

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
February 25, 2020

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, February 25, 2020, 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:

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

Other Officials Present:

John A. Vithoukias, County Manager
Joseph P. Rapisarda, Jr., County Attorney
Alisa A. Gregory, 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
Anthony E. McDowell, Deputy County Manager for Public Safety
Randall R. Silber, Deputy County Manager for Community Development
Monica L. Smith-Callahan, Deputy County Manager for Community Affairs

Mr. Branin called the meeting to order at 7:00 p.m. and led the recitation of the Pledge of Allegiance.

Pastor Richard Dunn of Meadowood Church of God delivered the invocation.

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved the February 11, 2020, Regular and Special Meeting Minutes; and the March 18 – 21, 2019, Special Meeting Minutes.

The vote of the Board was as follows:

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

No: None

MANAGER'S COMMENTS

Purchasing Director Cecelia Stowe has informed Mr. Vithoukias of her plans to retire, effective April 1. Ms. Stowe will be wrapping up a 38-year career in public procurement, which includes positions with the state, the City of Richmond, and Henrico County. She

joined the Henrico family in 1994 as the Purchasing Manager in the Department of General Services. In 2013, her position was reclassified to Purchasing Director and transferred to the Department of Finance. Throughout the last 25 years, Ms. Stowe has overseen the Purchasing Division through both prosperous and lean times. She and her staff have guided and supported every general government agency as well as Henrico County Public Schools through the oftentimes difficult and meticulous process of procuring services and goods, ranging from insurance benefits to school buildings to high-profile projects like the Cobbs Creek Reservoir. Ms. Stowe is a natural, no-nonsense problem solver who adheres to a high standard of ethics. Ms. Stowe's emphasis on best practices has led her to make tough choices in the best interest of Henrico and its residents. She has also focused much attention on expanding contractual opportunities for small, women-owned, and minority-owned businesses and educating the next generation of procurement specialists. Ms. Stowe has been recognized for her innovation, adeptness, and leadership in procurement by several entities, including receiving the prestigious Xcelerator Career Achievement Award from the Virginia Department of General Services. She directs the attention and praise of these accolades to the efforts of her purchasing team. Mr. Vithoukas expressed gratitude to Ms. Stowe for her great service. Joining her for this recognition by Mr. Vithoukas were members of her family and staff.

BOARD OF SUPERVISORS' COMMENTS

Mr. Thornton reported the passing of Katherine Coleman Goble Johnson, a famous African American mathematician who did pioneering work for the National Aeronautics and Space Administration in its early space missions. Ms. Johnson opened the doors for women and people of color. The 2016 film *Hidden Figures* highlighted her life and story, and she was awarded the Presidential Medal of Freedom in 2015. Ms. Johnson was born in White Sulphur Springs, West Virginia, and was 101. Mr. Thornton characterized her as angelic.

Mr. Nelson announced that a group of public safety personnel under the direction of Police Chief Humberto Cardounel and Fire Chief Alec Oughton participated with him, Mr. Schmitt, and representatives from the City of Richmond in a Multiple Sclerosis (MS) Push-Up social media challenge. The purpose of the challenge, which was held on February 18, was to bring awareness to persons who struggle with MS. Mr. Nelson gave a shout-out to Mr. Schmitt and Henrico public safety officials for their participation and to the Department of Public Relations for covering the event and producing a video that was posted on Facebook.

Mr. Nelson also announced that he, Mr. Vithoukas, Chief of Staff Cari Tretina, and Henrico's economic development team visited the site of the Facebook facility in eastern Henrico earlier in the day. He remarked that it was amazing to see the completion of the first phase of the facility. There will be close to 1,000 construction jobs on site through 2024 during the second phase of construction. Facebook will be one of the largest facilities in Henrico after the second phase is completed.

Mr. Schmitt noted a group of Virginia Randolph students participating in the 100 Men Challenge program visited the Board Room earlier in the day. The program provides a monthly opportunity for residents, business owners, and constituents to engage proactively with student participants in casual discussions about life, family, faith, and career opportunities. Mr. Schmitt thanked the more than 100 County staff members who gathered to high-five the students when they arrived at the Government Center's

Administration Building. He also thanked Mr. Vithoukias, community leader Rai Beasley, Victoria Davis from the Department of Public Relations, and the event's speakers for their support of and work on the event. Mr. Schmitt emphasized the importance of talking about opportunities with these students. He used the words "thankful, excited, and hopeful" to explain this special event.

Mrs. O'Bannon mentioned that she hosted a very well-attended town meeting the previous week regarding how individuals and local governments may be impacted by the coronavirus. The meeting was video streamed live and allowed persons to direct questions from their homes via their computers to the Henrico Health Department's deputy director. A video of the meeting is available on YouTube.

Mr. Branin recognized Patrick Quann from Boy Scout Troop 763, sponsored by Richmond Elks Lodge #45, who was observing the meeting to fulfill a requirement for the Citizenship in the Community merit badge.

RECOGNITION OF NEWS MEDIA

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

APPOINTMENTS

53-20 Resolution - To Establish the Belmont Advisory Committee and Set Its Duties.

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

54-20 Resolution - Appointment of Member - The First Tee of Greater Richmond Board of Directors.

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

PUBLIC HEARING ITEMS

55-20 Resolution - Amendments to the FY 2019-20 Annual Fiscal Plan: February 2020.

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

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

56-20 Ordinance - To Amend and Reordain Section 20-273 Titled "Definitions" and Sections 20-280 through 20-282 Titled "Reserved" of the Code of the County of Henrico to Impose Transient Occupancy Tax on Short-Term Rentals and Establish a Short-Term Rental Registry.

Mr. Vithoukas announced Andrew Newby, Assistant County Attorney, would speak to Agenda Item Nos. 56-20 and 57-20, which were presented and heard together. Mr. Newby narrated a slide presentation titled *Short-Term Rentals*. In his initial overview of these items, Mr. Newby explained that “short-term rental” is a rental of a lodging space for fewer than 30 consecutive days, in exchange for a fee. He pointed out short-term rentals are currently illegal in all residential districts and the Planning Commission recommended zoning amendments to legalize short-term rentals while preserving neighborhood harmony through regulation. Mr. Newby offered the following background information on the two ordinances he was presenting. State legislation that became effective on July 1, 2017, confirmed local authority to regulate short-term rentals through zoning and allows localities to require annual registration. On February 28, 2018, the Board referred this issue to the Planning Commission for study and recommendation. On September 12, 2019, the Commission recommended amendments to the County Code after holding three public hearings and ten work sessions. During his presentation, Mr. Newby addressed how the proposed ordinances seek to balance the desires of homeowners to supplement their income through short-term rentals with their expectations to experience peaceful enjoyment of their homes. He also addressed the Commission’s outreach efforts to stakeholders and the community to find this balance, how a short-term rental owner would operate by right or by conditional use permit under the zoning ordinance, and rules to which short-term rentals would be subject to help maintain neighborhood tranquility. Mr. Newby then reviewed the proposed registry/tax ordinance, which would impose an eight percent transient occupancy tax on all short-term rentals, require short-term rental operators to register their properties annually with the Department of Finance, and pay a \$200 registration fee. Repeated violations could result in an operator being prohibited from renting properties. Mr. Newby concluded his presentation by explaining how the two ordinances would be implemented. The registration and tax requirements would have a delayed effective date of July 1, 2020, and there would be a grace period for the conditional use permit requirement.

Following his presentation and in response to questions from Mrs. O’Bannon, Mr. Newby elaborated on the rationale for requiring a conditional use permit for guest house rentals and clarified that the conditional use permit application fee would be \$300 as proposed by staff. Ben Blankinship, Senior Principal Planner, confirmed for Mr. Branin that he and Mr. Branin started discussing the issue of short-term rentals several years ago prior to the state legislation that confirmed local authority to regulate short-term rentals. Prior to the public hearing, Mr. Branin noted both ordinances were covered by Mr. Newby in one presentation.

The following persons spoke in support of these items: Chris Cobb, a resident of the Tuckahoe District who is currently using his house for Airbnb rentals, and Mr. Beasley, a resident of the Brookland District and President of the Olde Hermitage Homeowners Association. Mr. Beasley

suggested that a liability insurance requirement be added to the proposed ordinance for short-term rental operators and that a penalty be imposed for operators who fail to present honest information in the application process.

The following individuals spoke in opposition to these items:

- Luke Young, a resident of the Brookland District, objected to the “by right” requirements that a short-term rental owner must be in the dwelling during the rental and the rental cannot be in a guesthouse.
- RoseMarie Young, a resident of the Brookland District and Airbnb Superhost, objected to the “by right” requirements that there be hosted stays and at least 80 feet of road frontage and that limit property rentals to no more than 60 days each year.
- Shannon, a Glen Allen resident and Airbnb housekeeper who did not provide her last name, objected to the “by right” requirement for hosted stays.
- Jonathan Speight, a resident of the Fairfield District, objected to the scope of the proposed regulations and suggested that the Board establish a council that includes Airbnb hosts to receive further input on the regulations.
- Michael John, a resident of the Varina District and Airbnb operator, agreed with the registry fee, occupancy tax, and hosted rental requirement but objected to the “by right” requirements that the rental be inside the owner’s principal dwelling and that limit property rentals to no more than 60 days each year.
- Cheri Wolff, a resident of the Brookland District, objected to the “by right” requirements for hosted stays and limiting property rentals to no more than 60 days each year.

Mr. Newby addressed the concerns raised by the speakers at Mr. Branin’s request. He pointed out that all the complaints the County has received from residents pertaining to short-term rentals were for unhosted stays and the proposed ordinance would allow unhosted stays, rentals exceeding 60 days, and rentals with less than 80 feet of road frontage if the operator is granted a conditional use permit (CUP) by the Board of Zoning Appeals. Mr. Newby, Mr. Blankinship, and Mrs. O’Bannon responded to a concern expressed by Mr. Nelson by explaining the Planning Commission’s reasoning for allowing short-term rentals either by right or by permit. In response to comments and questions by Mr. Schmitt, Mr. Blankinship clarified that multiple homes, separate parties booking into the same house at the same time, and campground rentals would be prohibited under the proposed ordinance, regardless of whether the short-term rental is by right or by permit. Mr. Newby and Mr.

Blankinship clarified for Mr. Nelson that short-term rentals with more than six occupants would require a CUP that covers all future rentals for the same dwelling. Mr. Newby and Mr. Blankinship responded to additional questions from Mr. Schmitt relating to “by permit” requirements and costs. Mr. Newby responded to comments by Mrs. O’Bannon that short-term rentals are businesses but operate in residential neighborhoods and should be subject to certain rules under the County’s zoning ordinance to ensure they do not impose on their neighbors. Meghan Coates, Assistant Director of Finance, explained for Mr. Nelson how the County will impose and collect fees and taxes associated with short-term rentals. Mr. Branin commented on the fairness of the rules for short-term rentals that were being recommended to the Board and thanked staff for its work on a zoning ordinance that recognizes one size does not fit all in allowing these rentals. At Mr. Schmitt’s request, Mr. Blankinship elaborated on the CUP process. He responded to further questions from Mr. Schmitt regarding this process and the proposed short-term rental requirements. Mr. Schmitt commented on how the proposed ordinances achieve a balance between allowing homeowners the right to do what they want with their own property while maintaining neighborhood harmony through regulation.

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

57-20

Ordinance - To Amend and Reordain Section 24-3 Titled “Definitions,” Section 24-12 Titled “Conditional uses permitted by special exception,” Section 24-13 Titled “Accessory uses permitted,” Section 24-13.01 Titled “Development standards and conditions for permitted uses,” Section 24-13.2 Titled “Accessory uses permitted,” Section 24-13.3 Titled “Conditional uses permitted,” Section 24-28 Titled “Principal uses permitted,” Section 24-39 Titled “Accessory uses permitted,” Section 24-94 Titled “Table of regulations,” Section 24-96 Titled “Off-street parking requirements,” and Section 24-121 Titled “Conditional zoning or zone approval” of the Code of the County of Henrico to Allow and Regulate Short-Term Rentals of Real Estate in Certain Residential Districts.

Mr. Rapisarda clarified for Mr. Nelson that the Board can amend the ordinance if it needs to be modified. Mr. Nelson remarked that he was struggling with some of the basic rules in the ordinances, such as the limitation on the number of occupants, although he agreed with Mr. Schmitt that they represent a balancing act. He suggested the Board evaluate the ordinances during the next couple of months. Mr. Schmitt responded that the ordinances are a good thing for folks who want to conduct short-term rentals legally and for neighborhood protection, but conversations will continue. Mr. Branin reiterated that one size cannot fit all, and the Planning Commission and staff were charged with giving the Board the optimum amount of flexibility. He agreed that the Board can come back and change the ordinances after receiving feedback.

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

The Board recessed at 8:48 p.m. and reconvened at 8:55 p.m.

PUBLIC COMMENTS

Earl Bradley, a resident of the Fairfield District, encouraged the County to provide additional context and balance to its timeline of Henrico history. Mr. Bradley presented an American timeline covering the period of 1562 to 2011 that tells the story of “colonization, the peculiar institution of slavery, and the birth of capitalism” from the standpoint of 1611 Henrico County stakeholders.

Jon Kessen, a resident of the Three Chopt District, reiterated concerns regarding how high school redistricting options currently under consideration by the Henrico School Board will affect the safety of students and the community as well as public safety-related services. Mr. Kessen again objected to options that would move students who reside in the Stonegate subdivision from the Mills E. Godwin district to the J.R. Tucker High School district. He also provided information highlighting traffic volumes and accidents in western Henrico. Simone Robinson, a Henrico schoolteacher and resident of the Three Chopt District, joined Mr. Kessen in voicing concerns relating to the public safety implications of redistricting Stonegate residents from Godwin to Tucker.

Arthur Garthright, a resident of the Fairfield District, expressed concerns pertaining to businesses operating in his neighborhood in violation of County ordinances. He suggested the ordinances need to be strengthened so that County agencies have more authority to enforce them.

GENERAL AGENDA

58-20 Resolution - Signatory Authority - Agreement with Southside Community Development and Housing Corporation - 4004 Delmont Street - Fairfield District.

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

59-20 Resolution - Signatory Authority - Acquisition of Real Property - 6020 Indigo Road - Brookland District.

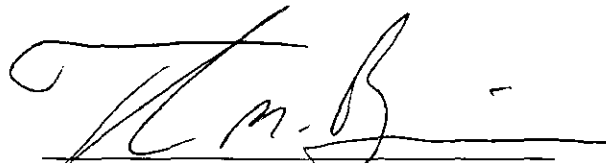
On motion of Mr. Schmitt, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

60-20 Resolution - Award of Contract - Dorey Park Field #7 Concession and Restroom Building - Varina District.

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

- 61-20 Resolution - Award of Contract - Annual Engineering Services - Water and Sewer Projects.
- On motion of Mr. Nelson, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.
- 62-20 Resolution - Award of Construction Contract - Filter Basin Maintenance and Construction Services - Water Reclamation Facility - Varina District.
- Chip England, Director of Public Utilities, responded to questions from Mrs. O'Bannon.
- On motion of Mr. Nelson, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.
- 63-20 Resolution - Award of Contract - Sludge Blend Facility Chemical Fill Station - Water Reclamation Facility - Varina District.
- Mr. England responded to questions from Mrs. O'Bannon.
- On motion of Mrs. O'Bannon, seconded by Mr. Schmitt, and by unanimous vote, the Board approved this item – see attached resolution.
- 64-20 Resolution - Award of Contract - Maintenance of Parham Road Bridge over CSX Railroad Tracks - Brookland and Fairfield Districts.
- On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached resolution.
- 65-20 Resolution - Acceptance of Roads - Three Chopt District.
- On motion of Mr. Nelson, 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 9:31 p.m.



Chairman, Board of Supervisors
Henrico County, Virginia



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

Agenda Item No. 53-20

Page No. 1 of 2

Agenda Title: RESOLUTION — To Establish the Belmont Advisory Committee and Set Its Duties

For Clerk's Use Only: Date: <u>2/25/2020</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>Thomas</u> Seconded by (1) <u>Schmitt</u> (2) _____ (2) _____ REMARKS: APPROVED	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</td> </tr> <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> </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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WHEREAS, Henrico County owns property at 1600 Hilliard Road, known as the Belmont Golf Course (Belmont); and,

WHEREAS, on December 10, 2019, the Board of Supervisors approved a resolution authorizing the execution of a Deed of Lease and Operation and Maintenance Agreement (Deed) with Richmond First Tee; and,

WHEREAS, the mission of Richmond First Tee is to impact the lives of young people by providing educational programs that build character, instill life-enhancing values, and promote healthy choices through the game of golf; and,

WHEREAS, Richmond First Tee intends to renovate, operate, and maintain Belmont as a unique leisure and public golf facility to make learning and playing the game of golf available to people of all groups and social strata, particularly young people who may not have other opportunities to learn to play the game; and,

WHEREAS, during the initial 20-year lease term beginning January 13, 2020, Richmond First Tee will be solely responsible for developing, operating, and maintaining Belmont on a not-for-profit basis; and,

WHEREAS, Article VI, Section 6.5 of the Deed provides that the County shall have the right to appoint a representative to the Richmond First Tee Board of Directors; and,

WHEREAS, the Board of Supervisors wishes to establish a citizen advisory committee to advise the County's appointed member of the Richmond First Tee Board of Directors.

By Agency Head By County Manager

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

Agenda Item No. 53-20
Page No. 2 of 2

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

1. The Board establishes the Belmont Advisory Committee to advise the County's member of the Richmond First Tee Board of Directors regarding the renovation, operation, and maintenance of Belmont.
2. The Committee shall have five at-large voting members, and the Director of Recreation and Parks shall serve as a non-voting, ex officio member.
3. At its first meeting, the Committee shall elect officers, and it shall thereafter adopt bylaws and its meeting schedule. A simple majority of the Committee members present and voting shall in all instances be necessary and sufficient for the Committee to act.
4. The Board appoints the following persons to the Committee for initial terms expiring as indicated below, or thereafter, when their successors shall have been appointed and qualified:

Raiford F. Beasley	December 31, 2022
Patricia L. Kibler	December 31, 2022
Christopher Shumaker	December 31, 2022
Ronald L. Stilwell	December 31, 2022
_____	December 31, 2022

5. Upon the expiration of the original terms of office, each succeeding term shall be for three years and expire on December 31, or thereafter, when their successors shall have been appointed and qualified.

Comment: The Director of Recreation and Parks recommends approval of the Board paper, and the County Manager concurs.



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

Agenda Item No. 54-20

Page No. 1 of 1

Agenda Title: Resolution — Appointment of Member — The First Tee of Greater Richmond Board of Directors

For Clerk's Use Only: Date: <u>2/25/2020</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>Thornton</u> Seconded by (1) <u>O'Bannon</u> (2) _____ (2) _____ REMARKS: APPROVED	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</td> </tr> <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> </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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BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia, appoints **Daniel J. Schmitt**, Vice-Chairman of the Board of Supervisors, to The First Tee of Greater Richmond Board of Directors for a term expiring December 31, 2022 , or thereafter, when his successor shall have been appointed and qualified.

By Agency Head _____

By County Manager _____

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Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Title: **RESOLUTION - Amendments to the FY 2019-20 Annual Fiscal Plan: February 2020**

For Clerk's Use Only: Date: <u>2/25/2020</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>O'Bannon</u> Seconded by (1) <u>Schmitt</u> (2) _____ (2) _____ REMARKS: <div style="font-size: 48px; text-align: center; letter-spacing: 5px;">APPROVED</div>	<table border="0"> <tr> <td></td> <td style="text-align: center;">YES</td> <td style="text-align: center;">NO</td> <td style="text-align: center;">OTHER</td> </tr> <tr> <td>Branin, T.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Nelson, T.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Schmitt, D.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Thornton, F.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </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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WHEREAS, the Board of Supervisors of the County of Henrico, Virginia, held an advertised public hearing on February 25, 2020, to consider proposed amendments to the Annual Fiscal Plan for fiscal year 2019-20; and,

WHEREAS, those citizens who appeared and wished to speak were heard.

NOW, THEREFORE, BE IT RESOLVED by the Board that the Annual Fiscal Plan for fiscal year 2019-20 is amended and that such funds are appropriated and allocated for expenditure in the amounts and for the purposes indicated.

AMENDMENT TO THE 2019-20
ANNUAL FISCAL PLAN FOR FEBRUARY 2020

OPERATING FUNDS

FUND 0101 - GENERAL FUND - General Operating Fund

Department 23 - Recreation and Parks

23101 - Director

0000 08923 - Belmont Improvements - Payment to First Tee \$ 393,849

To appropriate funding for a payment to First Tee of Greater Richmond for improvements at Belmont Golf Course. Total payment is \$750,000 with the remainder coming from the balance of the sand trap repair project in a transfer to the General Fund as found elsewhere in this document. The \$393,849 for this portion will come from the fund balance in the General Fund.

Department 28 - Public Works

28002 - Road Maintenance \$ 2,067,946

0000 00000 To appropriate State Gas Tax funding in excess of budgeted revenue. Funds will be used for paving and road rehabilitation within the Road Maintenance Division. The revised estimate of anticipated State Gas Tax funding will be \$49,067,946.

Total GENERAL FUND

\$ 2,461,795

By Agency Head

By County Manager

Routing:

Yellow to: _____

Certified:

A Copy Tests: _____

Clerk, Board of Supervisors

Copy to: _____

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

FUND 1102 – SPECIAL REVENUE FUND - State and Federal Grants - County

Department 13 - Fire

13800 – Grants

0000 05134 – Radiological Preparedness and Response Program \$ 700

To appropriate funding received from the Radiological Preparedness and Response Program, administered through the Virginia Department of Emergency Management (VDEM) on behalf of Dominion Power. These funds will be used to purchase equipment for the Emergency Operations Center.

Department 22 - Social Services

22011 – Joint Administration

1301 00000 – Administration \$ 16,844

The Department of Social Services has identified federal funding of \$16,844 in support of two new Complement II positions, one Casework Supervisor for Child Protective Services, and one Family Services Specialist for Foster Care, for the remainder of FY2019-20. No local match is required for these positions.

22106 – AFDC - Foster Care

1,000,000

1302 00000 – Purchase of Services

To increase the County allocation to the estimated level of need for State and federally mandated Title IV-E Foster Care Program expenditures. This amendment is funded with \$500,000 of State (50%) and \$500,000 of federal (50%) funds. The total appropriation for this program in FY2019-20 will be \$1,924,767 after this addition. No County matching funds are required.

22402 – Respite Care for Foster Parents

2,429

1302 00000 – Purchase of Services

To provide funding for additional Foster Parent Respite Care Program costs. This amendment is funded with \$1,563 of State (64.3%) and \$866 of federal (35.7%) funds. The total appropriation for this program in FY2019-20 will be \$6,300 after this addition. No County matching funds are required.

22503 – Adoption Subsidy

1302 00000 – Purchase of Services \$ 175,000

To increase the County allocation to the estimated level of need for State and federally mandated Title IV-E Adoption Program expenditures. This amendment is funded with \$87,500 of State (50%) and \$87,500 of federal (50%) funds. The total appropriation for this program in FY2019-20 will be \$1,636,848 after this addition. No County matching funds are required.



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

22507	- Preventive Foster Care - Purchase of Services		
1302 00000	- <u>Purchase of Services</u>	\$	21,900
	The Department of Social Services has identified federal funding of \$18,396 (84%) and State funding of \$110 (0.5%) in support of the County's Family Preservation Program. The County has a 15.5% local match of \$3,394 for this program, which is to come from the fund balance in the General Fund via an interfund transfer to the Special Revenue Fund.		
22604	- Auxiliary Grants Aged		
1302 00000	- <u>Purchase of Services</u>	\$	50,000
	The Department of Social Services has identified State funding of \$40,000 (80%) as an auxiliary grant for the aged. The County has a 20% local match of \$10,000 for this program, which is to come from the fund balance in the General Fund via an interfund transfer to the Special Revenue Fund.		
22606	- Auxiliary Grants Disabled		
1302 00000	- <u>Purchase of Services</u>	\$	60,000
	The Department of Social Services has identified State funding of \$48,000 (80%) as an auxiliary grant for the disabled. The County has a 20% local match of \$12,000 for this program, which is to come from the fund balance in the General Fund via an interfund transfer to the Special Revenue Fund.		
Total Social Services			\$ 1,326,173
Department 36 - Community Corrections			
0000 07052	- <u>Community Corrections - Pretrial</u>		1,959
	To appropriate revenue from the Virginia Department of Criminal Justice Services in excess of original budget. These funds represent an increase in the annual grant amount for the Community Corrections Program, which now totals \$1,215,878.		
Department 38 - Community Revitalization			
38005	- Local Business Assistance		
0000 05158	- <u>Local Business Assistance</u>	\$	200,000
	The current balance of the Enterprise Zone Local Business Assistance Fund is inadequate to accommodate the committed and projected local assistance grants. In particular, the Williamsburg Road Initiative code enforcement activity has generated a significant amount of interest and grant applications, particularly for paving grants. Additional appropriation is needed to ensure adequate funding for the next 12-18 months. The last time funding was appropriated for this program was September, 2016. Appropriation is to come from the fund balance in the General Fund via an interfund transfer to the Special Revenue Fund.		
Total Fund 1102 - Special Revenue Fund-State/Fed Grants-County			\$ 1,528,832



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

FUND 1122 – SPECIAL REVENUE FUND - EDA Agreements

30005	– EDA Agreements	
0000 08927	– <u>TOPGOLF Agreement</u>	\$ 1,300,000
0000 00000	To enable Henrico County to meet its obligations established under the Memorandum of Understanding between the Economic Development Authority and TOPGOLF. Under this agreement, the Economic Development Authority will provide funding in support of expenses incurred in the process of construction and stormwater improvements. The total investment for this project is estimated to be \$25,000,000.	
Total Fund 1122 - Special Revenue Fund-EDA Agreements		\$ 1,300,000
Total SPECIAL REVENUE FUND		\$ 2,828,832
Total OPERATING FUNDS		\$ 5,290,627

CAPITAL FUNDS

FUND 2101 – CAPITAL PROJECTS FUND - General Capital Projects

Department 31 - Public Utilities

31706	– Sanitary District 63.1	
0000 08926	– <u>Street Lights Sanitary District 63.1</u>	\$ 100,000
	To appropriate funding for street light improvements in Sanitary District 63.1. The operating costs for street lights are supported by supplemental tax levies to residents and businesses within the sanitary district. Sanitary District 63.1 encompasses the area bordered by Elkridge Street, Binford Lane, Holly Street, and Hartman Street. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.	
Total 2101 - General Capital Projects		\$ 100,000

FUND 2105 – CAPITAL PROJECTS FUND - Schools - General Capital Projects

Department 50 - Education

50331	– Construction and Maintenance	
0000 00516	– <u>Schools Land Purchases</u>	\$ 340,000
	To appropriate funding to cover future purchase of property for schools. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.	
Total 2105 - Schools - General Capital Projects		\$ 340,000

FUND 2109 – CAPITAL PROJECTS FUND - State and Federal Grant-Funded Capital Projects

Department 28 - Public Works

28004	– Construction	
0000 08920	– <u>Quarter Mill Apartments Stream Restoration - SLAF</u>	\$ 414,091
	To appropriate funding from the State Department of Environmental Quality. The Stormwater Local Assistance Funds (SLAF) will provide for installation of in-stream structures, floodplain bench grading, seeding, and planting along 1,100 linear feet of a tributary of Deep Run. This project will improve the water quality of the stream and satisfy a portion of the County's MS4 Permit. The total cost of this project is \$828,184. The remainder is coming from appropriated funds in the Chesapeake Bay TMDL/MS4 Fund.	



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

0000 08921 - Virginia Home for Boys and Girls Stream Restoration - SLAF 343,730
 To appropriate funding from the State Department of Environmental Quality. The Stormwater Local Assistance Funds (SLAF) will provide for installation of in-stream structures, floodplain bench grading, seeding, and planting along 1,000 linear feet of a tributary of Hungary Creek. This project will improve the water quality of the stream and satisfy a portion of the County's MS4 Permit. The total cost of this project is \$717,329. The remainder is coming from appropriated funds in the Chesapeake Bay TMDL/MS4 Fund.

Total 2109 - State and Federal Grant-Funded Capital Projects \$ 757,821

FUND 2111 - CAPITAL INITIATIVES FUND

Department 23 - Recreation and Parks

23101 - Director

0000 08922 - Hermitage High School Baseball/Softball Field Improvements \$ 225,000
 To appropriate funding for the renovation of the baseball and softball fields at Hermitage High School, to include replacing the existing batting cages and bullpens as well as repairs to the scorer booths and restrooms. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.

Department 32 - Non-Departmental

32001 - Non-Departmental

0000 08925 - Highland Springs Little League 2,500
 To appropriate funding in support of the Highland Springs Little League. Funding will be used to provide baseball equipment for the participants. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.

Total 2111 - Capital Initiatives Fund \$ 227,500
 Total CAPITAL PROJECTS FUND \$ 1,425,321
 Total Amendments/Appropriations \$ 6,715,948

BE IT FURTHER RESOLVED by the Board of Supervisors of the County of Henrico, Virginia, that the following transfer between Operating funds and Capital funds accounts from the existing account listed below, to the account shown, be approved for the purpose indicated.

FROM:

OPERATING FUNDS

FUND 5201 - BELMONT GOLF COURSE CONSTRUCTION FUND

Department 23 - Recreation and Parks

23401 - Golf Course

0000 06250 Belmont Golf Course Bunker Renovations \$ (356,151)

Total - Recreation and Parks \$ (356,151)



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

TO:

GENERAL FUND

FUND 0101 - GENERAL OPERATING FUND

23101 - Director

0000 08923 - Belmont Improvements - Payment to First Tee

\$ 356,151

To transfer funding for a payment to First Tee of Greater Richmond for improvements to Belmont Golf Course. The total required payment is \$750,000, with the balance of \$393,849 found elsewhere in this document.

Total - Recreation and Parks

\$ 356,151

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. 56-20
Page No. 1 of 1

Agenda Title: ORDINANCE – To Amend and Reordain Section 20-273 Titled “Definitions” and Sections 20-280 through 20-282 Titled “Reserved” of the Code of the County of Henrico to Impose Transient Occupancy Tax on Short-Term Rentals and Establish a Short-Term Rental Registry

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES NO OTHER
Date: <u>2/25/2020</u>	Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Schmitt</u> (2) _____ (2) _____	Branin, T. <input checked="" type="checkbox"/> _____
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	REMARKS: APPROVED	Nelson, T. <input checked="" type="checkbox"/> _____
		O'Bannon, P. <input checked="" type="checkbox"/> _____
		Schmitt, D. <input checked="" type="checkbox"/> _____
		Thornton, F. <input checked="" type="checkbox"/> _____

After a duly advertised public hearing, the Board of Supervisors of Henrico County adopted the attached ordinance.

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

By Agency Head *Ned Smith* By County Manager *[Signature]*

Routing:
Yellow to: _____
Copy to: _____

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

ORDINANCE – To Amend and Reordain Section 20-273 Titled “Definitions” and Sections 20-280 through 20-282 Titled “Reserved” of the Code of the County of Henrico to Impose Transient Occupancy Tax on Short-Term Rentals and Establish a Short-Term Rental Registry

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

1. That Section 20-273 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-273. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

• • • •

Hotel includes, but is not limited to, any public or private hotel, inn, apartment hotel, hostelry, tourist home or house, motel, boardinghouse, short-term rental or other lodging place within the county, offering lodging to any transient for compensation, ~~and which can lodge four or more persons at any one time.~~

• • • •

Operator means the proprietor of any dwelling, lodging, or sleeping accommodations offered as a short-term rental, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other possessory capacity.

• • • •

Short-term rental means the provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy.

• • • •

2. That Section 20-280 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-280. Reserved Short-term rental registry established; annual registration required; fee.

There is hereby established a short-term rental registry in the county. Operators within the county are required to register annually with the director of the department of finance and provide (i) the complete name of the operator and (ii) the address of each property in the locality offered for short-term rental by the operator. The operator must pay a fee of \$200.00 at the time of registration each year. Registrations are valid for one year from the date of registration. No operator may offer a property for short-term rental without a valid registration.

3. That Section 20-281 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-281. Reserved Exemptions.

The following operators are exempt from the registration requirement of Section 20-280:

(1) Operators licensed by the Real Estate Board or who are property owners represented by a real estate licensee;

(2) Operators registered pursuant to the Virginia Real Estate Time-Share Act, Code of Virginia, § 55.1-2200 et seq.;

(3) Operators licensed or registered with the Department of Health, related to the provision of room or space for lodging;

(4) Operators licensed or registered with the county, related to the rental or management of real property, including licensed real estate professionals, hotels, motels, campgrounds, and bed and breakfast establishments.

4. That Section 20-282 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-282. Reserved Penalties.

(a) Penalties for violations of registration requirement. Any operator required to register who violates section 20-280 is liable to the county for a penalty of \$500 for each violation. Unless and until the operator pays the penalty and registers the property, the operator may not continue to offer such property for short-term rental. Upon more than one violation of this article as it relates to a specific

property, the operator will be prohibited from registering and offering that property for a short-term rental.

(b) Penalty for violations of other applicable laws and regulations. Any operator required to register will be prohibited from offering a specific property for short-term rental upon three or more violations on more than three occasions of applicable state and local laws, ordinances, and regulations, as they relate to the short-term rental.

5. That this ordinance will be in full force and effect on July 1, 2020, except that Sec. 20-280 is in full force and effect immediately upon passage to allow operators to register before July 1, 2020.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 57-20
Page No. 1 of 1

Agenda Title: ORDINANCE – To Amend and Reordain Section 24-3 Titled “Definitions,” Section 24-12 Titled “Conditional uses permitted by special exception,” Section 24-13 Titled “Accessory uses permitted,” Section 24-13.01 Titled “Development standards and conditions for permitted uses,” Section 24-13.2 Titled “Accessory uses permitted,” Section 24-13.3 Titled “Conditional uses permitted,” Section 24-28 Titled “Principal uses permitted,” Section 24-39 Titled “Accessory uses permitted,” Section 24-94 Titled “Table of regulations,” Section 24-96 Titled “Off-street parking requirements,” and Section 24-121 Titled “Conditional zoning or zone approval” of the Code of the County of Henrico to Allow and Regulate Short-Term Rentals of Real Estate in Certain Residential Districts

For Clerk's Use Only:

Date: 2/25/2020
 Approved
 Denied
 Amended
 Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS: **APPROVED**

YES NO OTHER

Branin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 a duly advertised public hearing, the Board of Supervisors adopted the attached ordinance.

Comments: After a public hearing on September 12, 2019, the Planning Commission recommended approval of this ordinance. The Director of Planning 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: _____

BLACKLINE

ORDINANCE – To Amend and Reordain Section 24-3 Titled “Definitions,” Section 24-12 Titled “Conditional uses permitted by special exception,” Section 24-13 Titled “Accessory uses permitted,” Section 24-13.01 Titled “Development standards and conditions for permitted uses,” Section 24-13.2 Titled “Accessory uses permitted,” Section 24-13.3 Titled “Conditional uses permitted,” Section 24-28 Titled “Principal uses permitted,” Section 24-39 Titled “Accessory uses permitted,” Section 24-94 Titled “Table of regulations,” Section 24-96 Titled “Off-street parking requirements,” and Section 24-121 Titled “Conditional zoning or zone approval” of the Code of the County of Henrico to Allow and Regulate Short-Term Rentals of Real Estate in Certain Residential Districts

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

1. That Section 24-3 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3. Definitions.

For the purpose of interpreting and construing this chapter, certain words and terms used herein shall have the following meanings, unless the context requires otherwise.

• • • •

Boardinghouse, or lodginghouse. A building other than a hotel, motel, or tourist home, bed and breakfast home, or short-term rental, where meals or lodging are provided for compensation for three or more, but not exceeding nine, residents guests not transients.

• • • •

Family. A person living alone or any number of persons living together as a single housekeeping unit including domestic servants, caregivers, foster children and adults, and supervisory personnel in a group care facility. The term “family” shall not include the members of a fraternity, sorority, social club; the residents of a convalescent or nursing home, institution retirement home, assisted living, or memory care facility; or a group of persons occupying a hotel, motel, tourist home, the residents of a boardinghouse or lodginghouse; or similar uses the guests of a hotel, motel, or bed and breakfast home; or short-term renters.

• • • •

Guesthouse. An accessory building without cooking facilities, intended for intermittent occupancy by one or more guests, and for which a certificate of occupancy has been issued.

• • • •

Resident. Any person who lives in a dwelling unit or portion thereof on a long-term or permanent basis, as distinguished from a guest or short-term renter.

• • • •

Short-term rental. The provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy.

Short-term rental, hosted stay. A short-term rental during which the homeowner is present in the dwelling.

Short-term rental, unhosted stay. A short-term rental during which the homeowner is not present in the dwelling.

Short-term renter. Any person permitted to occupy a short-term rental for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy, and any companions or guests of such person.

• • • •

2. That Section 24-12 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-12. Conditional uses permitted by special exception.

• • • •

(h) Subject to sec. 24-13.01(b):

(1) Short-term rental, hosted stays, meeting any of the following conditions:

a. located in a guesthouse;

b. located on a lot with less than 80 feet of frontage on a public street;

c. occupied by more than six short-term renters at any time; or

d. exceeding a total of 60 days in any calendar year.

(2) Short-term rental, unhosted stays.

3. That Section 24-13 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-13. Accessory uses permitted.

Accessory uses customarily incidental to a permitted principal or conditional use on the same lot therewith, including among others:

• • • •

(d) Customary incidental home occupations, such as handicraft, dressmaking, millinery, laundering, preserving or home cooking, including occasional personal service of beauty culture offered in a limited way by appointment and not to the general public, and the home office of a member of a recognized or licensed profession, such as attorney-at-law, physician, dentist, musician or artist; provided that such occupations shall be conducted solely by resident occupants in their place of abode and provided that not more than the equivalent area of one quarter of one floor shall be used for such purpose; provided further, that such occupation shall not require external or internal alterations, or the use of machinery or equipment not customary for purely domestic household purposes and provided no stock-in-trade shall be kept or product sold, except such as are made on the premises, provided further, that there shall be no group instruction, assembly or activity or no-display that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling. Nothing herein contained shall be construed to prohibit the installation and use of two hair drying units. However, a home occupation shall not be interpreted to include beauty parlors, barber shops, convalescent or nursing homes, ~~tourist homes~~ or massage or similar establishments offering services to the general public.

• • • •

(m) Short-term rental, hosted stays, subject to sec. 24-13.01(b), meeting all of the following requirements:

(1) located within the principal dwelling;

(2) located on a lot with 80 feet or more of frontage on a public street;

(3) occupied by no more than six short-term renters at any time; and

(4) limited to a total of no more than 60 days in any calendar year.

4. That Section 24-13.01 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-13.01. Development standards and conditions for permitted uses.

(a) Refuse containers. Refuse containers shall be completely screened from view by means of an opaque fence or wall. Such containers shall be serviced only between the hours of 6:00 a.m. and 12:00 midnight.

(b) Short-term rental. The following requirements apply to short-term rentals:

(1) Principal residence and ownership required. Only a dwelling that is occupied by the property owner for at least 185 days per year may be offered for short-term rental. Prior to offering any property as a short-term rental, the property owner must certify, on a form provided by the director of planning, that the property owner occupies the property for at least 185 days per year. For purposes of this section, ownership includes, among other forms, a dwelling (i) held by a person alone or in conjunction with his spouse as tenant or tenants for life or joint lives, (ii) held in a revocable inter vivos trust over which a person or a person and his spouse hold the power of revocation, or (iii) held in an irrevocable trust under which a person alone or in conjunction with his spouse possesses a life estate or an estate for joint lives or enjoys a continuing right of use or support. However, ownership does not include a dwelling held under a leasehold or term of years.

(2) Resolution of issues and complaints. During short-term rental, hosted stays, the property owner must respond to and resolve issues and complaints that arise in connection with the stay at any time. For short term-rental, unhosted stays, prior to offering the property as a short-term rental, the property owner must provide, on a form provided by the director of planning, the name and contact information of an adult who will be available at all times when the property is occupied as a short-term rental. The designated adult must respond in person at the property within 30 minutes whenever necessary to resolve issues and complaints arising in connection with the short-term rental.

(3) Limit on number of occupants. The occupancy of any property during a short-term rental may not exceed a number equal to twice the number of bedrooms in the dwelling.

(4) Limitation on additional uses. No property owner may offer as a short-term rental any property that is also used for a family day home, group home, assisted living facility, massage therapy, taxi or other carrier service, or noncommercial kennel. No property owner may offer, allow, or provide a short-term rental for any other commercial use not customarily incidental to a one-family dwelling, including, without limitation, commercial use for parties, banquets, weddings, receptions, meetings, filming, or advertising activities.

- (5) Prohibition against double-booking. No property owner may rent any property pursuant to two or more booking transactions for the same dates, such that no two separately-booked groups of short-term renters may occupy the same property at the same time. For the purpose of this prohibition, a “booking transaction” is any transaction in which there is a charge to one or more short-term renters by a property owner in exchange for the occupancy of the property.
- (6) Prohibition against renting to minors. No property owner may provide a short-term rental unless at least one of the short-term renters is 18 years of age or older.
- (7) Hours of check-in and check-out. The property owner may not offer check-in or check-out services to short-term renters between the hours of 11:00 p.m. and 7:00 a.m.
- (8) Provision of smoke detectors, etc. The property owner of any property offered for short-term rental must provide and maintain in good working order every smoke detector, carbon monoxide detector, and fire extinguisher required to be in the short-term rental by law. No property owner may obstruct any emergency egress required by law.
- (9) Posting of information required. The property owner must conspicuously post the following information in any property offered for short-term rental:
- a. The property address.
 - b. The name and contact information of the property owner and, if applicable, the adult designated pursuant to subparagraph (2) of this subsection.
 - c. Detailed instructions for emergency shut-off of gas, electricity, and water, including the locations of gas and water valves and circuit breakers.
 - d. Recycling and trash collection schedules.
 - e. The Henrico County noise ordinance.
- (10) Limitation on pets. No property owner may allow more than three pets to be kept on the property of a short-term rental at any time.
- (11) Record of rentals. The property owner must keep an accurate and complete record of each short-term rental for two years from the ending date of the rental and provide those records to the director of planning for inspection upon his request. The record of each rental must show, at a minimum, the

beginning and ending dates of each rental and the number of persons occupying the dwelling.

5. That Section 24-13.2 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-13.2. Accessory uses permitted.

(a) Accessory uses as permitted and as regulated in the R-4A district, except short-term rentals, and section 24-95 of this chapter.

• • • •

6. That Section 24-13.3 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-13.3. Conditional uses permitted.

Any conditional uses as permitted and as regulated in the R-4A district, except short-term rentals.

7. That Section 24-28 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-28. Principal uses permitted.

• • • •

(c) ~~Roominghouses and b~~Boardinghouses.

• • • •

8. That Section 24-39 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-39. Accessory uses permitted.

(a) Accessory uses as permitted and as regulated in the R-3 district, except short-term rentals, and section 24-95.

• • • •

9. That Section 24-94 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-94. Table of regulations.

(See Section 24-95 for additional requirements, exceptions and modifications)

District and Use	Max. Height (ft.)	Min. Lot Area		Min. Lot Width (ft.)	Min. Front Yd. Depth (ft.)	Min. Side Yard		Min. Rear Yd. Depth (ft.)	Min. Finished Floor Area (sq. ft.)
		Total (sq. ft.)	Per Family (sq. ft.)			Least Yard (c) (ft.)	Sum of Yards (ft.)		
....									
R-5 <u>Rooming, b Boardinghouses</u>	40	7,500	7,500	60	45	8	20	35	900(o)
....									
R-6 <u>Rooming, b Boardinghouses</u>	40	7,500	7,500	60	45	8	20	35	900(o)
....									
B-1 <u>Dwellings, roominghouses, boarding-homes boardinghouses</u>	Same as in R-5 District								
....									
B-2 <u>Dwellings, roominghouses, boarding-homes boardinghouses</u>	Same as in R-6 District								
....									
B-3 <u>Dwellings, roominghouses, boarding-homes boardinghouses</u>	Same as in R-6 District								
....									

10. That Section 24-96 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-96. Off-street parking requirements.

• • • •

(b) The number of parking spaces to be provided for each use shall be sufficient to provide for all persons residing on, employed on or patronizing the premises, and in no case shall it be less than as follows. In the case of any use not listed, the director of planning shall determine the required number of parking spaces based on standards published by the Institute of Transportation Engineers, documented parking studies of comparable uses, and good planning practices.

USE	NUMBER OF SPACES
• • • •	

(2) Motels, hotels, lodginghouses <u>boardinghouses</u>	1 per bedroom
• • • •	
(17) Bed and breakfast home, <u>short-term rental</u>	One parking space per guestroom in addition to the parking required for the principal residence <u>dwelling</u>

• • • •

11. That Section 24-121 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-121. Conditional zoning or zone approval.

• • • •

(j) *Exceptions to paragraph (i).* Where a parcel(s) of land meets the requirements of paragraph (i) above, the following uses may be permitted unless otherwise restricted by the documents filed:

(1) *Parcels zoned R-5 or R-5C.*

a. *Principal uses permitted.*

1. Any principal uses permitted and as regulated in section 24-28 and section 24-30.1.
2. ~~Tourist homes and m~~Motels, when located on a US numbered highway and not including any B or M district use, except as permitted in this subsection. In a motel having 100 or more guestrooms or suites, a dining room or restaurant and convention facilities may be included as an incidental accessory use, provided the restaurant is made an integral part of the main building.

• • • •

• • • •

12. That this ordinance will be in full force and effect on and after its passage as provided by law.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 58-20

Page No. 1 of 1

Agenda Title: RESOLUTION — Signatory Authority — Agreement with Southside Community Development and Housing Corporation — 4004 Delmont Street — Fairfield District

For Clerk's Use Only:

Date: 2/25/2020

Approved

Denied

Amended

Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Thornton Secoded by (1) Nelson
(2) _____ (2) _____

REMARKS:

APPROVED

YES NO OTHER

Branin, T. ✓ — —

Nelson, T. ✓ — —

O'Bannon, P. ✓ — —

Schmitt, D. ✓ — —

Thornton, F. — — —

WHEREAS, the Board of Supervisors has identified the Laburnum Gateway Area as a revitalization area; and,

WHEREAS, 4004 Delmont Street is in the Laburnum Gateway Area and is in disrepair and in need of significant public and private resources to improve the condition of the home and improve the overall health and vitality of the community; and,

WHEREAS, the Board of Supervisors has established a "Community Revitalization Fund" to serve as a flexible resource to improve mature neighborhoods; and,

WHEREAS, Southside Community Development and Housing Corporation (SCDHC) is a non-profit corporation with a track record of rehabilitating single-family homes and providing homebuyer services and other assistance programs to residents in Central Virginia.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the County Manager is authorized to execute an agreement with SCDHC, in a form approved by the County Attorney, to acquire, rehabilitate, and sell 4004 Delmont Street to a homebuyer with the assistance of County funding not to exceed \$51,675.

Comments: The Director of Community Revitalization recommends approval of this Board paper; the County Manager concurs.

By Agency Head _____

By County Manager _____

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

COMMUNITY REVITALIZATION AGREEMENT

Between

County of Henrico

and

Southside Community Development and Housing Corporation

This agreement is made this 26th day of February 2020 between the **County of Henrico, Virginia** (hereinafter the "County"), and **Southside Community Development and Housing Corporation**, (hereinafter "SCDHC") a Virginia corporation (collectively the "Parties"), to undertake acquisition, rehabilitation, construction activities in conjunction with the development and sale of residential real estate as set forth herein.

Whereas, the County Board of Supervisors has established a Community Revitalization Fund to assist in redeveloping and improving existing neighborhoods; and

Whereas, SCDHC is a Virginia not-for-profit corporation that acquires, rehabilitates, constructs, and sells low to moderate priced homes and lots; and

Whereas, the Parties desire to redevelop a house located at 4004 Delmont Street, Henrico, VA 23222 (the "Home");

Now, therefore, the Parties hereby agree as follows:

I. SCOPE OF SERVICES

SCDHC shall acquire, rehabilitate, and sell the Home pursuant to the terms of this agreement. The County agrees to provide funds as set forth in the Project Budget and Proforma attached to this agreement.

II. USE OF COUNTY FUNDS

The County agrees to provide funds to SCDHC for the acquisition, rehabilitation, construction and sale of the Home. Funds may be also be used for homebuyer assistance and other related costs.

The funds for activities taken pursuant to this agreement may come from the County or other government sources. The use and accounting of such funds may require SCDHC to comply with additional regulatory requirements. All such additional requirements will be set forth in writing in an appropriate addendum to this agreement.

Upon completion of the sale of the Home pursuant to this agreement, SCDHC shall return all project proceeds (if any) to the County. If SCDHC sells the Home for an amount that exceeds the amount identified in Project Budget and Pro Forma, SCDHC and the County shall split equally the amount above the projected sales price minus any expenses that were not identified in the Project Budget and Pro Forma.

III. PURCHASE OF HOME

The contract sales price for the Home shall be supported by an appraisal by a licensed appraiser. SCDHC may require an affordability restriction by Deed of Trust and Note. Such affordability restrictions will terminate upon foreclosure or transfer in lieu of foreclosure.

SCDHC shall include an assignment clause in the Deed of Trust and Note stating that in the event SCDHC ceases to exist or is unable to satisfy the requirements of this contract, the County or its agent will be assigned the note securing the County's investment. The County shall provide a suitable form Deed of Trust and Note to SCDHC to be executed for this project.

IV. SCHEDULE OF ACTIVITIES

All activities of SCDHC under this agreement shall be completed in an expeditious manner. The parties agree to prepare jointly a Project Schedule for work to be performed pursuant to this agreement. All activities shall be completed in accordance with this Project Schedule, unless extended by mutual consent in writing.

Timely completion of the work specified in this agreement is an integral and essential part of performance. By accepting and executing this agreement, SCDHC agrees that activities will be completed as expeditiously as possible and that SCDHC will make every effort to ensure that the project will proceed as scheduled and will not be delayed. Failure to meet the Project Schedule without prior written approval from the County may, at the discretion of the County, be considered failure to comply with this agreement and result in termination of the agreement under the terms outlined in Part XI.

V. PAYMENT

Payments to SCDHC shall be in compliance with County cash management requirements. The County will remit payment within ten business days of receipt of an approved request for funds to the County's Housing Specialist. SCDHC shall return erroneously drawn funds to the County within ten business days.

SCDHC shall include accurate information in the request for funds, and SCDHC may not request funds until payment for eligible costs is necessary. Requests for payment must be submitted by SCDHC in a form acceptable to the County and must include adequate documentation of eligible costs incurred. All such expenses shall conform with the project budget. The County shall have the right to inspect records and project sites to determine reimbursement requests are reasonable and accurate. The County shall also have the right to hold payment until adequate documentation has been provided, reviewed, and approved by the County.

VI. LEAD BASED PAINT

SCDHC shall comply with the provisions of the Lead Based Paint Poisoning Prevention Act (42 U.S.C. § 4821 *et seq.*), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 USC 485-4956), and implementing regulations at 24 CFR Part 35, subparts A, B, J, K, M, and R of this title.

VII. FAIR HOUSING AND EQUAL OPPORTUNITY

SCDHC shall comply with the provisions of Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d *et seq.*), 24 CFR Part 1, The Fair Housing Act (42 U.S.C. § 3601-3620), 24 CFR Part 100-115, Equal Opportunity in Housing, Executive Order 11063, as amended by Executive Order 12259, 24 CFR Part 107, the Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101), and 24 CFR Part 146 and Executive Order 11246 as applicable, and the applicable provisions of 24 CFR § 92.351 Affirmative Marketing; Minority Outreach Program.

SCDHC shall also comply with all federal, state and local laws, ordinances, codes, rules and regulations and amendments thereto, including but not limited to Title 8 of the Civil Rights Act of 1968 PL.90-284; Executive Order 11063 on Equal Opportunity; and Section 3 of the Housing and Urban Development Act of 1968.

VIII. RECORDS AND REPORTS

SCDHC shall retain all records pertaining to this agreement and services performed pursuant to it for no less than for ten years. Notwithstanding this the foregoing, SCDHC shall comply with any applicable federal, state or local legal requirements that impose a longer retention schedule. The County shall have unrestricted access to those records for the entire duration of the retention period. Records include:

- A. A full description of the project, including the location, form of assistance, and project budget.
- B. The source and application of funds and supporting documentation.
- C. Records demonstrating that the property meets the property standards of 24 CFR § 92.251 and the lead-based paint requirements of 24 CFR § 92.355 and any other documentation necessary to maintain compliance with contractual requirements, and federal, state, or local codes.
- D. Income eligibility documentation, if the County requires that the home be sold to a low- or moderate-income buyer.
- E. A record demonstrating adequate financing has been secured to ensure project completion.
- F. Records ensuring that there is adequate need for the project based on neighborhood market conditions.

SCDHC shall submit to the County a monthly report setting forth the progress made to date in relationship to the Scope of Services.

IX. PROCUREMENT REQUIREMENTS

Any work that SCDHC seeks to have performed by third-parties shall comply with the following Henrico County procurement requirements based on the value of the work to be bid:

- A. For all types of bid requests, a **written** description of the solicited good or service, including any requirements, shall be prepared.
- B. For any purchase less than \$7,500, a minimum of one (1) proposal shall be solicited. Additional competition, if available, should be solicited to include a supplier from the Small, Women and Minority (SWAM) Vendor list made available by the Virginia Department of Minority Business Enterprise (DMBE). The SWAM Vendor Directory can be located at the following link: <http://www.dmbv.virginia.gov>
- C. For professional services (architects, engineers, etc.) less than or equal to \$7,500, a minimum of one (1) proposal shall be solicited. Soliciting proposals from a DMBE SWAM list is encouraged.
- D. For professional services greater than \$7,500 and less than or equal to \$60,000 a minimum of four (4) proposals solicited from a qualified firm. A minimum of one (1) proposal shall be solicited from a DMBE SWAM business; soliciting more than one (1) DMBE SWAM is encouraged.
- E. For goods and services, including construction, greater than \$7,500 and less than or equal to \$50,000, a minimum of four (4) written quotes solicited, which shall include a minimum of one (1) supplier selected from the DMBE SWAM list.
- F. For goods, services, and construction greater than \$50,000 and less than or equal to \$100,000 a minimum of four (4) written quotes solicited, which shall include a minimum of one (1) quote solicited from a DMBE SWAM business, however, soliciting more than one (1) written quote from a DMBE SWAM business is encouraged. A copy of the published notice for invitations to bid shall be provided to the Department of Community Revitalization.

X. AUDIT REQUIREMENTS

SCDHC shall retain the services of an independent certified public accountant to perform an annual organizational wide audit in accordance with generally accepted government auditing standards as defined by Standards for Audit of Government Organizations, Activities, and Functions, in compliance in all respects with the generally accepted auditing standards of the American Institute of Certified Public Accountants, and in accordance with the Single Audit Act of 1984, if applicable. In the alternative, it shall provide an organization wide audit report, including an audit report for program activities funded under this agreement, in compliance with accepted auditing standards of the American Institute of Certified Public Accountants, by a certified public accountant.

The cost of the audit is to be paid by SCDHC, and no funds provided under this agreement shall be used for this purpose. Copies of the audit reports shall be provided to the County's Housing

Specialist and the County Department of Finance within 90 days of the close of SCDHC's fiscal year.

XI. TERMINATION FOR CAUSE OR CONVENIENCE

This agreement may be suspended or terminated if SCDHC materially fails to comply with any term of the agreement. This agreement may be terminated for convenience at any time by either the County or SCDHC upon written notification 30 days prior to termination. Notice of Termination of this agreement by SCDHC prior to project completion will require repayment of all funds advanced to SCDHC within ten days of notice of termination. In the event of termination, all property and finished or unfinished documents, data, studies, and reports purchased or prepared by SCDHC under this agreement shall, at the option of the County, become the County's property or assigned to the County's agent at the County's sole discretion.

In the event the County determines SCDHC is in default of this agreement, the County may take one or more of the following actions

- a. Temporarily withhold cash payments pending correction of the deficiency by SCDHC or any contractor or subcontractor;
- b. Disallow all or part of the cost of the activity or action not in compliance;
- c. Wholly or partly suspend or terminate the current agreement with SCDHC;
- d. Withhold further federal or non-federal funds from SCDHC; or
- e. Take other remedies that may be legally available.

XII. CONFLICT OF INTEREST

No employee, agent, consultant, officer or appointed official of SCDHC who is in a position to participate in a decision-making process or gain inside information with regard to any activity under this agreement may obtain a personal or financial interest in any contract, subcontract or agreement with respect thereto, or in the proceeds hereunder, for himself, or for his family or business associates, during his tenure or for one year thereafter.

XIII. AVAILABILITY OF FUNDS

Henrico County shall be bound under this agreement only to the extent that there are funds available to perform its obligations hereunder. Funding under this agreement is also contingent on the County's determination to proceed with, modify, or cancel a project based on the result of any title examination.

XIV. INDEMNIFICATION

SCDHC agrees to indemnify and hold harmless the County, its officers, agents and employees against and from all liability, claims, damages and costs, including attorney's fees, of every kind and nature, and attributable to bodily injury, sickness, disease or death, or to damage or destruction of property resulting from or in any manner arising out of or in conjunction with the performance of work under this agreement. In addition, SCDHC shall furnish the County a Certificate of Insurance evidencing coverage under the Workers Compensation Act and liability protection against claims for bodily injury, death, or property damage in the amounts set forth in Part XVI of

this agreement. In addition, SCDHC's insurer shall give the County 30 day's written notice of its decision to amend, cancel or terminate the insurance coverage. The County shall be named as an additional insured on all insurance policies.

XV. INSURANCE

SCDHC will obtain liability insurance from a company licensed to do business in the Commonwealth of Virginia, countersigned by an authorized agent in Virginia, to cover injury to or death of one or more persons in SCDHC's performance of this agreement. Premiums chargeable for the insurance shall be paid by SCDHC and all liability insurance policies shall be kept in force during the term of this agreement. Types of liability insurance policies required and their limits of coverage are as follows:

- Auto Liability, including Owned, Non-Owned and Hired Car Coverage: One Million (\$1,000,000) per occurrence combined single limit
- Comprehensive General Liability (CGL) One Million (\$1,000,000) per occurrence Combined single limit, Two million (\$2,000,000) in the aggregate
- Worker's Compensation coverage according to statutory limits of the Code of Virginia, Title 65.2

County, its officials, employees, volunteers and agents shall be named as an additional insured under the commercial general liability coverage. The required insurance shall apply as primary insurance with respect to any other insurance or self-insurance programs of the County. The policy(s) shall be endorsed to be primary with respect to the additional insured.

XVI. GOVERNING LAW

This agreement shall be governed by the laws of the Commonwealth of Virginia. Any disputes concerning interpretation or performance under this agreement shall be litigated only in the Circuit Court of Henrico County.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as the day and year herein above written:

COUNTY OF HENRICO

By: 

John A. Vithoukas, County Manager

Southside Community Development and Housing Corporation

By: 

Dianna Bowser

CEO

Project Budget and Pro-forma

Property Address: 4004 Delmont Street				
Expenses			Sources of Funds	
Building and Land	Estimate	Actual	Estimate	Actual
Building and Land	\$ 25,000.00		Sales Price	\$ 159,000.00
Attorney's Fee	\$ 525.00		Commission (6%)	\$ 8,100.00
Title Insurance	\$ 600.00		Seller Closing Costs	\$ 2,500.00
Recording Fees			Net Sales Price	\$ 148,400.00
Taxes	\$ 500.00			
Demolition			Development Costs	\$ 200,075.00
Real Estate Commission				
Appraisal - Acq.	\$ 500.00		Development Gap	(\$51,675.00)
Subtotal	\$ 27,125.00			
			Development Subsidy	
Pre-Development			Community Revitalization Funding (Henrico)	(\$51,675.00)
Appraisal (after value rehab)	\$ 500.00			
Arch. & Engineering Fees	\$ 1,500.00			
Surveys (4)				
Environmental				
Hazard Insurance	\$ 500.00		Subtotal	\$ - \$ -
Subtotal	\$ 2,500.00	\$ -		
			Property Information	
Construction			Square Footage	1200
Construction Costs	\$ 144,000.00		Year Built	2019
Construction Contingency	\$ 4,500.00		cost/sq. ft.	
Interior Demo				
Lead Abatement/Clearance	\$ 500.00			
Pest Treatment				
Utilities				
Attorney/				
Construction Loan				
Title Insurance/Lender				
Taxes				
Construction Loan Fee				
Construction Interest				
Site Maint./Appliances	\$ 6,450.00			
Subtotal	\$ 155,450.00			
<i>Developer's Fee</i>	<i>\$ 15,000.00</i>			
Total Development Costs	\$ 200,075.00			

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 59-20

Page No. 2 of 2

Agenda Title: RESOLUTION — Signatory Authority — Acquisition of Real Property — 6020 Indigo Road — Brookland District

WHEREAS, the General Development Policies of the Land Use Chapter include encouraging development that minimizes adverse environmental and fiscal impacts and minimizes disruption to life and property resulting from erosion and flooding; and,

WHEREAS, the Natural Resource Policies of the Natural Resources Chapter include encouraging public and private cooperation in the preservation of environmentally sensitive areas; and,

WHEREAS, the Recreation, Parks, Open Space and Cultural Resources Chapter of the Comprehensive Plan encourages the County to pursue acquisition and development or preservation of open space when it is in the County's best interests; and,

WHEREAS, the owners, William J. Campbell and Georgia J. Campbell, have agreed to sell the Property for \$185,400.

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

- (1) the County Manager is authorized to execute the purchase agreement and accept the deed, both in a form approved by the County Attorney, necessary to purchase the Property for \$185,400; and,
- (2) the County Manager, or his designee, is authorized to execute all other documents necessary to complete the County's due diligence and to close the transaction; and,
- (3) the County Manager and County Attorney are authorized to undertake all other actions necessary to complete the acquisition by the County and to exercise the powers granted to the County under Va. Code § 10.1-1702, including but not limited to the demolition or disposal of any structures or facilities which may be detrimental to or inconsistent with the use of the Property as open-space land.

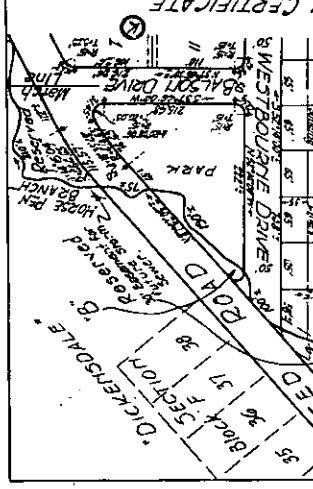
Comments: The Directors of Public Works and Real Property recommend approval of the Board paper; the County Manager concurs.

Richmond, Va. FILE: 3827
 CIVIL ENGINEER
 W. W. LAFRADÉ & BROS.
 June 6, 1955
 Scale: 1" = 100'
 BRACKLAND DIST., HENRICO CO., VA.

SECTION - B'
 WESTBOURNE

Notary Public
 My Commission expires May 11, 1956
 Given under my hand and seal this 6th day of June, 1955.
 WITNESSES: The Mayor and the City Council of the City of Richmond, Virginia, have authorized the same before me in my City and State aforesaid.
 I, Mayor, do hereby certify that James G. Gunkel, President and Henry G. Sandis, Secretary, of WESTBOURNE, INC., are duly qualified officers and members of the City of Richmond, Virginia.
 State of Virginia
 Henry G. Sandis, Secretary
 James G. Gunkel, President
 WESTBOURNE, INC., Owner

SUBDIVISION CERTIFICATE
 The subdivision of land shown herein is with the free consent and in accordance with the terms of the plat of the subdivision, and no mortgage on this property, the distribution of the proceeds of the sale of the property, and no other interest in the property, is shown on this plat. The easements for drainage and utilities are shown on this plat. The easements for drainage and utilities are shown on this plat. The easements for drainage and utilities are shown on this plat.

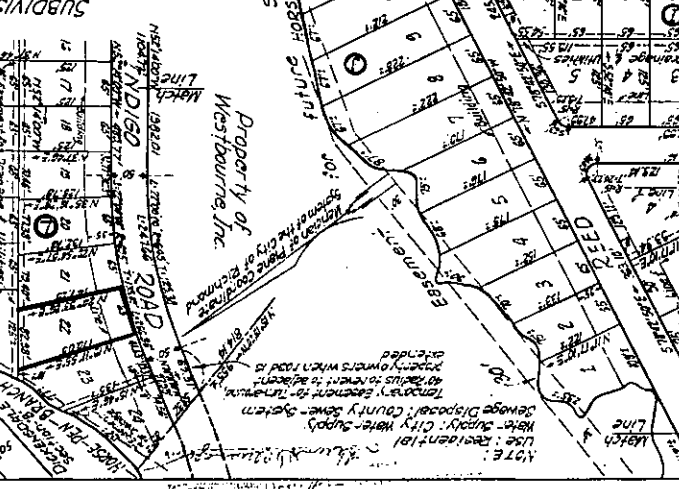


To the best of my knowledge and belief all of the requirements as set forth in the ordinance for approving plats of subdivisions for recordation in Henrico Co., Va. have been complied with. Signs will be set by June 31, 1955.
 W. W. Lafradé & Bros.
 BY: *W. W. Lafradé*

SECTION A'
 ENGINEERS CERTIFICATE

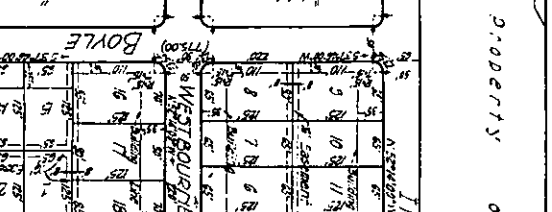


The subdivision of land shown herein is with the free consent and in accordance with the terms of the plat of the subdivision, and no mortgage on this property, the distribution of the proceeds of the sale of the property, and no other interest in the property, is shown on this plat. The easements for drainage and utilities are shown on this plat. The easements for drainage and utilities are shown on this plat.

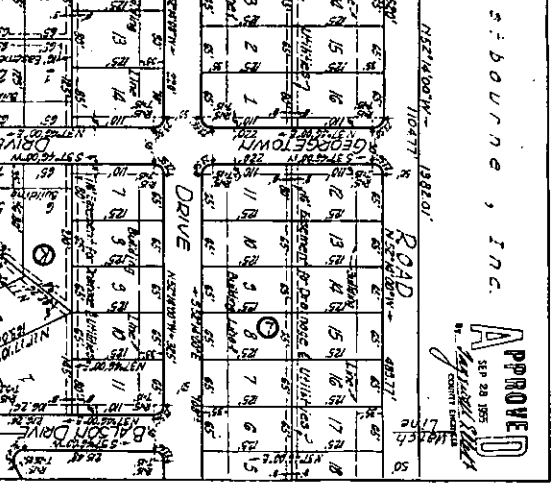


The property embraced within the limits of this subdivision was conveyed to Westbourne, Inc. by deed dated May 24, 1955 and recorded on May 26, 1955 in Deed Book 730, Page 172 in Henrico Circuit Court.
 W. W. Lafradé & Bros.
 BY: *W. W. Lafradé*

SOURCE OF TITLE



The subdivision of land shown herein is with the free consent and in accordance with the terms of the plat of the subdivision, and no mortgage on this property, the distribution of the proceeds of the sale of the property, and no other interest in the property, is shown on this plat. The easements for drainage and utilities are shown on this plat. The easements for drainage and utilities are shown on this plat.



APPROVED
 JUN 23 1955
 Notary Public
 My Commission expires May 11, 1956

PROPERTY OF WESTBOURNE, INC.

APPROVED
 JUN 23 1955
 Notary Public
 My Commission expires May 11, 1956

106

106

REFLECT 26

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

Agenda Item No. 60-20

Page 2 of 2

Agenda Title: Resolution — Award of Contract — Dorey Park Field #7 Concession and Restroom Building – Varina District

WHEREAS, after a review and evaluation of the bids received, it was determined that Brooks & Co. General Contractors, Inc. is the lowest responsive and responsible bidder with a bid of \$892,700.00.

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

1. The contract is awarded to Brooks & Co. General Contractors, Inc., the lowest responsive and responsible bidder, pursuant to Invitation to Bid No. 19-1949-11EAR and the bid submitted by Brooks & Co. General Contractors, Inc.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

Funding to support the contract is available within the project budget. The Director of Recreation & Parks and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. *61-20*

Page No. 2 of

Agenda Title: RESOLUTION — Award of Contract — Annual Engineering Services — Water and Sewer Projects

3. Fees shall not exceed \$500,000 for any single project or \$2,500,000 in each one-year term of each contract.
4. The County Manager is authorized to execute the contracts in a form approved by the County Attorney.

Comments: Funding to support the contracts is available. The Purchasing Director recommends approval of the Board paper, and the County Manager concurs.



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

Agenda Item No. 62-20
Page No. 1 of 2

Agenda Title: **RESOLUTION — Award of Construction Contract — Filter Basin Maintenance and Construction Services — Water Reclamation Facility — Varina District**

<p>For Clerk's Use Only:</p> <p>Date: <u>2/25/2020</u></p> <p><input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:</p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>Nelson</u> Seconded by (1) <u>Shurtz</u> (2) _____ (2) _____</p> <p>REMARKS: APPROVED</p>	<p>YES NO OTHER</p> <p>Branin, T. <u>✓</u> _____ Nelson, T. <u>✓</u> _____ O'Bannon, P. <u>✓</u> _____ Schmitt, D. <u>✓</u> _____ Thornton, F. <u>✓</u> _____</p>
--	--	---

WHEREAS, the County received one bid on January 8, 2020, in response to Invitation to Bid No. 19-1942-10EAR for maintenance and construction services for Filter Basin #5 at the Water Reclamation Facility; and,

WHEREAS, the filters in Filter Basin #5 have been in service since 1997 and need remedial repair work to restore their effluent treatment capacity; and,

WHEREAS, EMH Environmental, Inc. of Glenwood, MD submitted a bid of \$649,058; and,

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

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

1. The contract is awarded to EMH Environmental, Inc., the lowest responsive and responsible bidder, in the amount of \$649,058 pursuant to Invitation to Bid No. 19-1942-10EAR, and the bid submitted by EMH Environmental, Inc.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

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. *62-20*

Page No. 2 of 2

Agenda Title: **RESOLUTION — Award of Construction Contract — Filter Basin Maintenance and Construction Services — Water Reclamation Facility — Varina District**

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

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

Agenda Item No. 63-20

Page No. 2 of 2

Agenda Title: **RESOLUTION — Award of Contract — Sludge Blend Facility Chemical Fill Station — Water Reclamation Facility — Varina District**

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

1. The contract is awarded to Waco, Inc., the lowest responsive and responsible bidder, in the amount of \$1,072,000 pursuant to Invitation to Bid No. 19-1944-11PEW, Addenda No. 1 and No. 2, and the bid submitted by Waco, Inc.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

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



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

Agenda Item No. 64-20

Page No. 1 of 2

Agenda Title: RESOLUTION — Award of Contract — Maintenance of Parham Road Bridge over CSX Railroad Tracks — Brookland and Fairfield Districts

For Clerk's Use Only: Date: <u>2/25/20</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>O'Bannon</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____ REMARKS: APPROVED	YES NO OTHER Branin, T. <input checked="" type="checkbox"/> _____ Nelson, T. <input checked="" type="checkbox"/> _____ O'Bannon, P. <input checked="" type="checkbox"/> _____ Schmitt, D. <input checked="" type="checkbox"/> _____ Thornton, F. <input checked="" type="checkbox"/> _____
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WHEREAS, the County received five bids on January 16, 2020, in response to ITB No. 19-1958-12JOK and Addendum Numbers 1-3 for maintenance of the Parham Road bridge over CSX Railroad tracks; and,

WHEREAS, the work consists of concrete repairs, jacking and blocking beams, expansion joint reconstruction, recoating the existing structure, application of concrete surface penetrant sealer and gravity fill polymer joint sealer, removal of a portion of the existing structure and disposal of material, and railroad coordination over the life of the project; and,

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

<u>Bidder</u>	<u>Bid Amount</u>
Olympus Painting Contractors, Inc. Tarpon Springs, FL	\$1,418,436.00
MD Miller Company T/A the Marksman Company Baltimore, MD	\$1,812,716.23
Freyssinet, Inc. Sterling, VA	\$1,976,535.00
Abernathy Construction Corporation Glen Allen, VA	\$3,424,866.00
Curtis Contracting, Inc. West Point, VA	\$3,512,775.00

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. 64-20

Page No. 2 of 2

Agenda Title: RESOLUTION — Award of Contract — Maintenance of Parham Road Bridge over CSX Railroad Tracks — Brookland and Fairfield Districts

WHEREAS, after a review and evaluation of the bids received, it was determined that Olympus Painting Contractors, Inc. is the lowest responsive and responsible bidder with a calculated bid amount of \$1,418,436.

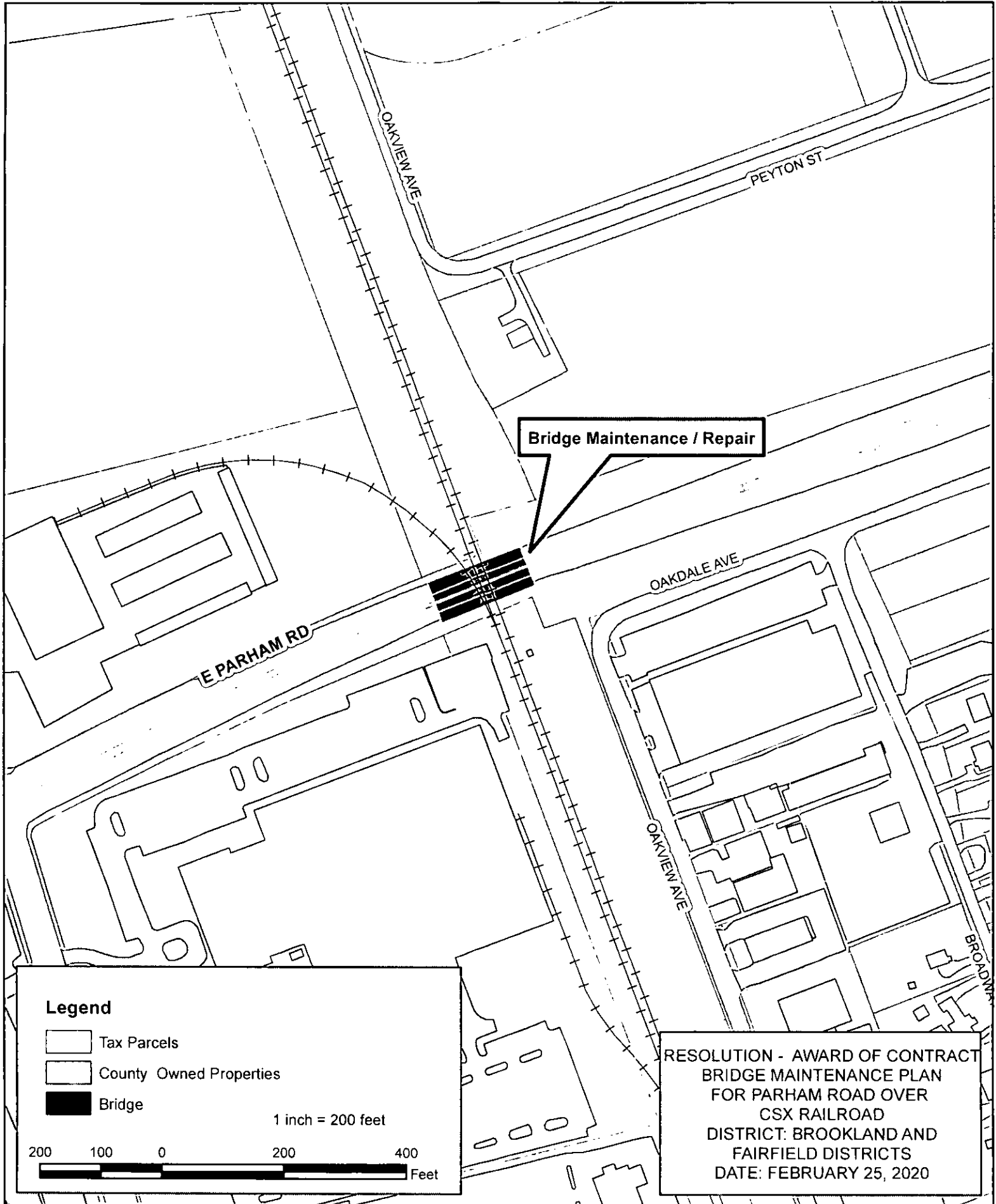
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors:

1. The contract for \$1,418,436 to furnish all labor, materials, supplies, equipment, and services necessary for maintenance of the Parham Road bridge over CSX Railroad tracks is awarded to Olympus Painting Contractors, Inc., the lowest responsive and responsible bidder, with a calculated bid amount of \$1,418,436, pursuant to ITB No. 19-1958-12JOK, Addendum Numbers 1-3, and the submitted bid. The final contract amount shall be determined upon completion of the project by multiplying the actual unit quantities authorized by the County for construction times the unit prices in the contractor's bid.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

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



Parham Road Bridge Repair



Bridge Maintenance / Repair

E PARHAM RD

OAKVIEW AVE




PEYTON ST

OAKDALE AVE

OAKVIEW AVE

BROADWAY

Legend

-  Tax Parcels
-  County Owned Properties
-  Bridge

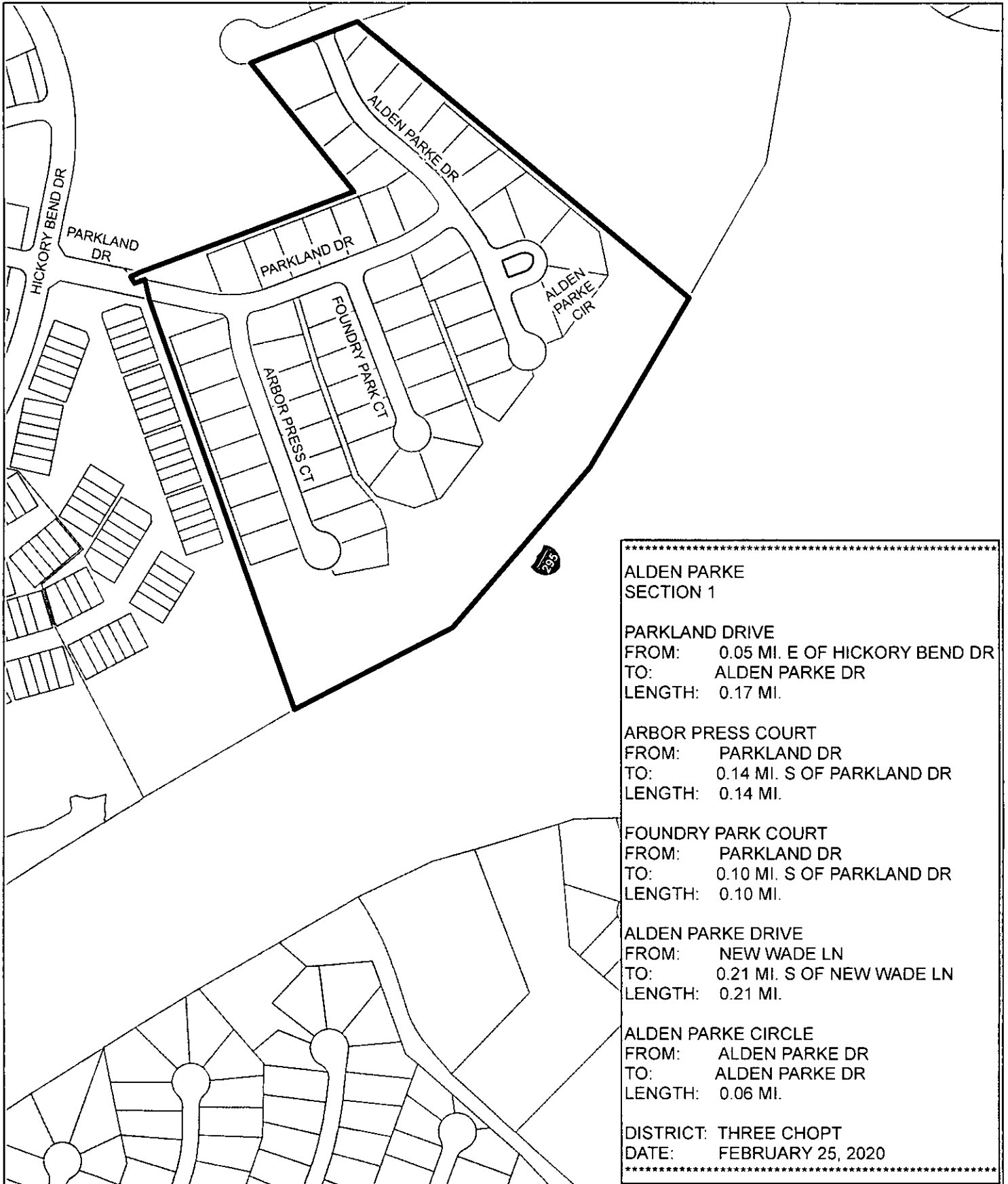
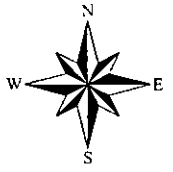
1 inch = 200 feet



RESOLUTION - AWARD OF CONTRACT
 BRIDGE MAINTENANCE PLAN
 FOR PARHAM ROAD OVER
 CSX RAILROAD
 DISTRICT: BROOKLAND AND
 FAIRFIELD DISTRICTS
 DATE: FEBRUARY 25, 2020



ALDEN PARKE SECTION 1



ALDEN PARKE
SECTION 1

PARKLAND DRIVE
FROM: 0.05 MI. E OF HICKORY BEND DR
TO: ALDEN PARKE DR
LENGTH: 0.17 MI.

ARBOR PRESS COURT
FROM: PARKLAND DR
TO: 0.14 MI. S OF PARKLAND DR
LENGTH: 0.14 MI.

FOUNDRY PARK COURT
FROM: PARKLAND DR
TO: 0.10 MI. S OF PARKLAND DR
LENGTH: 0.10 MI.

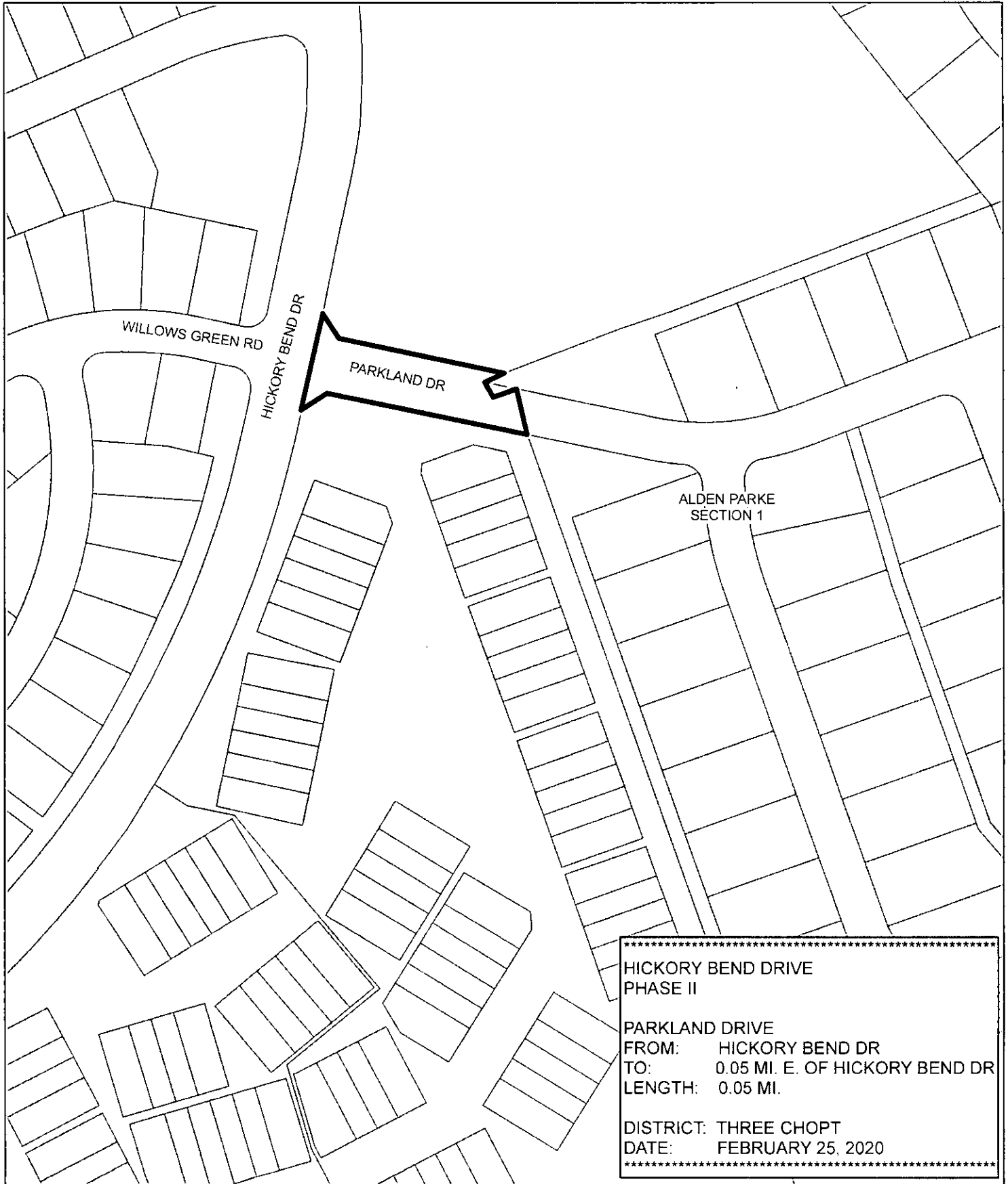
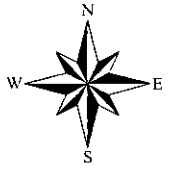
ALDEN PARKE DRIVE
FROM: NEW WADE LN
TO: 0.21 MI. S OF NEW WADE LN
LENGTH: 0.21 MI.

ALDEN PARKE CIRCLE
FROM: ALDEN PARKE DR
TO: ALDEN PARKE DR
LENGTH: 0.06 MI.

DISTRICT: THREE CHOPT
DATE: FEBRUARY 25, 2020



HICKORY BEND DRIVE PHASE II



HICKORY BEND DRIVE
PHASE II
PARKLAND DRIVE
FROM: HICKORY BEND DR
TO: 0.05 MI. E. OF HICKORY BEND DR
LENGTH: 0.05 MI.
DISTRICT: THREE CHOPT
DATE: FEBRUARY 25, 2020



HENLEY SECTION D

