agricultural District to R-6C General Residence District (Conditional) Parcel 799-726-0294 containing 5.34 acres located on the north line of Cool Lane approximately 150' east of Mechanicsville Turnpike (U.S. Route 360).

Mr. Vithoukas noted this item and Agenda Item No. 38-19 were companion cases like the two previous cases and were deferred from the February 12, 2019, meeting. The two items were presented together in a joint public hearing but voted on separately.

Preston Lloyd, an attorney for Williams Mullen and the applicant's representative, expressed appreciation to the County staff, Board, and Housing Specialist Eric Leabough for helping bring this request forward. He confirmed the Richmond City Council had voted to transfer ownership of the subject site to Virginia Supportive Housing at no cost and is encouraged by the step the County has taken to advance affordable housing for a worthy need and cause. Mr. Lloyd recognized two members

of the Virginia Supportive Housing Board of Directors who were in the audience, Vice President Sharon Nusbaum and Jason Snook. Mr. Nelson thanked Mr. Lloyd and the representatives from Virginia Supportive Housing for their work on this partnership with the City of Richmond and County of Henrico.

At Mr. Thornton's request, Mr. Vithoulkas commented on the project associated with these cases, which will allow for a facility for individuals transitioning from homelessness. Mr. Vithoulkas acknowledged the partnership and the support of the adjacent community and Reverend Dr. Patricia Gould-Champ. He thanked Mr. Lloyd for his navigation of the process through two elected bodies. Mr. Vithoulkas stated that facilities like this are needed in our region.

Mr. Thornton thanked Fairfield District Planning Commissioner Chris Archer, the County staff, and Dr. Gould-Champ for working with the City of Richmond and Virginia Supportive Housing. Mr. Thornton said these cases show the County has an empathetic heart. He expressed pride this facility will be in his district and happiness that citizens who had some fear in the beginning no longer have any trepidation about the project.

No one from the public spoke in opposition to these items.

On motion of Mr. Thornton, seconded by Mr. Schmitt, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item with the following proffered conditions:

1. **Maximum Residential Units.** The number of multifamily residential dwelling units on the Property at any time shall not exceed 105.
2. **Development Plan.** The Property shall be developed generally consistent with that certain conceptual plan entitled "1900 Cool Lane" prepared by Arnold Design Studio (the "Conceptual Plan"), (see case file). The Director of Planning or its successor or delegate (the "Director"), upon written request from the Owner, may approve any proposed revision to the Conceptual Plan that, in the reasonable discretion of the Director, (i) complies with all requirements of these proffers, the County Zoning Ordinance, and all other applicable County laws; (ii) is substantially the same as the previously approved Conceptual Plan; and (iii) will have no additional adverse impact on adjacent land or public facilities. Such approval shall not be unreasonably withheld.
3. **New Building Appearance and Exterior Material.** The building shown on the Conceptual Plan (see case file) shall be substantially similar in architectural treatment (incorporating similar, but not necessarily identical design elements, style and materials) with the elevations shown on the Conceptual Plan.

Alternate materials may be allowed if requested by Owner and specifically approved by the Director upon a demonstration by Owner that such materials are of equivalent quality, function or manufacture to those specifically enumerated above.

These proffers are being submitted prior to the Board of Supervisors public hearing on this request.

The vote of the Board was as follows:

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

No: None

38-19
PUP2019-
00001
Fairfield

City of Richmond: Request for a Provisional Use Permit under Sections 24-36.1(b), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow approximately 10,000 square feet of office within a multifamily development on Parcel 799-726-0294 located on the north line of Cool Lane, approximately 150' east of Mechanicsville Turnpike (U.S. Route 360).

On motion of Mr. Thornton, seconded by Mr. Schmitt, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item subject to the following conditions:

1. All proffered conditions accepted with case REZ2019-00002 shall be made a part of this Provisional Use Permit.
2. This provisional use permit shall allow up to 10,000 square feet of office space located only within the first floor of the existing structure and limited to uses allowed in the O-2 district.
3. Prior to issuance of Certificate of Occupancy for the office portion of the development, the applicant shall submit floor plans as part of the building permit application that show adherence to the requirements of Sec. 24-36.1 (b) of the Henrico County Code.
3. Prior to operation the applicant and the Crime Prevention Unit of the Division of Police shall conduct a security survey of the property. The applicant shall implement the mutually agreed upon security recommendations affecting the property.
5. Access to the office portion of the development shall be provided by an entrance separate from the main residential entrance.
6. Prior to issuance of certificates of occupancy, the applicant shall submit a Plan of Development (POD) to the Department of Planning for approval.

The vote of the Board was as follows:

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

No: None

71-19
REZ2018-
00048
Varina

MTM Seven Pines, LLC: Request to conditionally rezone from A-1 Agricultural District to M-1C Light Industrial District (Conditional) Parcels 834-715-5297, 834-715-8592 and 834-716-7646 containing 24.08 acres located along the north line of Old Williamsburg Road, approximately 1000' west of its intersection with Drybridge Road.

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

On motion of Mr. Branin, seconded by Mr. Thornton, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item with the following proffered conditions:

1. On site auctioning of vehicles and/or equipment may occur in an enclosed building or in the rear vehicle storage area on-site. On-site auctions shall not be conducted on the Quick-Sale Lot. All other principal uses shall be conducted in completely enclosed buildings.
2. **Safe Conduct of Operations.** All uses shall be conducted so as not to create any danger to the health, safety and welfare or any material adverse impact on the Property or surrounding areas by creating any excessive noise, vibration, smoke, dust, lint, odor, heat or glare beyond the boundaries of the Property.
3. **Buffers.** Buffers consisting of natural areas, berms or landscaping, or combinations thereof, for purposes of lessening the visual impact of the development of the Property on adjacent land, of a minimum width as set forth below, will be provided and maintained, except to the extent necessary for vehicular and pedestrian access ways, utility easements (such access ways and utility easements to be generally perpendicular to the buffer where possible and shall not include within a buffer area manmade storm water detention unless used as a permanent decorative pool), signage or other purposes specifically permitted by the Planning Commission at the time of Plan of Development review, or by any other governmental body:
 - (a) Fifty (50) feet in width of buffer adjacent to any parcel zoned residential or used for residential purposes at the time of the approval and for so long as such parcels are residentially zoned or used for residential purposes.
 - (b) A four hundred (400) foot deep tree preservation buffer shall be provided along the boundary of the property adjacent to Old Williamsburg Road as shown on the attached plat titled "1400 & 1500 Old Williamsburg Road Rezoning Permit Plan" dated October 9, 2018 (Exhibit A) (Revised 01/25/19), (see case file).

This proffer shall not prevent appropriate signage as approved by the Planning Commission at the time of Plan of Development review.

- (c) Existing vegetation and underbrush may, and fallen, diseased or dead plant growth shall, be removed from such buffer area, and if so removed additional plantings shall be added. Should it be necessary to run drainage, utility or other easements through the buffer areas, such areas shall be compensated to the extent interrupted by said easement to maintain the integrity of the buffer area. Should it be necessary to locate Storm Water Management (SWM) or Best Management Practices (BMP) facilities into this buffer, additional landscaping will be added as required by the Planning Commission at time of plan review to compensate for any removed vegetation. In the event of a loss or removal of trees or other natural vegetation that creates visibility of the use from Old Williamsburg Road, either: (a) replacement trees and other landscaping shall be planted to restore the opaque screen from Old Williamsburg Road, or (b) all sale and storage of inventory and equipment shall be moved behind the main building.
- 4. **Underground Utilities.** All utility lines such as electric, telephone, CATV or other similar lines shall be installed underground. This requirement shall apply to lines serving individual sites as well as to utility lines necessary within the Property, but not to existing lines on the Property.
- 5. **Architectural Treatment.** The exterior wall surfaces (front, rear and sides) of each individual building shall be similar in architectural treatment and materials. No portion of an exterior wall surface visible from any adjoining property shall contain painted or untreated concrete or unfinished concrete masonry units, sheet or corrugated aluminum, asbestos, or metal unless otherwise specifically approved by the Planning Commission at the time of Plan of Development review. All rooftop heating and cooling equipment shall be shielded so that it is screened from public view at ground level.
- 6. **Use Restrictions.** The only uses permitted on the Property shall be as follows:
 - (a) Those uses first permitted as principal uses in M-1 Light Industrial district;
 - (b) Those uses permitted in an O-3 Office district;
 - (c) Data processing centers;
 - (d) Repair facilities;
 - (e) Wholesaling;
 - (f) Showroom sales and service areas, but excluding truck stops;
 - (g) Medical or dental laboratories;

- (h) Cafeterias or restaurants in association with and in support of and incidental to other permitted uses; and
 - (i) Such other accessory uses, not otherwise prohibited, as are customarily accessory and incidental to any permitted use.
- 7. **Loading Dock Treatment.** Loading docks and areas shall be located and/or screened so as to shield them from view from Old Williamsburg Road and any adjacent residentially-zoned property, unless otherwise requested and specifically permitted, or if required by, the Planning Commission at the time of Plan of Development review.
- 8. **Parking Lot Lighting.** Within one hundred (100) feet of any agriculturally or residentially zoned property, parking lot lighting fixtures shall not exceed twenty (20) feet in height as measured from the grade of the base of the lighting standard. Parking lot lighting fixtures on the remainder of the Property shall not exceed thirty (30) feet in height as measured from the grade of the base of the lighting standard unless otherwise requested and specifically permitted, or if required by, the Planning Commission at the time of Plan of Development review. Parking lot lighting shall be produced from concealed sources of light (i.e., "shoebox" type).
- 9. **Open space.** At least twenty percent (20%) of the Property shall be used for permanent open space. This area shall be used for landscaping, lawns, screening and/or buffer area and may include bodies of water, works of art and outdoor recreation areas. The area devoted to the project perimeter buffering may be counted toward this requirement.
- 10. **Signage.** Signage for parcels adjacent to I-64 shall be controlled by the standards applicable to signage in a B-3 zoned district unless otherwise requested and specifically permitted, or if required by, the Planning Commission at the time of Plan of Development review. All free-standing signs located adjacent to Old Williamsburg Road right of way shall be of a ground mounted monument design. Changeable message LED type signs shall not be used on or adjacent to Old Williamsburg Road.
- 11. **Plan of Development/Master Plan Requirement.** A plan of development as regulated by Section 24-106 of the Henrico County Code shall be submitted for the development/construction of the Property. A Site Plan shall be submitted for review and approved by Henrico County as required prior to any construction on the Property.
- 12. **Parking Lot Landscaping.** Landscaping shall be maintained in islands on the portion of the property utilized for customer parking. Such islands shall be landscaped with shrubbery and

vegetation aesthetically compatible with the landscaping and development of the Property.

13. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.
14. **Sound Amplification and Public Address System.** All sound emanating from a loud speaker and/or public address system including, but not limited to paging shall occur so the sound is not heard beyond the property boundary lines.
15. **Fencing.** Chain link fencing on the property shall be vinyl coated chain linked either black or dark green in color. This proffer shall not be interpreted to exclude other types of fencing superior to chain link fencing which may be used as part of a landscaping and/or architectural treatment including, but not limited to, masonry, split rail, composite wrought iron, plank and/or board fencing. In the event that any inventory is maintained in an area of the parking lot in front of the building, such inventory shall be separated from the remaining parking lot area by a solid color PVC and/or composite panel fencing or other type of superior fencing.
16. **Time Limit on Inventory.** All inventory for auction and/or sale including, but not limited to, equipment, trucks, motor vehicles, boats and any other mechanized equipment shall not remain on the premises longer than 110 days.
17. **Spill Prevention Control and Counter Measure Plan (SPCC Plan).** While any portion of the property is used for the auctioning of motor vehicles and/or equipment, there shall be a written SPCC Plan in place and followed by the operators of the auction of motor vehicles and equipment. Said plan shall contain the following elements:
 - (a) Advance written notice to, and contractual provision with, the sellers of all motor vehicles and/or equipment that the seller certifies that any motor vehicle and/or equipment brought to the property for auction (i) shall not be discharging or leaking any hazardous substances, as said substances may be defined by the Environmental Protection Agency, including but not limited to, gasoline, diesel fuel, oil and machinery lubricants or any similar products; and (ii) that seller assumes liability for all prevention and/or cleanup cost for violation of such certification.
 - (b) Inspection of motor vehicles and/or equipment by trained personnel for any evidence or discharge or leakage of

hazardous substances prior to the motor vehicles and/or equipment coming on to the property for auction.

- (c) While motor vehicles and/or equipment are on site, periodic monitoring by trained personnel to detect any discharge or leakage of hazardous substances.
- (d) Stored and available onsite various sorbents, supplies, equipment and containers to collect and contain any contaminated fluids and contaminated soils.
- (e) Licensed contractor specializing in environmental work on call for response including analysis, removal action, and proper disposal of any contaminants and/or contaminated soils.
- (f) SPCC Plan(s) and records maintained on site and available for inspection by Henrico County officials.

18. **Location Restrictions.** Except as set forth below, use of the site for the auction of motor vehicles and/or equipment shall occur towards the back of the site and away from Old Williamsburg Road. The vehicle auction/storage lot shall be located and situated behind the building(s) housing the auto auction, offices, and enclosed work area. This proffer shall not be interpreted to require the buildings to completely screen the vehicle auction/storage lot. This proffer is intended to confirm the placement of the building(s) between Old Williamsburg Road and the vehicle auction/storage lot and that said buildings and vehicle auction/storage lot are located toward the back of the property and not toward the front along Old Williamsburg Road. Limited use of the site for on-line auction of motor vehicles and/or equipment may also occur in an area of the parking lot between the building and Old Williamsburg Road ("Quick Sale Lot") with the following restrictions: (a) no more than thirty (30) vehicles and/or pieces of equipment; (b) no inventory in this area shall remain in the Quick Sale Lot for longer than forty-five (45) days; (c) all inventory will be intact operating vehicles and/or equipment similar to vehicles/equipment located on retain new and used car lots; and (d) no "on site" auctions would occur in the Quick Sale Lot area.

19. **Sales and Storage Restrictions.** Any vehicle with a damaged or leaking reservoir shall be staged or stored in a designated, paved area that will be monitored daily. Any vehicle with an exposed reservoir will be covered to prevent leakage or spillage of damaging materials. No vehicles will be stacked, crushed or dismantled, and no parts will be "pulled", sold, or stored, and vehicles will be auctioned as intact units.

20. **Landscape Plan.** The applicant will obtain a landscape plan approved by the Henrico County Planning Office similar in

appearance to the current landscaping in front of the building located at 5701 Whiteside Road, Sandston, Virginia 23150. This proffer shall not be interpreted to exclude other types of superior landscaping and screening.

21. All vehicles and/or equipment shall be stored with all parts lowered to their minimum height (bucket trucks, fork lifts, buckets, etc.) to reduce visibility from surrounding properties.
22. The one hundred fifty-foot (150') parcel setback from the rear of the Steil parcel (GPIN# 834-715-8140) shall be maintained as existing natural vegetation.

The vote of the Board was as follows:

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

No: None

72-19
REZ2019-
00006
Varina

Cynthia T. Long: Request to conditionally rezone from O-2 Office District to R-2AC One-Family Residence District (Conditional) Parcel 817-726-0726 containing .65 acres located at the southeast intersection of Nine Mile Road (State Route 33) and Taft Street.

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

On motion of Mr. Branin, seconded by Mrs. O'Bannon, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item with the following proffered conditions:

1. No more than two single-family dwellings shall be constructed on the property.
2. All dwellings shall be oriented to Nine Mile Road.
3. Access to Nine Mile Road shall be limited to one access point. Access for the Easternmost lot will use the existing access to Nine Mile Road and the Westernmost lot shall be accessed via Taft Street.
4. The property owner shall dedicate to Henrico County the appropriate amount of property along Nine Mile Road, as determined at time of subdivision, for the construction of sidewalks and pedestrian improvements. If the County does not construct the improvements for the designated use by March 12, 2034 the dedicated area shall be returned to the developer.

The vote of the Board was as follows:

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

No: None

73-19
PUP2019-
00003
Three Chopt

Innsbrook Foundation: Request for a Provisional Use Permit under Sections 24-62.2(f), 24-66(a), 24-120 and 24-122.1 of Chapter 24 the County Code in order to continue operation of an outside concert pavilion on part of Parcels 750-768-4593 and 751-769-0332, located at the southeast ramp of I-295 approximately 750' northeast of Nuckols Road.

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

On motion of Mr. Branin, seconded by Mrs. O'Bannon, and by unanimous vote the Board followed the recommendation of the Planning Commission and approved this item subject to the following conditions:

1. The Provisional Use Permit shall expire on December 31, 2022, or at such time as all three (3) planned North Shore Commons office buildings A, B, and C are occupied, whichever comes first.
2. Security measures, including but not limited to fencing and security personnel shall be provided to restrict unauthorized access to any construction areas within the vicinity of the temporary outdoor Pavilion, including any portions of the property where site improvements associated with POD-82-00 are under construction.
3. An annual music and festival permit shall be obtained as required by Article IV, Chapter 4 of the Henrico County Code. This Provisional Use Permit shall be subject to all conditions set forth in the required annual music and festival permits.
4. This permit shall not supersede Zoning Ordinance requirements including parking required to support planned offices in North Shore Commons.
5. The temporary outdoor Pavilion shall be located in the area shown on Exhibit 1 (see case file). Deviations from this designated location shall require the approval of a new Provisional Use Permit.
6. The maximum attendance for paid and un-paid events shall be 8,500 persons.
7. Prior to each concert season, the applicant shall meet with representatives of the Divisions of Fire and Police, the Health Department, and Building Inspections to discuss public safety plans for the upcoming concert season, including an Emergency Action Plan.
8. Prior to each concert season, the applicant shall submit a pedestrian plan showing planned pedestrian routes to the Director of Planning.

The Plan shall emphasize safe pedestrian routes and minimize the impacts on pedestrians of traffic movements on Lake Brook Drive.

9. Music and entertainment on weekdays shall end by 9:30 p.m. when Henrico County Public Schools are in session. When school is not in session music and entertainment on weekdays shall end by 10:00 p.m. Weekend events shall end by 10:00 p.m.

The vote of the Board was as follows:

Yes: Nelson, Branin, O'Bannon, Thornton

No: None

Abstained: Schmitt

PUBLIC HEARINGS – OTHER ITEMS

- 74-19 Resolution - Signatory Authority - Quitclaim of a Portion of Utility Easement - Lakeside Landing - Fairfield District.

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

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

- 75-19 Resolution - Approval of Issuance of Bonds by the Suffolk Redevelopment and Housing Authority for the Henrico Arms Apartments - Varina District.

Mr. Leabough responded to a question from Mr. Thornton.

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

Mr. Nelson thanked Mr. Leabough and the County staff for moving this item forward.

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

PUBLIC COMMENTS

There were no comments from the public.

GENERAL AGENDA

- 76-19 Resolution - Receipt of Operating and Capital Budget Estimates for Fiscal Year 2019-20 and Notice of Public Hearings on the Budget and Proposed Tax Rates.

Justin Crawford, Management and Budget Division Director, narrated a slide presentation, which he advised was a quick introduction of the nearly 700-page budget document the Board would spend many hours discussing the following week. He pointed out the Board is the only governing body to his knowledge that reviews the budget over a full week, line item by line item and department by department. Mr. Crawford began his presentation by reviewing general fund revenue growth and growth in the proposed general fund budget for Fiscal Year (FY) 2020. He noted over 83 percent of the total revenue increase for FY 20 is allocated to education and public safety, which will represent the largest increase in funding for Henrico's public school system in the past 13 years. Mr. Crawford further noted the FY 20 proposed budget includes funding for a three percent, merit-based salary increase and the first steps toward relieving salary compression. It also continues the County's effort to be a pay leader for entry-level police officers, firefighters, and teachers and reflects a significant investment in capital infrastructure, including funding for the replacement of two high schools, the Henrico Aquatics Center, and an indoor sports facility. Mr. Crawford concluded by providing a review of the upcoming budget calendar.

Mr. Nelson pointed out Mr. Vithoukias released the summary of the proposed budget earlier this year and it was covered by the *Richmond Times-Dispatch*.

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

77-19 Resolution - To Accept an Education Program Grant from the Virginia E-911 Services Board.

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

78-19 Resolution - Award of Contract - Pump Road Dam Renovation - Tuckahoe District.

Mr. Yob narrated a brief slide presentation on the Pump Road Dam, which included a history of the dam, several photographs depicting the condition of the dam since May 2018, an engineer's drawing of overtopping protection for the dam, and a photograph of the product that the Department of Public Works will be using to prevent the dam from eroding. He responded to questions and comments from Mr. Branin and Mrs. O'Bannon.

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

79-19 Resolution - Award of Contract - Dorey Park Roadway Improvements - Varina District.

Mr. Yob responded to a question from Mr. Nelson.


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

80-19

Resolution - Approval of Settlement of Worker's Compensation Claim - Joan Engstrom.

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

There being no further business, the meeting was adjourned at 8:51 p.m.


Chairman, Board of Supervisors
Henrico County, Virginia



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 74-19

Page No. 1 of 1

Agenda Title: RESOLUTION — Signatory Authority — Quitclaim of a Portion of Utility Easement —
Lakeside Landing — Fairfield District

For Clerk's Use Only:

Date: 3/12/2019

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

Branin, T.	<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"/>
Schmitt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, SM Richmond, LLC, has requested that the County quitclaim a portion of a utility easement across its property at Lakeside Landing; and,

WHEREAS, there are no County facilities in this portion of the easement, and the County has no future need for it; and,

WHEREAS, this resolution was advertised and a public hearing was held on March 12, 2019, pursuant to Sections 15.2-1800 and 15.2-1813 of the Code of Virginia.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the Chairman is authorized to execute a deed, in a form approved by the County Attorney, quitclaiming all interest of the County in the area shown hatched on the plat attached as Exhibit A.

Comments: The Directors of Public Utilities, Planning, and Real Property recommend approval of this Board paper; the County Manager concurs.

By Agency Head Steve Quinn

By County Manager [Signature]

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

EXHIBIT A

SOURCE OF TITLE:

THE PROPERTY EMBRACED WITHIN THE LIMITS OF THIS EASEMENT WAS CONVEYED:

GPINS: 784-748-3728

FROM: VILLAGE BANK

TO: SM RICHMOND LLC BY DEED DATED AND RECORDED IN DEED BOOK 5704, PAGE 2452
IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF HENRICO COUNTY, VIRGINIA.

THE BAY COMPANIES, P.C.

EX. 30' DRAINAGE EASEMENT
D.B. 4398, PG. 317

GPIN: 784-748-2576

N/F - BROOK RUN SOMERSET LLC
D.B. 4102 PG. 962

EX. VARIABLE WIDTH
PERMANENT UTILITY
EASEMENT
D.B. 5359 PG. 2224

EX. VARIABLE WIDTH TEMPORARY
CONSTRUCTION EASEMENT
D.B. 5359 PG. 2224

N=3748698.32
E=11784697.79

EX. VARIABLE WIDTH
UTILITY EASEMENT
P.B. 4091, PG. 1890

EX. 35' TRANSITIONAL
BUFFER EASEMENT
D.B. 4398 PG. 317

N=3748448.94
E=11784006.45

APPROVED FOR
LOCATION
AND DESIGN

EXISTING 16'
UTILITY EASEMENT
TO BE QUITCLAIMED
D.B. 2242, PG. 1058

FUTURE LAKESIDE
LANDING LOTS AND
DRIVE AISLES

BY DFI

DATE

BY DFI

DATE

BY DFI

DATE

GPIN: 784-748-3728
SM RICHMOND LLC
D.B. 5704 PG. 2452

EX. 30' PRIVATE
ACCESS, DRAINAGE, AND
UTILITY EASEMENT
P.B. 116, PG. 198

EX. 26' PRIVATE
STORMWATER EASEMENT
P.B. 116, PG. 198

N=3748016.17
E=11784039.68

N=3748048.21
E=11784456.45

S85°36'12"W 418.00'

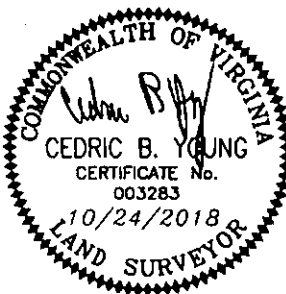
EX. 16' PUBLIC
UTILITY EASEMENT
D.B. 2242, PG. 1058

GPIN: 784-747-2895
N/F - WHLR BROOK RUN
PROPERTY LLC
D.B. 5348 PG. 2965

Line Table		
Line #	Length	Direction
L1	77.41	S88°58'23"E
L2	3.00	S58°48'23"W
L3	115.46	N45°42'06"E

EX. 30' ACCESS AND
DRAINAGE EASEMENT
P.B. 116, PG. 198

GPIN: 784-747-5128
N/F - BROOK RUN ASSOCIATED LLC
D.B. 3053 PG. 2621



Plat Showing
16' Utility Easement
to be Quitclaimed
GPIN: 784-748-3728
Fairfield District
Henrico County, Virginia
Scale: 1" = 100'
Date: October 24, 2018

THE BAY COMPANIES

bay

CIVIL ENGINEERS

8500 BELL CREEK ROAD MECHANICSVILLE, VA 23118
PH: (804) 569-7080 FILED: 17031 - utility_easement_quitclaim

P022018-00462



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 75-19
Page No. 1 of 1

Agenda Title: RESOLUTION – Approval of Issuance of Bonds by the Suffolk Redevelopment and Housing Authority for the Henrico Arms Apartments – Varina District

For Clerk's Use Only:

Date: 3/12/2019

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

YES NO OTHER

Branin, T.	<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"/>
Schmitt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

After holding a duly advertised public hearing on March 12, 2019, the Board of Supervisors approved the attached resolution.

Comments: This resolution has been requested by Richmond-Henrico Arms Limited Partnership, the proposed purchaser of Henrico Arms Apartments.

By Agency Head _____ By County Manager [Signature]

Routing:
Yellow to: _____
Copy to: _____

Certified: _____
A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

AGREEMENT AND MEMORANDUM OF UNDERSTANDING

This Agreement and Memorandum of Understanding (the "MOU") is made and entered into effective as of March 12, 2019 (the "Effective Date"), by and between Henrico County, Virginia (the "County") and Richmond-Henrico Arms Limited Partnership (the "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 Henrico Arms Apartments (comprised of two hundred thirty-two (232) apartment units) having an address of 1664 Henrico Arms Place, Richmond, VA 23231 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 \$21,000,000 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 12, 2019, 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 United States 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 ten (10) business 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 (the "Improvements Scope"). All such improvements shall be completed within twenty-four (24) months from the closing of the Financing. Notwithstanding the foregoing, the County acknowledges that the Improvements Scope is only a narrative description of the proposed Project and that the final plans and specifications shall be submitted by the Owner for approval by the County for the issuance of building permits. Additionally, the County acknowledges that the Owner may need to alter the Project, as detailed in the plans and specifications, via a defined, change order approval process with its Lender and/or HUD, and that the final Project shall be in compliance with the provisions of this Paragraph 4, so long as the actions taken are substantially similar to those listed in the Improvements Scope.

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 and approval to transfer the existing plan of development. 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 the Project, 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 (3) terms and conditions under which the tenant may lease and occupy a decent, safe, and sanitary dwelling at the Property upon completion of the Project.
8. Meetings. The Parties, or Owner's Property Management designee (the "Property Manager"), including at least one (1) representative from the County Police Division 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. Additionally, Owner shall develop and enforce no-

trespassing and barring policies for individuals convicted of trespassing or serious crimes that would warrant barring from the Property. Owner shall further execute a no-trespassing enforcement agreement with the Henrico Police Division.

10. Security.

- a. Owner shall maintain video camera recording devices at the Property at or exceeding the existing system and provide video footage when requested by law enforcement when given reasonable notice.
- b. Owner shall ensure that all existing security cameras are functioning properly and monitored twenty-four (24) hours per day, seven (7) days per week.
- c. 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 written 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) business day period, such longer period as may be necessary to cure such deficiency, provided that the 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 ten (10) business 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 (24) hours a day, seven (7) 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) business 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 ten (10) business 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 Lender and/or 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, the 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 (3rd) day after deposit in the United States mail, postage prepaid, (ii) the first (1st) day after deposit with Federal Express or similar overnight delivery services, or (iii) deliver if delivered personally.

Owner:

Richmond-Henrico Arms Limited Partnership
c/o Silver Street Development Corporation
33 Silver Street, Suite 200
Portland, ME 041010

County:

Henrico County Attorney's Office
Post Office Box 90775
Henrico, Virginia 23273-0775

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. Owner agrees to provide the County an electronic copy of the low-income housing tax-credit application and the bond financing application submitted to the Suffolk Redevelopment and Housing Authority for 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 Project or the Owner's 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.

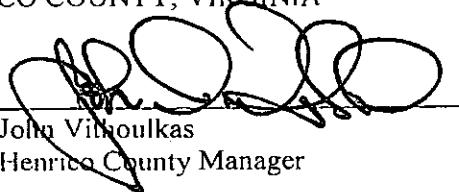
19. Transfer of Property and Assumption of this MOU by Successors and Assigns. Throughout the term of this MOU, the Owner shall provide written notice of any proposed sale or assignment of its ownership rights in the Property to any third party or affiliate at least ten (10) business days prior to the 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 MOU 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 MOU.

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

SIGNATURE PAGE TO FOLLOW

COUNTY:

HENRICO COUNTY, VIRGINIA


By: 
Name: John Vithoulkas
Its: Henrico County Manager

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO to-wit:

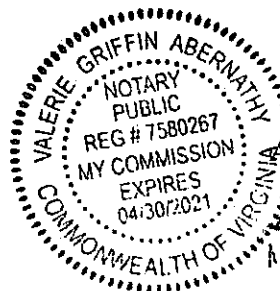
I, the undersigned, a Notary Public in and for the jurisdiction aforesaid, do hereby certify that John Vithoulkas, whose name is signed to the foregoing Agreement and Memorandum of Understanding, has acknowledged the same before me in my jurisdiction aforesaid and sworn the information is accurate to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

Given under my hand this 14 day of March, 2019.


Notary Public

My commission expires: 4/30/21

Commission number: 7580267



APPROVED AS TO FORM

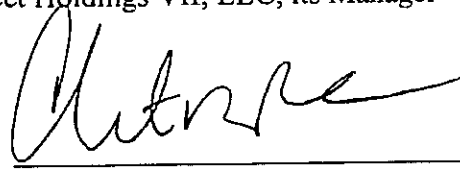

COUNTY ATTORNEY

OWNER:
**RICHMOND-HENRICO ARMS LIMITED
PARTNERSHIP**

By: Harbour-Newport News GP, LLC, its
General Partner

By: Silver Street Partners VII, LLC, its Manager

By: Silver Street Holdings VII, LLC, its Manager

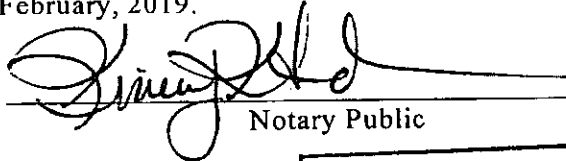
By: 
Name: Christopher R. Poulin
Its: Manager

STATE OF MAINE

COUNTY/CITY OF CUMBERLAND to-wit:

I, the undersigned, a Notary Public in and for the jurisdiction aforesaid, do hereby certify
that Christopher R. Poulin 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 22nd day of February, 2019.


Notary Public

My commission expires: KIMBERLY K. ANDERSON

Commission number: Notary Public, State of Maine
My Commission Expires March 13, 2024

EXHIBIT A

Property Legal Description (attached)

EXHIBIT A

Description:

19.59 Acres located in Henrico County, Virginia
For Henrico Arms Multiple Housing Project.

All that certain lot, piece or parcel of land situate, lying and being in Henrico County in the State of Virginia and being more particularly described as follows:

Beginning at a point, marked by a steel rod, the Northwest corner of the property being described; Said point of beginning being in the intersection of the South right-of-way line of Darbytown Road and the East line of a 10 foot alley as delineated on the plat of "Powhatan Annex".

From the point of beginning thus established running South 45° 32' 19" East, along the South right-of-way line of Darbytown Road, for 599.14 feet to a point marked by a stake; Thence South 07° 22' 22" West for 1692.38 feet to a pipe; Thence North 83° 20' 41" West, along the North line of Lot 1 of "Powhatan Place" for 305.81 feet to a point in the East line of Balfour Street; Thence North 83° 20' 41" West for 159.87 feet to a point marked by a steel rod; Thence North 07° 03' 04" East, along the East line of the public right-of-way, for 307.35 feet to a point marked by a steel rod, said last mentioned point being in the intersection of the North line of Haig Street and the East line of the aforementioned 10 foot alley; Thence North 07° 01' 38" East, along the East line of the said 10 foot alley and coincident with the corporation line of the City of Richmond, for 1752.21 feet to the point of beginning; All as shown on that certain Plat made by William J. Schmidt & Assoc., certified land surveyor, dated December 17, 1974 (updated October 14, 1975), and recorded.

Excepting a parcel beginning at a point 905.82 feet South 07° 01' 38" West of the point of beginning; Said point of beginning of the excepted parcel being a point on the easterly side of a 10 foot alley and the north side of Edgelawn Street; Thence South 82° 58' 22" East for 17.0 feet at which point marks the beginning of a curve to the right having a radius of 281.55 feet and a length of 222.83 feet; Thence South 37° 37' 38" East for 360.19 feet; Thence South 07° 22' 22" West for 70.71 feet; Thence North 37° 37' 38" West for 410.19 feet, at which point marks the beginning of a curve to the left having a radius of 231.55 feet and a length of 183.25 feet; Thence North 82° 58' 22" West for 17.0 feet; Thence North 07° 01' 38" East for 50.0 feet to the point of beginning of the excepted parcel.

EXHIBIT B

Form of Board of Supervisors Resolution (attached)

**RESOLUTION – APPROVAL OF ISSUANCE OF BONDS
BY THE SUFFOLK REDEVELOPMENT AND HOUSING AUTHORITY
FOR THE HENRICO ARMS APARTMENTS – VARINA DISTRICT**

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

WHEREAS, Henrico Arms Apartments (the “Apartments”), located at 1664 Henrico Arms Place in the Varina District of the County, is an approximately 232-unit, multi-family 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 proposed purchaser of the Apartments, Richmond-Henrico Arms Limited Partnership, a Virginia limited partnership (the “Purchaser”), has a contract pursuant to which it will acquire and rehabilitate the Apartments; and

WHEREAS, the Purchaser will spend approximately \$48,000 per unit on labor and materials to improve the safety and living conditions at the Apartments with upgrades and/or replacements of the Apartments’ building system and components, including, without limitation, fire safety improvements, carbon monoxide detection devices, playgrounds, interior and exterior lighting, security, kitchen and bathroom upgrades, concrete repair, conversion of fourteen units and related parking and common areas for handicap accessibility (including provision of ramps and curb cuts and installation of handrails, guard rails, grab bars and accessible bathtubs with skid-resistant surfaces) and provision of notification/alarms for the visually impaired within five dwelling units.; and

WHEREAS, in accordance with federal tax law which fosters private investments in affordable housing, the Purchaser wishes to access private funds from the capital markets through the sale of tax-exempt bonds in an aggregate amount not to exceed \$21,000,000 (the “Bonds”) to finance a portion of the costs of the purchase and rehabilitation of the Apartments (collectively, the “Project”); and

WHEREAS, in order to accomplish this, the Purchaser 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 September 25, 2018, on the issuance of revenue bonds to assist in financing the Project and adopted a resolution on the same date 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 October 17, 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 12, 2019 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 of general circulation within the County at least ten (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 12, 2019 on the Apartments and the issuance of the Bonds as required by Section 15.2-4906 of the Code of Virginia of 1950, as amended (the "Virginia Code"), and 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 (i) at least fourteen (14) days prior to the date set for such hearing as required by the applicable public hearing requirements of the Code and (ii) once a week for two successive weeks with the second advertisement published at least six (6) but not more than (21) days before the date set for such hearing, as required by Section 15.2-4906 of the Virginia Code; and

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

WHEREAS, the County and the Purchaser 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 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 Apartments, as required by Section 147(f) of the Code and Section 15.2-4906 of the Virginia 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 Apartments, the Project or the Purchaser.

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. Nothing contained herein shall be construed to authorize or permit the Authority to exercise its powers or engage in any other project financing except as authorized by this resolution.

9. This resolution will 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

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Supervisors of Henrico County, Virginia (the "County Board") will hold a public hearing pursuant to Section 36-23 of the Code of Virginia of 1950, as amended, to determine whether dwelling accommodations in the County can be made substantially safer through the exercise by the Suffolk Redevelopment and Housing Authority of its powers to issue tax-exempt bonds for the benefit of facilities located within the territorial boundaries of Henrico County. The public hearing, which may be continued or adjourned, will be held at 7:00 p.m. on Tuesday, March 12, 2019 before the County Board in the Board room at the Henrico Western Government Center at 4301 E. Parham Road, Henrico, Virginia 23228.

The public hearing will provide an opportunity for interested persons to be heard and communications and writings to be received and considered. Interested persons wishing to express their views on the issuance of the bonds or request additional information prior to the public hearing may do so 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 in care of Andrew R. Newby, Assistant County Attorney, P.O. Box 90775, Henrico, Virginia 23273-0775. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits, and for the introduction of documentary evidence pertinent to the issuance of the proposed private activity bonds.

CLERK OF THE BOARD OF SUPERVISORS OF
HENRICO COUNTY, VIRGINIA

EXHIBIT B

**NOTICE OF PUBLIC HEARING BEFORE THE
BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA
ON PROPOSED PRIVATE ACTIVITY BOND FINANCING FOR
RICHMOND-HENRICO ARMS LIMITED PARTNERSHIP**

Notice is hereby given that the Board of Supervisors of Henrico County, Virginia (the "County Board") will hold a public hearing on the request of Richmond-Henrico Arms Limited Partnership, a Virginia limited partnership (the "Borrower"), whose address is c/o Silver Street Development Corporation, 33 Silver Street, Suite 200, Portland, Maine 41041, for the issuance by the Suffolk Redevelopment and Housing Authority (the "Authority") of up to \$21,000,000 of its revenue bonds to finance or refinance a portion of the cost of acquiring, constructing, renovating, rehabilitating and equipping a multifamily residential rental housing project consisting of eleven two-story buildings containing approximately 232 units, one community building, two laundry buildings and associated parking spaces known as Henrico Arms Apartments (the "Project") located on approximately 19.584 acres of land at 1664 Henrico Arms Place in the County of Henrico, Virginia 23231. The Project will meet the requirements of a qualified residential rental project within the meaning of Section 142(d) of the Internal Revenue Code of 1986, as amended. The Project will be owned by the Borrower or an entity affiliated with and controlled by or under common ownership with the Borrower. The public hearing, which may be continued or adjourned, will be held at 7:00 p.m. on March 12, 2019 before the County Board in the Board room at the Henrico Western Government Center at 4301 E. Parham Road, Henrico, Virginia 23228.

The proposed private activity bonds will not pledge the credit or the taxing power of the Commonwealth of Virginia, the City of Suffolk, Virginia, the County of Henrico, Virginia or the Authority but will be payable solely from the revenues derived from the Borrower and pledged therefor.

The public hearing will provide an opportunity for interested persons to be heard and communications and writings to be received and considered. Interested persons wishing to express their views on the issuance of the bonds or request additional information prior to the public hearing may do so 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 in care of Andrew R. Newby, Assistant County Attorney, P.O. Box 90775, Henrico, Virginia 23273-0775. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits, and for the introduction of documentary evidence pertinent to the issuance of the proposed private activity bonds.

**CLERK OF THE BOARD OF SUPERVISORS OF
HENRICO COUNTY, VIRGINIA**

EXHIBIT C

AGREEMENT AND MEMORANDUM OF UNDERSTANDING

[Attach]

The foregoing RESOLUTION – APPROVAL OF THE ISSUANCE OF BONDS BY THE SUFFOLK REDEVELOPMENT AND HOUSING AUTHORITY FOR THE HENRICO ARMS APARTMENTS – VARINA DISTRICT was adopted by the Board of Supervisors of the County of Henrico, Virginia this 12th day of March, 2019.

A Copy Teste:

Clerk, Board of Supervisors of the
County of Henrico, Virginia

[SEAL]

EXHIBIT C

Improvements Scope (attached)



Henrico Arms

Scope of Work

January 31, 2019

Henrico Arms is an existing development located in Richmond, Virginia at 1664 Henrico Arms Place. The Property was constructed in 1974 and renovated in 2004. The Property consists of 11 two-story garden-style buildings consisting of 232-unit (1, 2, & 3 Bedroom), one community building, one leasing/management office building (with laundry), and one maintenance office building (with laundry) all located on one parcel totaling 19.584 acres.

Existing Unit Mix: 72 one-bedroom, 1 bath
 116 two-bedroom, 1 bath
 44 three-bedroom, 1 bath
 232 Total Units

Division 01: General Requirements

The Contractor shall provide all labor based upon current Davis Bacon Wage Rates (Residential Rate), materials, equipment, and supervision with incidental services necessary to perform the work indicated on the Drawings and specified herein, including but not limited to the following:

- Prior to beginning work the contractor shall prepare for Owner review a construction management plan for conduct of this work within an "occupied" building. Work in occupied spaces must be coordinated through property management and/or Owner.
- Contractor shall cooperate with Owner, Owner's representatives, and architects and engineers performing work on site for the Owner, and shall provide all necessary access to work areas at the Owner's request.
- Work of this project will be performed during normal working hours unless previously arranged with the property management/Owner.
- Site: Install fences, and barriers, as required, to protect people, property and building components. Install other protection and control devices or constructions as required to limit dust, noise, etc.
- All contractors and subcontractors engaging in the following activities must be Lead-Safe Certified, as mandated by the EPA Lead-Based Paint Renovation, Repair and Painting (RRP) Rule:
 - Remodeling and repair/maintenance;
 - Electrical;
 - Plumbing;
 - Painting;
 - Window Replacement.

- Any building or fire code violations discovered during construction will be rectified in a manner that maintains the level of protection provided for under Chapter 7 'Alterations-Level 1' of the existing building code. For instance, if a fire rated partition or smoke partition has voids or unsealed penetrations it will be repaired so that the level of protection provided by the original construction will be restored.

DIVISION 2: Existing Conditions and Selective Removals

- Contractor shall follow demolition plans and specifications which outline sound practices for managing waste and hazardous materials.
- Contractor shall implement a construction waste recycling plan in which construction waste materials are collected, separated and recycled instead of being sent to a land fill. Include record keeping that shows weight, type and disposition of materials processed.
- Contractor shall remove all abandoned and non-operable equipment, devices, and accessories.
- Remove existing concrete floor slabs as needed at (14) accessible unit kitchens and bathrooms for new floor drains and plumbing fixture locations.
- Remove existing kitchen cabinetry, sinks, faucets, appliances, plumbing and electrical lighting fixtures throughout dwelling units.
- Remove existing bathroom vanity, marble vanity tops with integral bowl, faucets, shower heads, toilet accessories, medicine cabinet/mirrors, lighting, ceramic tile, and flooring and base throughout dwelling unit bathrooms.
- Selectively remove walls and doors at fourteen (14) dwelling unit bathrooms scheduled to be converted to handicap accessibility.
- Remove existing VCT and base throughout dwelling unit bedrooms in fourteen (14) dwelling units scheduled to be converted to handicap accessibility.
- Remove existing flooring and base throughout kitchens and bathrooms.
- Remove existing asphalt shingle roofing systems throughout.
- Remove existing bathroom roof vents/flashing throughout.
- Remove existing exterior window systems (including frames) throughout.
- Remove existing unit entry doors per unit survey matrix and remove door hardware throughout.
- Remove existing bedroom and bathroom doors in fourteen (14) units scheduled to be converted for handicap accessibility.
- Remove existing mailboxes.
- Remove existing dumpster enclosures.
- Remove existing air conditioning condensers throughout.
- Remove abandoned items from brick and power wash/clean exterior of all buildings (VHDA).
- Remove sections of deteriorated concrete sidewalks. Refer to Civil site plan for locations.
- Remove sections of asphalt that has cracking, alligating, or a deteriorating sub-base. Refer to Civil site plan for locations.

DIVISION 3: CONCRETE

- Reconfigure sidewalks as required to provide accessible route from handicap parking spaces to dwelling unit entries (including provision of ramps and curb cuts as required).
- Provide accessible route to dumpsters, mailboxes, management office, laundry buildings and community building from accessible dwelling units (including provision of ramps and curb cuts as required).
- Provide concrete slab on grade repairs at (14) accessible dwelling unit kitchens and bathrooms for floor drains and plumbing modifications.
- Install new concrete sidewalks to replace deteriorated concrete sidewalks. Refer to Civil site plan for locations (VHDA).
- Install new 6" minimum thick reinforced concrete dumpster pads at each of eleven locations. Pad must extend 12' into asphalt so that bearing wheels of trucks rest on concrete while servicing dumpsters (VHDA).
- Install new 6" concrete condenser pads (VHDA).

DIVISION 4: MASONRY

- Repair masonry walls having cracks and/or settlement. Replace damaged brick and point-up deteriorated mortar to match existing. Replace rowlocks for window sills that do not have a slope to drain water away from building. (VHDA)

DIVISION 5: METALS

- Scape and paint existing steel lintels prior to installation of new windows with low VOC paint. (VHDA)
- Provide new metal handrails, guard rails, posts, and pickets at new accessible ramps as needed (VHDA).
- When repainting existing or installing new exterior steel products, powder coat or provide an exterior steel paint that can achieve a minimum 10-year material warranty. Prepare surfaces per warranty requirements. Prime and paint steel prior to placement in concrete. (VHDA)

DIVISION 6: WOOD & PLASTICS

- Reframe partitions within fourteen (14) accessible units as necessary to comply with all applicable accessibility regulations.
- Reframe partitions as necessary for management office layout upgrade. Layout upgrades to make management office accessible.
- Provide concealed solid dimensional wood blocking in fourteen (14) accessible units at bathrooms and kitchens for accessories and grab bars (VHDA).
- Provide concealed solid dimensional wood blocking for all handrails, grab bars, and wall mounted accessories (VHDA).
- Provide new closet shelving throughout fourteen (14) accessible dwelling units mounted at 48 inches AFF to top of shelving.
- Provide subfloor and structural repairs as required throughout (VHDA).

DIVISION 7: THERMAL & MOISTURE PROTECTION

- Provide new blown cellulose insulation over existing insulation (R-38 total thermal rating) at all attic areas over existing fiberglass insulation. (VHDA)
- When replacing drywall at an exterior wall or replacing exterior sheathing, provide new R-20 insulation at affected areas (latest adopted edition of IECC requirement) (VHDA).
- Provide new 25-year, anti-fungal, asphalt shingle roofing at all roofs. Shingles to be nailed (not stapled). Existing roofing to be completely removed to existing plywood sheathing. Replace existing ridge vents. (VHDA)
 - Repair or replace all damaged sheathing, rafters, and/or trusses (VHDA).
 - Install an additional layer of sheathing over the existing 3/8" sheathing in lieu of removal and installation of new sheathing. Structural engineer shall provide additional sheathing sizing (VHDA).
 - Install ice dam membrane extending from eave's edge to a point 24" inside the exterior wall of the building (VHDA).
 - Provide new seamless aluminum gutters and downspouts throughout. (VHDA)
 - Install drip edge on all sides of the roofs. (VHDA)
 - Replace all existing attic vents and pipe collars. Replace rusted or damaged flashing. Replace all existing sealant (VHDA).
- Exterior wood, such as trim, fascia, rake boards and columns, is to be clad with crimpable vinyl, vinyl coated aluminum, or similar materials (.019" min thickness). Provide a stiffening crimp to reduce warping of metal and/or vinyl when trim and fascia boards are more than 8 inches wide. Replace all damaged wood prior to cladding (VHDA).
- Remove existing and provide new vinyl, perforated soffit vents throughout all buildings at eaves and overhangs. New soffit vents to match existing air flow.
- Provide new kitchen and bathroom roof vents/flashing throughout.
- Provide new sealant (low VOC materials) and backer rod at all new windows, doors, and louvers.
- Provide new caulking (low VOC materials) at interior side of all window and door perimeters.
- Seal (low VOC materials) all exposed envelope and floor/ceiling penetrations exposed as part of the construction.
- Seal (low VOC materials) all existing accessible and all new plumbing penetrations (VHDA).
- Air seal using spray foam: top plate, electrical, lighting, and ventilation, attic access panels, light fixtures, junction boxes, etc. to the attics (VHDA).
- Provide new caulking (low VOC materials) at all kitchen counters, back and side splashes.

DIVISION 8: DOORS & WINDOWS

- Replace all damaged or dented apartment entry doors, per matrix and 100% hardware at unit entries. Replacement doors are to be of fiberglass or metal with insulated cores. New doors shall be equipped with peepholes at 60" AFF for typical units and additional peephole at 48" AFF for accessible units. Use fiberglass or metal doors for outside storage and mechanical closets. (VHDA)
- All entry doors to apartment units are to have weather stripping and threshold to provide a tight seal around the door, and to minimize heat loss/gain due to air infiltration. Not required at entry doors in conditioned corridors. Review if weather stripping is existing at doors on site.(VHDA)
- Replace all damaged interior hollow-core doors and trim at locations per unit survey matrix. (VHDA)
- Replace all interior bifold, pocket, or sliding doors with side hinged doors per unit survey matrix. (VHDA)

- All existing interior doors that will remain shall be undercut a min of $\frac{3}{4}$ ". (VHDA)
- Provide new flush, hollow-core passage doors and lever hardware throughout fourteen (14) accessible unit modifications.
- All doors, door trim, and door hardware in a unit are to match in design and finish. (VHDA)
- Provide new vinyl, low-E, Energy-Star New Construction windows throughout. Replacement windows are to have a minimum $\frac{1}{2}$ inch thick insulated glass. Provide a minimum 10 year material warranty for windows. Insulating glass is to have a minimum 10 year warranty for breakage of seal. Lower panes of windows shall have tempered glazing. Initial replacement with Construction Control Officer (VHDA)
- All windows and glass doors will be Energy Star labeled for North-Central zone or be NFRC labeled with a maximum U-Factor of 0.27 and maximum SHGC of 0.40. (VHDA LIHTC item 7.8.1.d)

DIVISION 9: FINISHES

- Provide new GWB finishes at modified accessible units.
- Remove and replace drywall at bathroom sinks to install new concealed wall carriers at all accessible units.
- Properly prepare all damaged drywall areas throughout units (per unit matrix), throughout accessible apartments, the management/leasing office building, both common laundry rooms, the maintenance office building, and the community building as necessary to receive new paint finishes. (VHDA)
 1. All repairs and refinishing of defects (including previous repairs) are to be flat and smooth.
 2. Type and thickness of drywall to match existing.
 3. Patch holes, repair damages, and refinish uneven, cracked and peeling taped joints.
 4. Re-screw drywall that has nail pops or settlement.
 5. Replace all drywall that has mold, mildew, or signs of moisture.
 6. Paint and retexture drywall to match existing finish and color.
 7. Repair damaged or compromised draft stopping and or fire stopping.
- Repair or replace all damaged or mismatched flooring. On a room by room basis, all flooring must match in color and design. Per unit matrix (VHDA)
- Provide $\frac{1}{2}$ " cementitious board substrate at all ceramic tile replacement areas. (VHDA)
- Provide new luxury vinyl plank flooring on new $\frac{1}{4}$ " luan, over existing resilient flooring at all kitchens and bathrooms at all typical units. (VHDA)
- Provide new luxury vinyl plank flooring on new $\frac{1}{4}$ " luan throughout the management/leasing office building, both common laundries and the community building. (VHDA)
- Provide new luxury vinyl plank flooring on new $\frac{1}{4}$ " luan, over existing resilient flooring throughout management/leasing office building, both common laundries and the community building. (VHDA)
- Provide new solid wood base where new flooring is being provided and throughout accessible dwelling units. (VHDA) Vinyl base to be used in wet location (kitchens and bathrooms).
- Provide new painted finish (low VOC materials) at all surfaces throughout all exposed areas including, but not limited to, the following:
 - All apartment kitchens and bathrooms.
 - Throughout accessible units
 - All management/leasing office building, the maintenance office building, and the community building.

- All interior and exterior stair handrails, guardrails, stringers, etc...
- Provide one coat of paint throughout existing dwelling unit kitchen and bathrooms (walls and ceilings). New paint shall be low VOC type and in accordance with the Green Seal Standard GS-11.
- Prime (1 coat) and finish paint (2 coats) at new GWB and ceilings. New paint shall be low VOC type and in accordance with the Green Seal Standard GS-11.
- Provide one coat of paint at the management/leasing office building, the maintenance office building and the existing community building. New paint shall be low VOC type and in accordance with the Green Seal Standard GS-11.
- Finish paint (2 coats) all new doors. New paint shall be low VOC type and in accordance with the Green Seal Standard GS-11. If doors are not factory primed provide 1 prime coat. Paint bottoms, tops, and all other sides of new doors (VHDA).
- Prime (1 coat) and finish paint (2 coats) all new and existing metal and wood doors and frames. Existing frames receiving new doors shall receive one new coat of paint. New paint shall be low VOC type and in accordance with the Green Seal Standard GS-11.
- When repainting existing or installing new exterior steel products, powder coat or provide an exterior steel paint that can achieve a minimum 10-year material warranty. Prepare surfaces per warranty requirements. Prime and paint steel prior to placement in concrete. (VHDA)

DIVISION 10: SPECIALTIES

- Provide new interior and exterior building number, unit number, and signage for management/leasing office building, the maintenance office building and the community building. Provide new interior signage at all spaces and rooms within the management/leasing office building, the maintenance office building and the community building. New signage to include Braille.
- Provide new property monument sign.
- Provide new toilet accessories (shower curtain rod, medicine cabinet, toilet paper holder and towel bar) throughout apartment bathrooms.
- Provide new grab bars as required in fourteen (14) accessible units, management/leasing office building and the community building bathrooms.
- Provide new textured vinyl corner guards at the outside corners of all interior walls throughout accessible units, management/leasing office building, both common laundries, and the community building.
- New free WiFi access will be provided for the community room for resident only usage. By Owner (VHDA)

DIVISION 11: EQUIPMENT

- Provide new Energy Star appliances throughout as follows (VHDA):
 - Typical Apartment
 - 30" Free-standing, self-cleaning, gas range (VHDA)
 - Grease shield at back and side of range (VHDA)
 - Energy Star frost-free refrigerator / Freezer (14 CF for 1 and 2 BR units, 16 CF for 3 BR units - VHDA)
 - Energy Star recirculating range hood equipped with two range queens each. (VHDA)
 - 24" Dishwasher (VHDA)

- Accessible Apartments (14 apartment units):
 - 30" Free standing, self-cleaning, gas range. Controls on front (VHDA)
 - Grease shield at back of range
 - Energy Star frost-free, side by side refrigerator Freezer (14 CF for 1 and 2 BR units, 16 CF for 3 BR units - VHDA)
 - Energy Star recirculating range hood equipped with two range queens each. Control for hood and light located on countertop apron. (VHDA)
 - 24" Dishwasher (VHDA)
- Community Building:
 - 30" Free standing, self-cleaning, gas range. Controls on front (VHDA)
 - Energy Star frost-free, side by side refrigerator
 - Ducted EnergyStar range hood equipped with two range queens. Control for hood and light located on countertop apron. (VHDA)
 - Grease shield at back and side of range (VHDA)

DIVISION 12: FURNISHINGS

- Provide new kitchen cabinetry, complying with Virginia Housing Development Authority's Minimum Cabinet Requirements, and plastic laminate counters with integral back and side splashes throughout all units. Kitchen wall cabinets are to be screwed to studs or blocking with a minimum of four screws; two each in upper and lower nailer strips for each wall cabinet. (VHDA)
- Provide new bathroom vanity cabinetry complying with Virginia Housing Development Authority's Minimum Cabinet Requirements, and cultured marble counters with integral back splashed throughout all non-handicap accessible units.
- Provide new horizontal mini-blinds at all window openings. (VHDA)

DIVISION 13: SPECIAL CONSTRUCTION

Not Applicable

DIVISION 14: CONVEYING SYSTEMS

Not Applicable

DIVISION 22: PLUMBING

- Provide new stainless steel sinks and faucet sets (1.5 gpm) at all kitchens.
- Provide new bathroom wall hung sinks with new wall hung sinks with wall carriers, and faucet sets (1.0 gpm) at fourteen (14) accessible unit bathrooms (VHDA).
- Provide new mixing valves (Symmons) with butterfly cover plates at all showers. Valves to have internal shut off valves or external valve with access panels. (VHDA)
- Provide new EPA WaterSense* labeled Niagara Earth 1.5gpm shower heads per the unit matrix.
- Provide new accessible bathtubs with slip resistant/textured finished bottoms, at fourteen (14) accessible units. (VHDA)
- Remove and replace existing hot water heaters and tanks at all apartments, laundry rooms, management office, maintenance office and community building. Installation shall comply with latest adopted edition of the International Plumbing Code for New Construction (VHDA).

- All clothes washing machines or connections for clothes washing machines have IntelliFlow A2C-WB automatic washing machine water shutoff valve with leak sensor, or approved equal, or have a pan with a drain connected to the sewer system per applicable plumbing code (VHDA).

DIVISION 23: MECHANICAL SYSTEMS

HVAC

- Provide all new heating and domestic hot water heating system equipment including AHU, domestic hot water heaters (0.94 EF), etc.
- When installing a new HVAC system (VHDA):
 - a) Replace both air-handlers and condensers at the same time.
 - b) R-410A refrigerant is required in all new HVAC equipment.
 - c) Verify if refrigerant lines are appropriate for new HVAC unit size and type. Lines not being replaced are to comply with all of the requirements of the manufacturer for using existing lines. Submit a letter from the manufacturer that states the use of existing lines will not reduce performance and/or warranty of the heat pumps or other air conditioning systems.
 - d) Condensate and refrigerant lines not located in the mechanical closet are to be concealed within the wall, ceiling, or floor systems.
 - e) Fire-caulk all penetrations in fire partitions and ceilings.
 - f) Seal air duct penetrations in unheated spaces.
 - g) When adding and/or replacing ductwork, air supply diffusers are to be located near windows in living rooms, dens, and bedrooms.

EXCEPTION: The mechanical engineer may locate diffusers at alternate locations with VHDA's prior approval based on supporting calculations.
 - h) Provide premanufactured air filters.
 - i) Replace diffusers in kitchen and bathrooms and thermostats.
 - j) Air supply diffusers are to be located in living rooms, dens, bedrooms, kitchens, and full baths.
 - k) Heat pumps to include auxiliary heat. All installations are to comply with the latest applicable issue of the International Mechanical Code.
- All heat/AC units in the development will be heated and cooled with either heat pump equipment with both a SEER rating of 15.0 or more and a HSPF rating of 8.5 or more or air conditioning equipment with a SEER rating of 15.0 or more, combined with a gas furnace with an AFUE rating of 90% or more. (VHDA LIHTC Item 7.8.1.e)
- Provide new Energy star fire-rated bathroom exhaust fans at all unit and common area bathrooms. New fan to be wired to existing bathroom light switch. Fan to be activated when bathroom light is switched on. (VHDA)
- Clean all existing ductwork including kitchen and bathroom exhaust ducts. (VHDA)
- Provide new digital temperature limiting thermostats with 72 degree heating limit at each unit. Lower thermostats to 48" AFF at fourteen (14) existing accessible units. (VHDA)
- Replace all diffusers in kitchens and bathrooms (VHDA)

DIVISION 26: ELECTRICAL SYSTEMS

- Provide new Energy Star fluorescent or LED light fixtures at all common areas, stairwells, office areas, community rooms, laundry rooms, utility rooms, etc. with occupancy sensor controls. (VHDA)
- Exterior fixtures are to be LED. Tenant controlled exterior lighting is exempt. Replace all exterior lighting to illuminate all parking areas, dumpster pads, building entrances and mailboxes with a minimum of one foot candle of illumination. Provide illumination so that building numbers and apartment numbers are legible at night. (VHDA)
- Provide new Energy Star light fixtures at all kitchens, and bathrooms. Kitchens are to have a minimum of one LED light fixture that provides a minimum illumination of 30 foot candles distributed across all countertops. (VHDA)
- Replace existing dwelling unit receptacles throughout fourteen (14) accessible dwelling units with arc-fault breakers in new panels.
- Provide tamper-proof outlets throughout fourteen (14) accessible dwelling units.
- Provide GFCI protected duplex outlets throughout fourteen (14) accessible dwelling unit kitchens and bathrooms.
- Replace all existing panel breakers with arc-fault breakers in dwelling units.
- Relocate load center panels throughout fourteen (14) accessible dwelling units. Highest circuit breaker in each shall be mounted no more than 48 inches AFF.
- All controls (switches, thermostats, telephone jacks, etc.) throughout fourteen (14) accessible dwelling units shall be located no higher than 48-inches AFF.
- All non-counter type electrical outlets shall be mounted a minimum of 15-inches AFF but no greater than 48 AFF.
- Provide new "ground-fault" receptacles at all kitchens and bathrooms. (VHDA)
- Replace existing hardwired smoke alarm in hallway with new hardwired combination smoke and CO alarm with 10-year battery back-up. Provide new hardwired, interconnected smoke alarms in all bedrooms. All smoke alarms within an apartment shall be hardwired and interconnected. Provide new hardwired smoke and CO detectors with 10-year battery back-up in community, leasing/laundry, and maintenance/laundry buildings. (VHDA)
- Provide all applicable notifications/alarms for visually impaired within five (5) dwelling units.
 - Visible notification shall be activated upon activation of smoke detector
 - Hard-wired electric doorbell providing an audible tone and visible notification upon activation.
 - Telephone jack capable of supporting voice and TTY communication.
- Provide occupancy sensors for lights in offices, laundry rooms, and community spaces.
- All electric, cable television, internet, and telephone wires are to be concealed within the wall, ceiling, or floor systems. (VHDA)
- Lower existing light switches to 48" AFF at fourteen (14) accessible units.
- Provide new lower electrical panels (48" AFF) at fourteen (14) accessible units.
- All switches, outlets and cover plates that are painted, damaged or worn, are to be replaced and are to match in color and design. (VHDA)
- Provide appropriate connectors for connecting aluminum wiring to electric outlet and switches (VHDA).

- Replace existing Fire Alarm Control Panels.
- Owner shall maintain the existing keycard system used for resident access to laundry facilities.
- In all units, install one USB charging port in each kitchen, living room, and all bedrooms (VHDA).

DIVISION 32: EXTERIOR IMPROVEMENTS

Paving

- Repair/replace any damaged bituminous paving. (VHDA) Seal coat and re-stripe all parking lots, including handicap accessible parking spaces, aisles, and logos.
- Repair all damaged sidewalks and concrete curbing and modify/replace existing walks to provide accessible routes to accessible units and common areas where shown on the architectural and civil site plans. (VHDA)
- Provide accessible curb cuts at new accessible parking spaces.
- Provide handicap accessible parking signage at each accessible parking space and a van accessible sign at the Van Accessible Space.
- Repair all concrete that is cracked, crumbling, spalled, settling, heaving, or may be a safety issue. (VHDA)
- New sidewalks: Minimum width of sidewalks is to be 3'. Sidewalks that are located perpendicular to parking spaces are to be minimum of 5' wide, excluding curb. Provide gravel and sand base under walks when required by the soil report. Provide control and expansion joints (VHDA).

Site Improvements

- Identify areas that require grading to drain water away from buildings and areas where adjoining grades are higher than finished floor of buildings: (VHDA)
 - a) Provide a minimum distance of 6 inches between finished grade or mulch beds, and the bottom of siding and window sills.
 - b) Provide a minimum of 5% slope away from foundation walls, for a minimum distance of 10 feet.
 - c) Provide alternate solutions acceptable to VHDA when required grades, slopes, or other site conditions make the above requirements infeasible.
- Identify areas that require grading to drain water away from buildings and areas where adjoining grades are higher than finish floor of buildings. (VHDA).
- Cleanout existing underground piped roof drainage. Verify existing slopes are adequate for proper drainage (VHDA).
- Remove existing wood surrounds and provide new three-sided brick surround and bollards at each of eleven dumpsters. Dumpsters on the accessible route are to meet accessibility requirements. Where brick surrounds are existing, they shall be modified to be accessible. (VHDA)
- Upgrade two existing playgrounds with new playing surface and accessible playground components.
- Install new site benches and trash receptacles.
- Provide new USPA approved pedestal mail boxes at existing locations.

Landscaping/Plantings

- Grade to avoid standing water. Provide a smoothly graded transition from disturbed to undisturbed areas. All areas which have dead grass are to be tilled. Install seed and straw, and/or landscape all bare and disturbed areas. Finish grade with clean topsoil. Provide ground cover materials or sod for slopes steeper than 20%. Provide foundation plantings in front of all buildings (VHDA).
- Provide new plantings throughout the property.

DIVISION 33: Utilities

- Video all sewer lines connecting buildings with public sewer if lines are constructed of galvanized iron, terra cotta or clay. Repair or replace all corroded, damaged, settled underground sewer lines. Provide report of video findings to VHDA and include repair/replacement costs.(VHDA)



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 76-19
Page No. 1 of 2

Agenda Title **RESOLUTION – Receipt of Operating and Capital Budget Estimates for Fiscal Year 2019-20 and Notice of Public Hearings on the Budget and Proposed Tax Rates**

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES NO OTHER
Date <u>3/12/2019</u>	Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Branin</u>	
<input checked="" type="checkbox"/> Approved	(2) _____ (2) _____	
<input type="checkbox"/> Denied	REMARKS: APPROVED	
<input type="checkbox"/> Amended		
<input type="checkbox"/> Deferred to		
		Branin, T. <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"/>
		Schmitt, D. <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 Manager has assembled his estimates of the resources and expenditures anticipated to be available or required during fiscal year 2019-20 for the operating and capital budgets from requests received from all County offices, divisions, boards, and departments, including the Department of Education; and,

WHEREAS, state law requires the advertisement and holding of a public hearing and the approval of an Annual Fiscal Plan for the County; and,

WHEREAS, the Board desires to advertise proposed tax rates and levies for calendar year 2019 and hold a public hearing thereon.

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

- (1) The Board hereby receives the County Manager's estimates of resources and expenditures anticipated to be available or required during fiscal year 2019-20 for the operating and capital budgets.
- (2) The Board hereby directs its Clerk to advertise on or before Sunday, March 24, 2019, in at least one newspaper of general circulation in the County:
 - (a) A synopsis of the operating and capital budgets and a public hearing thereon to be held on Tuesday, April 9, 2019, at 6:00 p.m., in the Board Room at the Government Center, Hungary Spring and East Parham Roads, Henrico County, Virginia; and,
 - (b) Proposed tax rates and levies for calendar year 2019 and a public hearing thereon to be held on Tuesday, April 23, 2019, at 7:00 p.m., in the Board Room at the Government Center, Hungary Spring and East Parham Roads, Henrico County, Virginia.

By Agency Head [Signature]

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. 76-19
Page No. 2 of 2

Agenda Title **RESOLUTION – Receipt of Operating and Capital Budget Estimates for Fiscal Year 2019-20 and Notice of Public Hearings on the Budget and Proposed Tax Rates**

- (3) The Board hereby directs its Clerk to post on or before Sunday, March 24, 2019, in a prominent public location at which notices are regularly posted at both the Eastern and Western Government Centers:
- (a) A synopsis of the operating and capital budgets and notice of a public hearing thereon to be held on Tuesday, April 9, 2019, at 6:00 p.m., in the Board Room at the Government Center, Hungary Spring and East Parham Roads, Henrico County, Virginia; and,
 - (b) A notice of proposed tax rates and levies for calendar year 2019 and a public hearing thereon to be held on Tuesday, April 23, 2019, at 7:00 p.m., in the Board Room at the Government Center, Hungary Spring and East Parham Roads, Henrico County, Virginia.

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. 77-19
Page No. 1 of 1

Agenda Title: RESOLUTION - To Accept an Education Program Grant from the Virginia E-911 Services Board

For Clerk's Use Only:

Date: 3/12/2019

- ☒ 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. ☒ ☐ ☐
Nelson, T. ☒ ☐ ☐
O'Bannon, P. ☒ ☐ ☐
Schmitt, D. ☒ ☐ ☐
Thornton, F. ☒ ☐ ☐

WHEREAS, the Virginia E-911 Services Board has awarded the Police Division a Wireless E-911 Public Safety Answering Point Education Program grant in the amount of \$3,000; and

WHEREAS, the Division maintains the Emergency Communications Center which provides a Public Safety Answering Point for emergency 911 services; and

WHEREAS, the Division will use this grant, which requires no local match, to enable Division personnel to attend regional emergency communications conferences during FY2020.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors accepts this grant and authorizes the County Manager, or his designee, to sign the necessary agreements in a form approved by the County Attorney.

COMMENT: The Chief of Police 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: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 78-19
Page No. 1 of 2

Agenda Title: Resolution — Award of Contract — Pump Road Dam Renovation — Tuckahoe District

For Clerk's Use Only:

Date: 3/12/2019

(x) 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. ✓ — —
Nelson, T. ✓ — —
O'Bannon, P. ✓ — —
Schmitt, D. ✓ — —
Thornton, F. ✓ — —

WHEREAS, the County received three bids on January 24, 2019, in response to Invitation to Bid No. 18-1793-11EAR for renovation of the dam along Pump Road between its intersections with Monmouth Drive and Waltham Drive; and,

WHEREAS, the project will consist of site preparation, installation of approximately 10,000 square feet of HydroTurf with base materials, and construction of anchor trenches; and,

WHEREAS, for selection and evaluation purposes, the lowest responsive and responsible bid was determined by multiplying the unit prices times the unit quantities specified in the bid documents; and,

WHEREAS, the bids were as follows:

Bidder	Total Bid
Carbonic Gas Corp., t/a Harbor Dredge & Dock, N. Chesterfield, VA	\$328,330
JIREH Construction Co., Inc. Richmond, VA	\$413,680
Messer Construction, LLC Glen Allen, VA	\$444,608

WHEREAS, after a review and evaluation of the bids received, it was determined that Carbonic Gas Corp., t/a Harbor Dredge & Dock, is the lowest responsive and responsible bidder with a bid of \$328,330.

By Agency Head

m. J. A. A.

By County Manager

[Signature]

Routing:

Yellow to: _____

Certified:

A Copy Teste: _____

Copy to: _____

Clerk, Board of Supervisors

Date: _____

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

Agenda Item No. 78-19

Page No. 2 of 2

Agenda Title: Resolution — Award of Contract — Pump Road Dam Renovation — Tuckahoe District

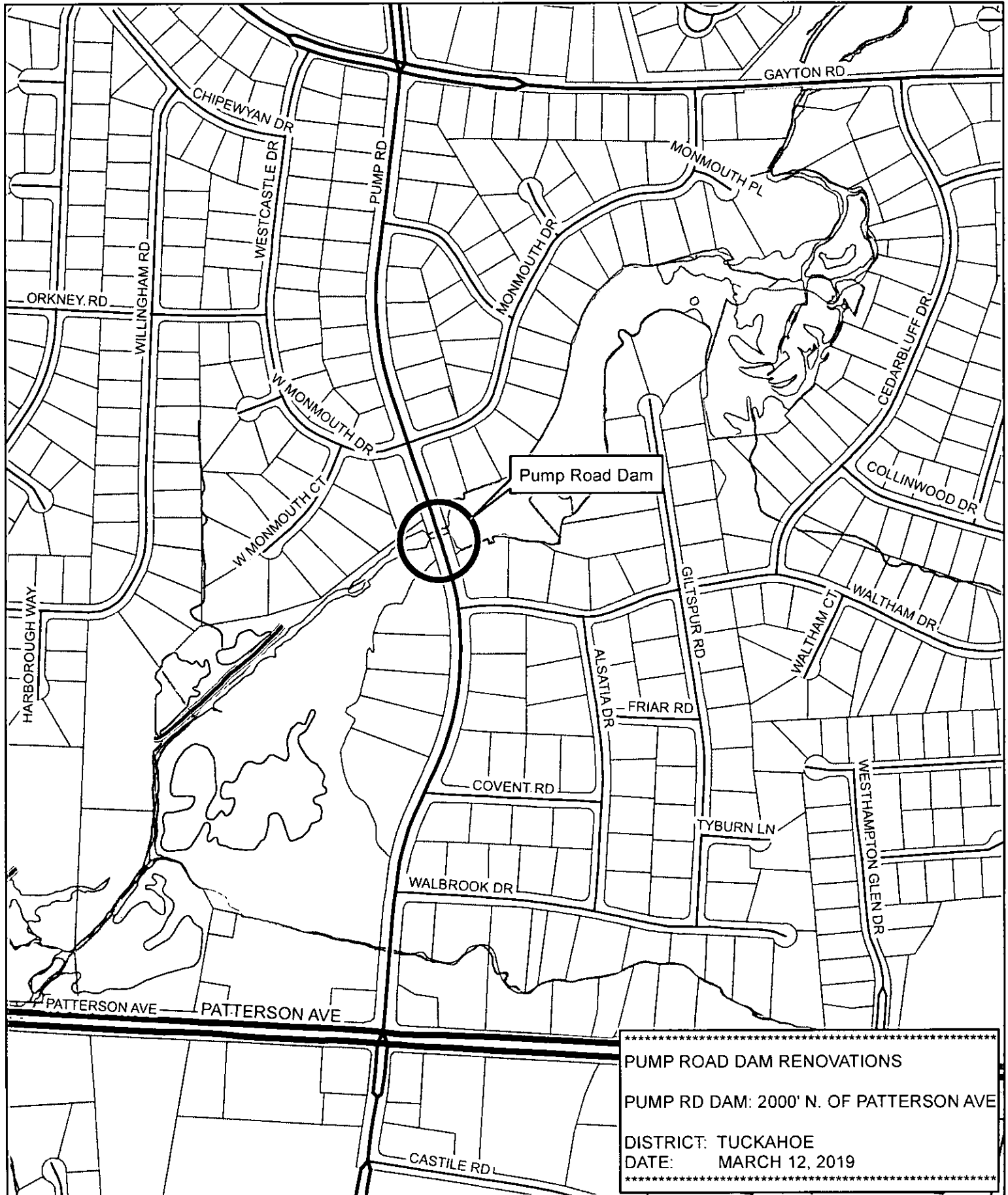
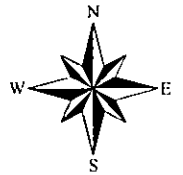
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors:

1. The contract is awarded to Carbonic Gas Corp., t/a Harbor Dredge & Dock, the lowest responsive and responsible bidder, pursuant to Invitation to Bid No. 18-1793-11EAR and the bid submitted by Carbonic Gas Corp.
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 from the Department of Public Work budget (Account 2101-50704-28004-06715). The Director of Public Works and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.



PUMP ROAD DAM RENOVATIONS





COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 79-19
Page No. 1 of 1

Agenda Title: RESOLUTION — Award of Contract — Dorey Park Roadway Improvements — Varina District

For Clerk's Use Only:

Date: 3/12/2019

- ☒ 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"/>
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"/>
Schmitt, D.	<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 one bid on February 27, 2019, in response to Invitation to Bid No. 19-1818-2JCK and Addendum No. 1 for Dorey Park road improvements; and,

WHEREAS, the work will install approximately 2,185 feet of two-lane roadway and associated drainage improvements; and,

WHEREAS, for selection and evaluation purposes, the lowest responsible bid was determined by multiplying the unit prices in the bid times the unit quantities specified in the bid documents, with the following result:

Bidder	Bid Amount
Branscome, Inc. Rockville, VA	\$997,826.20

WHEREAS, after a review and evaluation of the bid, it was determined that Branscome, Inc. is the lowest responsive and responsible bidder.

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

- The contract is awarded to Branscome, Inc. the lowest responsive and responsible bidder, in the amount of \$997,826.20 pursuant to Invitation to Bid No. 19-1818-2JCK, Addendum No. 1, and the bid submitted by Branscome, Inc. The final contract amount shall be determined upon completion of the project by multiplying the actual County-authorized unit quantities required for the work by the unit prices in the contractor's bid.
- The County Manager is authorized to execute the contract in a form approved by the County Attorney.

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

By Agency Head

By County Manager

Routing:

Yellow to: _____

Certified:

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Copy to: _____

Clerk, Board of Supervisors

Date: _____



Dorey Park Roadway Improvements





COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 80-19
Page No. 1 of 1

Agenda Title: RESOLUTION - Approval of Settlement of Worker's Compensation Claim -
Joan Engstrom

For Clerk's Use Only: Date: <u>3/12/2019</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Branin</u> Seconded by (1) <u>O'Bannon</u> (2) _____ (2) _____ REMARKS: APPROVED	<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>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>Schmitt, D.</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"/>	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"/>	Schmitt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

BE IT RESOLVED by the Board of Supervisors of Henrico County that:

- (1) it authorizes settlement of the worker's compensation claim of Joan Engstrom on terms as recommended by the Risk Manager, the County Attorney, and outside counsel, and as approved by the Self-Insurance Trustees; and
- (2) the Risk Manager, County Manager, County Attorney, and outside counsel are authorized to execute all documents, in forms satisfactory to counsel, necessary to conclude this case and implement the terms of the settlement.

COMMENTS: The Risk Manager, the County Attorney, and outside counsel recommend approval of this Board paper; the County Manager concurs.

By Agency Head

Joseph P. Rappianda, Jr.

By County Manager

[Signature]

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____