

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
March 10, 2020

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, March 10, 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 7:01 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. Schmitt, and by unanimous vote, the Board approved the minutes of the February 25, 2020, Regular and Special Meetings and the December 9, 2019, Special Meeting.

The vote of the Board was as follows:

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

No: None

MANAGER'S COMMENTS

County Attorney Joseph P. "Joe" Rapisarda, Jr., has announced his retirement, effective June 19. Mr. Rapisarda began his career with the County in March 1977 as an Assistant County Attorney when Henrico's population was approximately 180,000 and the County

had a total of 3,792 general government and school employees. Five years later, Mr. Rapisarda was appointed as Henrico's third County Attorney. Mr. Rapisarda graduated from Douglas Freeman High School in 1968 as the salutatorian of his class and from the University of Virginia in 1972, where he was a member of Phi Beta Kappa and a DuPont Scholar. His professional activities and honors have included President of the Henrico Bar Association and Local Government Attorneys of Virginia (LGA); recipient of LGA's Edward J. Finnegan Award for Distinguished Service; Fellow of the Virginia Law Foundation; and member of the Virginia State Bar Professionalism Course Faculty and Boyd-Graves Conference, whose mission is to improve the quality of Virginia's civil justice system. During Mr. Rapisarda's 43-year tenure, he has been instrumental in advising and protecting the community through significant external and internal change while his stoic leadership and judicious thought have provided both the Board and Mr. Vithoukas with sound mind. Mr. Vithoukas acknowledged Mr. Rapisarda's guidance on the meals tax referendum to provide additional resources for Henrico's public schools and his stewardship of complicated public-private partnerships such as management of the Elko tract. In recognizing Mr. Rapisarda's service, Mr. Vithoukas pointed to Mr. Rapisarda's constant effort and hard work throughout his career. Joining Mr. Rapisarda for the recognition were his wife, Margie; son and daughter-in-law, Andrew and Allison; daughter, Lindsey; and sister, Gina Windsor. Mr. Rapisarda reflected on his service with the County Attorney's Office under four County Managers and many members of the Board of Supervisors and characterized himself as a "lucky man." He remarked that the County could not have a better leader than its current County Manager, Mr. Vithoukas, and has a fantastic Board and gifted employees who care about quality work. Mr. Rapisarda referred to the staff in the County Attorney's Office as first rate and offered kudos to Karen Grizzard for serving as his assistant for the past 42 years. Mr. Rapisarda thanked his staff for their support and the members of the Board and Mr. Vithoukas for this recognition.

Battalion Chief John Shaffer has served with the Division of Fire since 1979. Throughout his career, Chief Shaffer has trained and mentored a remarkable number of leaders in the Division of Fire, including current Fire Chief Alec Oughton. His humble example of servant leadership sets him apart. On February 19, Chief Shaffer was awarded the Glenn Gaines Leadership Legacy Award by the Virginia Fire Chiefs Association. Chief Gaines was a retired Fire Chief from Fairfax County and later went on to become the Deputy United States Fire Administrator. He was known throughout the nation's fire service as an excellent leader and an outstanding human being. This award recognizes those who reflect his leadership style and abilities and is only given to one member of Virginia's fire service each year. Chief Shaffer's technical competence, humble nature, ability to connect with people, accountability, transparency, authenticity, and kindness are all qualities that reflect what is best in Henrico's leadership – the Henrico Way. Mr. Vithoukas congratulated Chief Shaffer for receiving the award and presented him with his 40-year service award from the County. Joining Chief Shaffer from the Division of Fire for these recognitions were Chief Alec Oughton, Deputy Chief Tom LaBelle, Assistant Chief Jeff Farmer, and Battalion Chief Jackson Baynard.

Mr. Vithoukas presented the Financial Trends Monitoring System (TRENDS) document for Fiscal Years 2009 through 2019. This document has been prepared by the Department of Finance for 34 years and tracks a number of economic indicators over an 11-year period. It provides evidence of the economic rollercoaster the County has experienced during this time period and a picture of the road the County has travelled. In addition, the document informs the County's current perspective and is a useful tool in analyzing where the County

will need to go in the future. Mr. Vithoukaskas thanked Management and Budget Division Director Justin Crawford and the members of Mr. Crawford's capable staff for their efforts in continuing to put this document forward along with the County budget.

BOARD OF SUPERVISORS' COMMENTS

Mr. Branin announced that the Board had a 45-minute work session discussion with Chief Baynard immediately prior to this meeting on what the County is doing to prepare for the coronavirus (COVID-19) outbreak. He noted the County is participating in a regional effort that residents should know about and asked Chief Baynard to provide highlights of the information that was presented during the work session. Chief Baynard reported that representatives of Henrico, Chesterfield, and Hanover Counties and the City of Richmond have formed a regional incident management team at the direction of the chief executive officers of these four localities to plan for, prepare, respond to, and recover from this public health threat. The team's initial focus will be on information management, an effort that will be led by a joint information center. In addition, various agencies from each of the localities will come together to form unified regional strategies. Messages and updates for Henrico residents will be available via Facebook, Twitter, and a public information dashboard on the County's main webpage.

Mr. Nelson proudly proclaimed that the Highland Springs High School Lady Springers basketball team just won their state semifinal game and will be playing for the state championship on March 14 at Virginia Commonwealth University's Siegel Center.

RECOGNITION OF NEWS MEDIA

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

PRESENTATION

66-20 Resolution - Expressing Appreciation to Tim Foster.

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

Mr. Branin presented the resolution to Tim Foster, Deputy County Manager for Operations, in recognition of Mr. Foster's superior service, skilled leadership, and substantial contributions. Mr. Foster will retire on March 27 after nearly 31 years with the County. He commented on his country, small-town roots, and noted he has always "from the beginning" had support from the County administration, the Board, and County employees. Mr. Foster remarked that he stood on a lot of great shoulders of those who came before him to get to where he is today. He thanked Mr. Vithoukaskas for giving him the opportunity to succeed and thanked the Board for having confidence in him.

APPOINTMENTS

67-20 Resolution - Appointment of Member - Board of Real Estate Review and Equalization.

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

PUBLIC HEARINGS – REZONING CASE AND PROVISIONAL USE PERMIT

68-20 Gateway Associates of Richmond, LLC: Request for a Provisional Use
PUP2019- Permit under Sections 24-36.1(b), 24-120 and 24-122.1 of Chapter 24 of the
00015 County Code to allow a mixed-use community on part of Parcel 753-745-
Tuckahoe 0470 located on the west line of N. Parham Road approximately 255' south
of its intersection with Fargo Road.

Assistant Director of Planning Jean Moore, Henrico County Public Schools (HCPS) Chief Financial Officer Chris Sorensen, Planning Director Joe Emerson, and Mr. Vithoukaskas responded to questions from Mrs. O'Bannon and Mr. Branin regarding the accuracy of student yield information contained in the staff report for this case and the accuracy of student yield data included previously in similar multi-family development rezoning cases. Mr. Branin requested that Mr. Emerson reach out to HCPS and review how student yields are being projected. In response to a request by Mrs. O'Bannon, Mr. Vithoukaskas asked Mr. Sorensen to provide him with an email specifying how many students currently reside in the Gateway Apartment community.

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

Mrs. O'Bannon noted the Gateway Apartment community has been located on the subject site since 1973. She commented favorably on the applicant's proposed reconstruction of the complex, redevelopment of the area, and plans to install sidewalks to make this a more walkable community. Mrs. O'Bannon pointed out this is the type of apartments being promoted for millennials.

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

1. **Master Plan.** All development on the property shall be in general conformance with the Master Plan titled "Site and Floor Plans" dated December 10, 2019 (see case file), unless otherwise approved at the time of Plan of Development review.
2. **Architectural Design.** Any new building shall be constructed in general conformance with the plan titled "Elevation" dated December 10, 2019 (see case file), unless otherwise approved at the time of Plan of Development Review.
3. **Density.** No more than 80 new residential units shall be constructed on the property, consistent with the approved Master Plan. Existing residential units shown as remaining on the Master Plan shall not count towards this density limitation.

4. **Unit Type.** No three-bedroom units shall be permitted.
5. **Commercial Development.** Commercial uses shall only be located on the first floor of the building consistent with the approved Master Plan. The following uses shall not be permitted:
 - a. automotive filling and service stations including towing service;
 - b. billiard, bagatelle, video game or a bingo parlor, unless accessory to a permitted use;
 - c. flea markets or antique auctions;
 - d. billboards;
 - e. recycling facilities;
 - f. funeral homes, mortuaries, crematories and/or undertaking establishments;
 - g. dance halls;
 - h. truck stops;
 - i. gun shop, sales and repair;
 - j. sign painting shops;
 - k. communication towers, not to include small cells;
 - l. general hospitals, sanitoriums and charitable institutions for human care;
 - m. adult businesses as defined by Section 24-3 of the Henrico County Code;
 - n. establishments whose primary business is check cashing and/or the making of payday loans as defined and regulated by Sections 6.1-432 et seq. and 6.1-444 et seq. of the Code of Virginia (the foregoing shall not preclude banks, savings and loans or similar financial institutions that are not regulated by the foregoing Virginia Code sections);
 - o. car title loan operations;
 - p. fuel pumps associated with permitted uses;
 - q. any use utilizing a drive-thru service window; and,
 - r. motels or motor lodges.
6. **Sidewalks.** Sidewalks shall be provided along all public street frontages, and internal pedestrian connections from new development areas shall be provided to such sidewalk.
7. **Pedestrian Lighting.** Site lighting shall be designed to provide lighting for pedestrians along N. Parham Road in a manner approved at the time of lighting plan review.
8. **Crime Prevention.** Prior to occupancy of any structure containing commercial or office uses, the applicant and the Crime Prevention Unit of the Division of Police shall conduct a security survey of the property. The applicant shall implement mutually agreed upon security recommendations.

9. **Parking Plan.** Parking may be reduced in accordance with the plan titled "Gateway Apartments Parking Survey." Any plan of development submitted for the property shall include a tabulation of all parking required per a licensed engineer's determination. Shared parking information, including updates to the parking calculations demonstrating the parking rate is meeting the needs of approved development on the property, shall be provided with each plan of development or as requested by the Director of Planning.
10. **Hours of Construction.** The hours of exterior construction shall be between 7:00 a.m. and 7:00 p.m. Monday through Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours, utility connections and right-of-way improvements.

The vote of the Board was as follows:

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

No: None

69-20
REZ2018-
00022
Brookland

Victor J. Moes: Request to conditionally rezone from R-3 One-Family Residence District to B-2C Business District (Conditional) Parcels 761-754-8398, 761-755-5910, 761-755-6607, and 761-755-7503 containing 1.783 acres located on the north side of W. Broad Street (U.S. Route 250) between Hollybrook Avenue and Pine Grove Drive.

M.C. "Kay" Fultz, a resident of Pine Grove Drive in the Brookland District, expressed concerns relating to traffic congestion and panhandling in the vicinity of the site and expressed opposition to the operation of a 24-hour business on the subject site. Joan Middleton, who owns rental property on Pine Grove Drive in the Brookland District adjoining the subject property, voiced concerns pertaining to trash, tractor trailers, and traffic congestion in the vicinity of the subject site. She asked that an eight-foot fence be installed on the subject site to screen it from her property. Jim Theobald, the applicant's representative, addressed the residents' concerns. He noted future businesses on the site will not be able to operate 24 hours and explained how the new development will alleviate some of the traffic issues. Mr. Theobald committed to including a solid, eight-foot vinyl fence on the subject property at the time of Plan of Development (POD) submission although it was too late to add this as a proffered condition for this rezoning case. He summarized the proffered conditions contained in this case.

Ms. Moore confirmed for Mr. Schmitt that B-2C zoning prohibits 24-hour operations and clarified what uses are permitted by B-2C, including automobile dealerships. Mr. Schmitt responded to the speakers. He noted that he has had ongoing conversations with the Departments of Planning and Public Works regarding the traffic concerns of residents and that the

applicant has plans underway to mitigate their concerns. He asked Mr. Theobald to work with the Planning Department staff to include the eight-foot fence in the POD and asked Ms. Middleton to call him if she has future problems with tractor trailers turning around on her property. Mr. Silber confirmed for Mr. Schmitt and Mr. Branin that staff was aware of the truck traffic and trash concerns and has dealt with both issues. Mr. Schmitt commented on reasons for moving the case forward, including its compatibility with the County's comprehensive plan and the applicant's proffers providing for screening and buffering, new sidewalks on West Broad Street, parking lot lighting height limits, and a limit on construction and trash removal hours.

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

1. **Access Plan.** Development of the Property shall be in general conformance with the Access Plan attached hereto entitled "Access Plan" prepared by RK&K, dated January 14, 2020, (the "Access Plan"), (see case file) which Access Plan is conceptual in nature and may vary in detail, unless otherwise requested and specifically approved at the time of Plan of Development.
2. **Exterior Materials/Architecture.** The exposed portion of each exterior wall surface (front, rear and sides) of any building (excluding rooftop screening materials for mechanical equipment) shall be similar to the exposed portions of other exterior walls of such building in architectural style and materials. Any building shall have exposed exterior walls (above finished grade and exclusive of trim) of brick, brick veneer, glass, stone, stone veneer, or a combination of the foregoing, unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development. No building shall be covered with or have exposed to view any painted or unfinished concrete block, or industrial-grade metal, unless otherwise specifically approved at the time of Plan of Development.
3. **Buffer Area.** A six (6) foot tall solid vinyl fence shall be provided in the rear (north) within the transitional buffer.
4. **Parking Lot Lighting.** Parking lot lighting fixtures adjacent to West Broad Street shall not exceed twenty-three (23) feet in height, and shall not exceed twenty (20) feet in height elsewhere, as measured from the grade at the base of the lighting standard. Lighting shall be directed to minimize glare on public roads and adjacent properties; however, parking lot lighting shall be designed to provide lighting for pedestrians along West Broad Street in a manner approved at the time of lighting plan review.

Direct embedded light poles and standards shall be prohibited.

5. **Prohibited Uses.** The following uses shall be prohibited:
 - a. billiard, bagatelle, video game or a bingo parlor;
 - b. flea markets or antique auctions;
 - c. billboards;
 - d. recycling facilities;
 - e. funeral homes, mortuaries, crematories and/or undertaking establishments;
 - f. dance halls;
 - g. truck stops;
 - h. gun shop, sales and repair;
 - i. parking garages or commercial parking lots as a principal use;
 - j. sign painting shops;
 - k. free-standing communication towers;
 - l. car title loan operations;
 - m. adult businesses as defined by Section 24-3 of the Henrico County Code; and
 - n. establishments whose primary business is check cashing and/or the making of payday loans as defined and regulated by Sections 6.2-2100 et seq. and 6.2-1800 et seq. of the Code of Virginia (the foregoing shall not preclude banks, savings and loans or similar financial institutions that are not regulated by the foregoing Virginia Code sections).

6. **Refuse Containers/Trash Receptacles/Recycling Activities.** Dumpsters, trash receptacles, not including convenience cans, and recycling receptacles shall be screened from public view with masonry enclosures compatible with the architectural design of the building at ground level at the Property lines as approved at the time of Plan of Development. The gates and doors on the masonry refuse screens shall be of a substantial and durable material as determined at the time of Plan of Development. Support posts, gate frames, hinges and latches shall be of a sufficient size and strength to allow the gates to function without sagging or becoming a visual eyesore as determined at the time of Plan of Development.

7. **Mechanical Equipment.** Mechanical equipment shall be screened from public view at ground level at Property lines as approved at the time of Plan of Development.

8. **Underground Utilities.** All utility lines on the Property shall be underground, except for junction boxes, meters, gas meters, traffic control, irrigation backflow preventers, existing and/or relocated existing overhead utility lines and lines in wetland areas. Electrical junction boxes and meters shall be screened from public view at ground level at the perimeter of the tract with use of a wall, fencing, landscaping, or such other method as may be

approved at the time of Plan of Development and/or subdivision review.

9. **Hours of Trash Pickup; Parking Lot Cleaning.** Trash pickup from the Property shall be limited to the hours between 6:00 a.m. and 7:00 p.m. Monday through Friday and between 9:00 a.m. and 7:00 pm. on Saturday. There shall be no trash pickup on Sundays. Parking lot cleaning on the Property shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Saturday, exclusive of snow removal. There shall be no parking lot cleaning on Sundays, exclusive of snow removal.
10. **Hours of Construction.** The hours of exterior construction shall be between 7:00 a.m. and 7:00 p.m. Monday through Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours, utility connections and right-of-way improvements. Hours shall be posted in both English and Spanish until the roads are accepted by Henrico County for maintenance.
11. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.
12. **Sidewalk.** Subject to all applicable government approvals, a five (5) foot sidewalk for pedestrian access shall be constructed along the Property's West Broad Street frontage where not constrained by utilities and storm drainage.

The vote of the Board was as follows:

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

No: None

PUBLIC HEARING – OTHER ITEM

70-20 Resolution - POD2019-00557 - Approval of Plan of Development for Henrico Firehouse 20 - Brookland District.

Leslie News, Senior Principal Planner, narrated a slide presentation on this item. She briefly reviewed the site's location, zoning, features, proposed improvements, and building design and elevations as well as the project's timeline. In response to a question from Mrs. O'Bannon, Alec Oughton explained the numbering system for the County's fire stations. He confirmed for Mr. Branin that it will be called the Staples Mill Fire Station.

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

Mr. Schmitt thanked staff for making this site work for the fire station.

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

PUBLIC COMMENTS

Mary Morrissey, a resident of the Tuckahoe District and teacher with Henrico County Public Schools (HCPS), addressed the Board on behalf of veteran HCPS schoolteachers with more than 25 years of service. Ms. Morrissey voiced concern that HCPS' May 2019 salary compression adjustment failed to address disparities in salary scales for HCPS' veteran teachers. She presented information highlighting the negative impact of these disparities and asked for more transparency in the salary scales and for the Board's assistance in correcting the disparities. Joining Ms. Morrissey for her presentation were the following HCPS teachers: Michelle Anderson, Karen Dash, Sandra Hamilton, Kim Jackson, Merle James, Alisha Plummer, and Margaret Sharpe. At Mr. Vithoulkas' request, Assistant Finance Director Meaghan Coates explained the following three ways the County's proposed FY 2021 budget addresses the issue raised by the teachers: 1) all teachers will be eligible for a three percent merit-based raise, 2) \$3.1 million is being invested in career development for teachers, and 3) \$255,000 was added by Mr. Vithoulkas to the Superintendent of Schools' proposed budget to provide a step increase on top of the merit-based raise for 143 teachers who have between 20 and 30 years of service and who have been adversely affect by salary compression. She and Mr. Vithoulkas responded to questions from Mr. Nelson regarding these measures. Mr. Nelson pointed out that the Board does not usually get involved at this level in terms of salaries for school employees and although this is not an absolute fix the veteran teachers should know that they have been heard.

Rosa Jiggetts, a resident of the City of Richmond, requested that the Board designate Wednesday of each week as a day of kindness in Henrico County to help heal the community and discourage crime and bullying. Mr. Thornton noted he invited Ms. Jiggetts to this Board meeting to explain her request. Mr. Branin informed Ms. Jiggetts that the Board will write a proclamation and place it on the March 10 regular meeting agenda to present to her. He assured Ms. Jiggetts that the County will also use all its social media avenues in proclaiming every Wednesday as a day of kindness.

Arthur Garthright, a resident of the Fairfield District, expressed concerns regarding the condition of Woodland Cemetery and other private cemeteries in Henrico County. Mr. Garthright pointed out Arthur Ashe and other prominent African Americans are buried at Woodland. He asked if something can be done to get the private sector and volunteer organizations to take more interest in maintaining Henrico's private cemeteries. At Mr. Thornton's request, Mr. Vithoulkas informed Mr. Garthright of legislation that has just passed the Virginia General Assembly that will allow the County to cut weeds in private cemeteries. He also advised Mr. Garthright that he and the County department heads personally spent two days cleaning up Woodlawn, the Community Corrections Office has crews that are continuing to help maintain the property, and the Police Division is constantly monitoring the property. Mr. Vithoulkas agreed to look at the private cemetery in Mr. Garthright's neighborhood to see what can be done to improve its condition.

GENERAL AGENDA

- 71-20 Resolution - Receipt of Operating and Capital Budget Estimates for Fiscal Year 2020-21 and Notice of Public Hearings on the Budget and Proposed Tax Rates.

Justin Crawford, Management and Budget Division Director, narrated a slide presentation, which he advised was a quick introduction of the nearly 750-page budget document the Board would discuss in depth the following week. He pointed out the entire budget document is available on the County's website. Mr. Crawford began his presentation by reviewing general fund revenue and expenditure growth in the proposed general fund budget for Fiscal Year (FY) 2021. He noted over 86 percent of the total revenue growth in the proposed budget is tied to education and public safety. In reviewing budget priorities and highlights, Mr. Crawford further noted the FY 21 proposed budget provides funding for a three percent, merit-based salary increase for general government and school employees and \$3.1 million towards a career development program that will primarily benefit schoolteachers. It also continues the County's effort to be a pay leader for police officers, firefighters, and teachers. After touching on capital budget highlights, Mr. Crawford concluded his presentation by noting key dates in the County's FY21 budget calendar.

Mr. Thornton complimented Mr. Crawford and the Management and Budget Division staff for including a photograph in Mr. Crawford's budget introduction highlighting the interior of the new Fairfield Area Library, which he said shows panache and a certain quality.

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

- 72-20 Resolution - Authorizing and Providing for the Issuance and Sale of Not to Exceed Three Hundred Twenty-Five Million Dollars (\$325,000,000) Aggregate Principal Amount of Water and Sewer System Revenue Bonds, of the County of Henrico, Virginia, for the Purpose of Refunding One or More Outstanding Series of Water and Sewer System Revenue Bonds of the County.

Ned Smither, Director of Finance, responded to a comment 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.

- 73-20 Resolution - Award of Contract - Commonwealth's Attorney Office Renovation - Brookland District.

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

74-20 Resolution - SIA2020-00001 - Glover Park Expansion Site - Substantially in Accord with the 2026 Comprehensive Plan - Brookland District.

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

75-20 Resolution - Award of Contract - Berkeley Pointe Water Main Replacement - Tuckahoe District.

Chip England, Director of Public Utilities, 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.

ADDED BY UNANIMOUS CONSENT

Mr. Vithoukias recommended that the Board add two items to the general agenda by unanimous consent. Following a brief explanation of these items, Mr. Smither responded to questions from Mrs. O'Bannon and Mr. Schmitt.

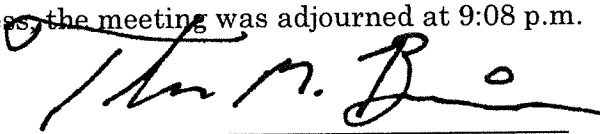
76-20 On motion of Mrs. O'Bannon, seconded by Mr. Schmitt, and by unanimous vote, the Board approved adding to the agenda an item numbered 76-20 and titled "Resolution – Authorizing and Providing for the Issuance and Sale of Not to Exceed One Hundred Thirteen Million Thirty-Five Thousand Dollars (\$113,035,000) Aggregate Principal Amount of County of Henrico, Virginia, General Obligation Public Improvement Bonds" – see attached resolution.

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

77-20 On motion of Mrs. O'Bannon, seconded by Mr. Schmitt, and by unanimous vote, the Board approved adding to the agenda an item numbered 77-20 and titled "Resolution – Authorizing and Providing for the Issuance, Sale and Delivery of Not to Exceed Seventeen Million Five Hundred Thousand Dollars (\$17,500,000) Principal Amount of County of Henrico, Virginia, General Obligation Public Improvement Refunding Bonds" – see attached resolution.

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

There being no further business, the meeting was adjourned at 9:08 p.m.



Chairman, Board of Supervisors
Henrico County, Virginia



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

Agenda Item No. *Cele-20*

Page No. 1 of 2

Agenda Title: RESOLUTION – Expressing Appreciation to Tim Foster

For Clerk's Use Only: Date: <u>3/10/2020</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>Nelson</u> Seconded by (1) <u>Thornton</u> (2) _____ (2) _____ REMARKS: <div style="font-size: 2em; font-weight: bold; text-align: center;">APPROVED</div>	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</td> </tr> <tr> <td>Branin, T.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Nelson, T.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Schmitt, D.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Thornton, F.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> </table>		YES	NO	OTHER	Branin, T.	✓	—	—	Nelson, T.	✓	—	—	O'Bannon, P.	✓	—	—	Schmitt, D.	✓	—	—	Thornton, F.	✓	—	—
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Branin, T.	✓	—	—																							
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O'Bannon, P.	✓	—	—																							
Schmitt, D.	✓	—	—																							
Thornton, F.	✓	—	—																							

WHEREAS, Timothy A. "Tim" Foster, a native of Damascus, Virginia, and a registered Professional Engineer, has enjoyed a successful and distinguished career in local government for more than 34 years and will retire on March 27, 2020; and

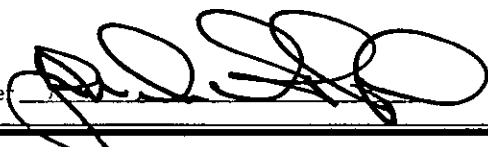
WHEREAS, Mr. Foster began his career in North Carolina as a traffic engineer with the City of Charlotte and transportation engineer with Mecklenburg County after earning a Bachelor of Science in Civil Engineering from Virginia Polytechnic Institute and State University; and

WHEREAS, Mr. Foster joined the County of Henrico in April 1989 as Assistant Traffic Engineer and was promoted to Traffic Engineer in August 1995, Assistant Director of Public Works in September 2006, and Director of Public Works in March 2009; and

WHEREAS, since January 2012, Mr. Foster has held the position of Deputy County Manager for Community Operations and overseen the responsibilities of the Departments of Public Utilities, Public Works, and Real Property as well as the Division of Recreation and Parks and the Henrico County office of Virginia Cooperative Extension; and

WHEREAS, during his nearly 31 years with the County, Mr. Foster has managed numerous County road projects and played an integral role in advancing the County's infrastructure; and

WHEREAS, major local and regional projects Mr. Foster has helped shepherd while working in the County Manager's Office include, among many others, the Cobbs Creek Reservoir; the Montezuma Village Sanitary District; Bus Rapid Transit; the 2014 CSX Train Derailment and Oil Spill; the Virginia Capital Trail; Visit Henrico; the 2015 UCI Road World Championships; the Dominion Energy Charity Classic (PGA Tour Champions event); Short Pump, Glover, and Tuckahoe Creek Parks; the Indoor Sports and Convocation Center; and Belmont Golf Course; and

By Agency Head _____ By County Manager 

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 Clerk, Board of Supervisors

Date: _____

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

Agenda Item No. *666-20*
Page No. 2 of 2

Agenda Title: RESOLUTION – Expressing Appreciation to Tim Foster

WHEREAS, Mr. Foster has held every office within the Virginia Section of the Institute of Transportation Engineers, including president; received the section's *Distinguished Service Award*; and is a member of the American Public Works Association, Henricus Foundation Board of Trustees, and National Association of Counties Public Lands Steering Committee; and

WHEREAS, Mr. Foster is highly respected by his fellow employees and the Henrico community for his experience, knowledge, professionalism, integrity, dedication, and technical expertise and has unfailingly demonstrated patience, warmth, sincerity, and grace while representing the County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia, hereby expresses its heartfelt appreciation to Tim Foster for his superior service, skilled leadership, and substantial contributions and offers him very best wishes in his retirement.

BE IT FURTHER RESOLVED that this resolution shall be spread among the minutes of this meeting and a copy publicly presented to Mr. Foster as a token of the Board's deepest gratitude.

Resolution



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

Expressing Appreciation to Tim Foster

WHEREAS, Timothy A. “Tim” Foster, a native of Damascus, Virginia, and a registered Professional Engineer, has enjoyed a successful and distinguished career in local government for more than 34 years and will retire on March 27, 2020; and

WHEREAS, Mr. Foster began his career in North Carolina as a traffic engineer with the City of Charlotte and transportation engineer with Mecklenburg County after earning a Bachelor of Science in Civil Engineering from Virginia Polytechnic Institute and State University; and

WHEREAS, Mr. Foster joined the County of Henrico in April 1989 as Assistant Traffic Engineer and was promoted to Traffic Engineer in August 1995, Assistant Director of Public Works in September 2006, and Director of Public Works in March 2009; and

WHEREAS, since January 2012, Mr. Foster has held the position of Deputy County Manager for Community Operations and overseen the responsibilities of the Departments of Public Utilities, Public Works, and Real Property as well as the Division of Recreation and Parks and the Henrico County office of Virginia Cooperative Extension; and

WHEREAS, during his nearly 31 years with the County, Mr. Foster has managed numerous County road projects and played an integral role in advancing the County’s infrastructure; and

WHEREAS, major local and regional projects Mr. Foster has helped shepherd while working in the County Manager’s Office include, among many others, the Cobbs Creek Reservoir; the Montezuma Village Sanitary District; Bus Rapid Transit; the 2014 CSX Train Derailment and Oil Spill; the Virginia Capital Trail; Visit Henrico; the 2015 UCI Road World Championships; the Dominion Energy Charity Classic (PGA Tour Champions event); Short Pump, Glover, and Tuckahoe Creek Parks; the Indoor Sports and Convocation Center; and Belmont Golf Course; and

WHEREAS, Mr. Foster has held every office within the Virginia Section of the Institute of Transportation Engineers, including president; received the section’s *Distinguished Service Award*; and is a member of the American Public Works Association, Henricus Foundation Board of Trustees, and National Association of Counties Public Lands Steering Committee; and

WHEREAS, Mr. Foster is highly respected by his fellow employees and the Henrico community for his experience, knowledge, professionalism, integrity, dedication, and technical expertise and has unfailingly demonstrated patience, warmth, sincerity, and grace while representing the County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia, hereby expresses its heartfelt appreciation to Tim Foster for his superior service, skilled leadership, and substantial contributions and offers him very best wishes in his retirement.

BE IT FURTHER RESOLVED that this resolution shall be spread among the minutes of this meeting and a copy publicly presented to Mr. Foster as a token of the Board’s deepest gratitude.



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

Agenda Item No. 67-20

Page No. 1 of 1

Agenda Title: RESOLUTION – Appointment of Member – Board of Real Estate Review and Equalization

<p>For Clerk's Use Only:</p> <p>Date: <u>3/10/2020</u></p> <p><input checked="" type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Amended</p> <p><input type="checkbox"/> Deferred to:</p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Schmitt</u></p> <p>(2) _____ (2) _____</p> <p>REMARKS: <u>APPROVED</u></p>	<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 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 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 the following person to the Board of Real Estate Review and Equalization for a term expiring December 31, 2020, or thereafter, when his successor shall have been appointed and qualified:

Brookland District

Joseph P. Marchetti, Jr.

By Agency Head _____ By County Manager [Signature]

Routing:
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Copy to: _____

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

Date: _____



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

Agenda Item No. 7020
Page No. 1 of 4

Agenda Title: **RESOLUTION — POD2019-00557 — Approval of Plan of Development for Henrico Firehouse 20 — Brookland District**

For Clerk's Use Only: Date: <u>3/10/2020</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>Schmitt</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____ REMARKS: <div style="font-size: 2em; font-weight: bold; text-align: center;">APPROVED</div>	<table border="0"> <tr> <td></td> <td align="center">YES</td> <td align="center">NO</td> <td align="center">OTHER</td> </tr> <tr> <td>Branin, T.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Nelson, T.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Schmitt, D.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Thornton, F.</td> <td align="center">—</td> <td align="center">—</td> <td align="center">—</td> </tr> </table>		YES	NO	OTHER	Branin, T.	✓	—	—	Nelson, T.	✓	—	—	O'Bannon, P.	✓	—	—	Schmitt, D.	✓	—	—	Thornton, F.	—	—	—
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Nelson, T.	✓	—	—																							
O'Bannon, P.	✓	—	—																							
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Thornton, F.	—	—	—																							

WHEREAS, Sections 24-11(b) and 24-106 of the Henrico County Code require the submission of applications for plans of development for public facilities to the Board of Supervisors; and,

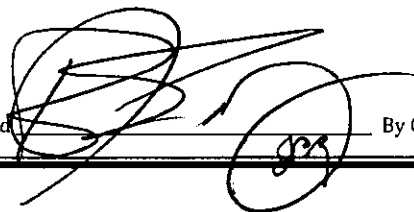

WHEREAS, an application has been submitted for approval of POD2019-00557, a plan of development to construct Firehouse 20, a new, one-story, 13,859 square foot firehouse with a mezzanine, and related site improvements; and,

WHEREAS, the 9.34-acre site is located at the terminus of Willis Road, approximately 370 feet west of Staples Mill Road and east of Dixon Powers Drive, in the Western Henrico County Government Complex, on Parcels 770-753-2483, 770-753-4184, and 770-754-3425; is zoned R-3, One-Family Residential District and O-2, Office District; and is located in the Brookland District; and,

WHEREAS, the County Administration, including the Department of General Services, the Department of Planning, the Department of Public Works, the Department of Public Utilities, the Division of Fire, the Division of Police, the Office of Building Construction and Inspections, and the Virginia Department of Transportation have reviewed the application and the Administration recommends approval, subject to the staff recommendations, the staff plan dated March 10, 2020, and the 31 conditions listed below; and,

WHEREAS, on March 10, 2020, the Board of Supervisors held a public hearing to receive comments on the application for approval.

NOW, THEREFORE, BE IT RESOLVED that the Henrico County Board of Supervisors hereby approves the application, subject to the following conditions:

By Agency Head:  By County Manager: 

Routing: Yellow to: _____ Certified: _____ A Copy Teste: _____ Clerk, Board of Supervisors

Copy to: _____ Date: _____

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 70-20

Page No. 2 of 4

Agenda Title: **RESOLUTION — POD2019-00557 — Approval of Plan of Development for Henrico Firehouse 20 — Brookland District**

1. The Director of Public Utilities shall approve the construction plans for public water and sewer prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least 24 hours prior to the start of any County water or sewer construction.
2. The parking lot shall be subject to the requirements of Section 24-98 of the Henrico County Code.
3. The parking spaces shall be marked on the pavement surface with four-inch wide white painted traffic lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall be yellow.
4. Sufficient, effective usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
5. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
6. The plan of development shall be revised as annotated on the staff plan dated March 10, 2020, which shall be as much a part of this approval as if its details were fully described herein. Nine (9) sets of revised plans, including the detailed drainage, erosion control and utility plans shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning that all comments have been addressed, a minimum of fourteen (14) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plan shall be attached to the building permit application.
7. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
8. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
9. All ground cover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season.
10. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams and fixture specifications and mounting height details shall be submitted for Department of Planning review and approval.
11. All exterior lighting shall be designed and arranged to direct the light and glare away from nearby residential property and streets.
12. The site including the parking areas shall be kept clean of litter and debris on a daily basis. Trash container units/litter receptacles and recycling containers shall be maintained with scheduled regular pickups and shall be screened properly on all four sides. The gate(s) shall remain closed except when the receptacle(s) are being filled or serviced and shall be repaired or replaced as necessary. Details shall be included with the final site plan or required landscape plan review and approval.
13. Required fire lanes shall be marked and maintained in accordance with the Virginia Statewide Fire Prevention Code.
14. Traffic control signs shall be provided as indicated on the Planning staff plan. All signs shall be fabricated as shown in The National Manual on Uniform Traffic Control Devices for Streets and Highways and The Virginia Supplement to The Manual on Uniform Traffic Control Devices for Streets and Highways.
15. The assigned property number shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 501-4284. The Planning Department must assign all property addresses.

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 7020

Page No. 3 of 4

Agenda Title: **RESOLUTION — POD2019-00557 — Approval of Plan of Development for Henrico Firehouse 20 — Brookland District**

16. The contractor shall have a set of plans approved by the Director of Public Works, Director of Public Utilities and the County Manager available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County inspectors.
17. The property shall be developed generally as shown on the plan filed with the case and no major changes or additions to the layout shall be made without the approval of the Board of Supervisors.
18. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the engineer or land surveyor who prepared the POD plan shall furnish a statement to the effect that all construction, including water and sewer, is in conformance with the regulations and requirements of the POD.
19. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
20. Insurance Service Offices (ISO) calculations should be included on the final construction plans for approval by the Department of Public Utilities prior to issuance of a building permit.
21. Any necessary offsite drainage easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans by the Department of Public Works.
22. Deviations from County standards for pavement, curb, or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
23. Vehicles shall be parked only in approved and constructed parking spaces.
24. The construction shall be properly coordinated to ensure that safe access, circulation and adequate parking is provided for the facility. A plan to indicate the phasing of improvements and the handling of traffic (construction and employees) shall be submitted to the Department of Planning prior to the issuance of a building permit.
25. The entrances and drainage facilities on Staples Mill Road shall be approved by the Virginia Department of Transportation and the County.
26. A notice of completion form, certifying that the requirements of the Virginia Department of Transportation entrances permit have been completed, shall be submitted to the Department of Planning prior to any occupancy permits being issued.
27. A concrete sidewalk meeting County standards shall be provided along the southern line of Willis Road.
28. Details for the gate and locking device at the Dixon Powers Drive entrance road shall be submitted for review by the Traffic Engineer, Police and approved by the County Fire Marshal. The owner or owner's contractor shall contact the County Fire Marshal prior to completion of the installation to test and inspect the operations of the gates. Evidence of the Fire Marshal's approval shall be provided to the Department of Planning by the owner prior to issuance of occupancy permits.
29. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
30. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Virginia Department of Transportation maintained right-of-way. The elevations will be set by the contractor and approved by the Virginia Department of Transportation.
31. The vacation of the approximate 90-foot section of Willis Road at its western terminus, as shown on the plan of development, must be completed prior to issuance of the final certificate of occupancy.

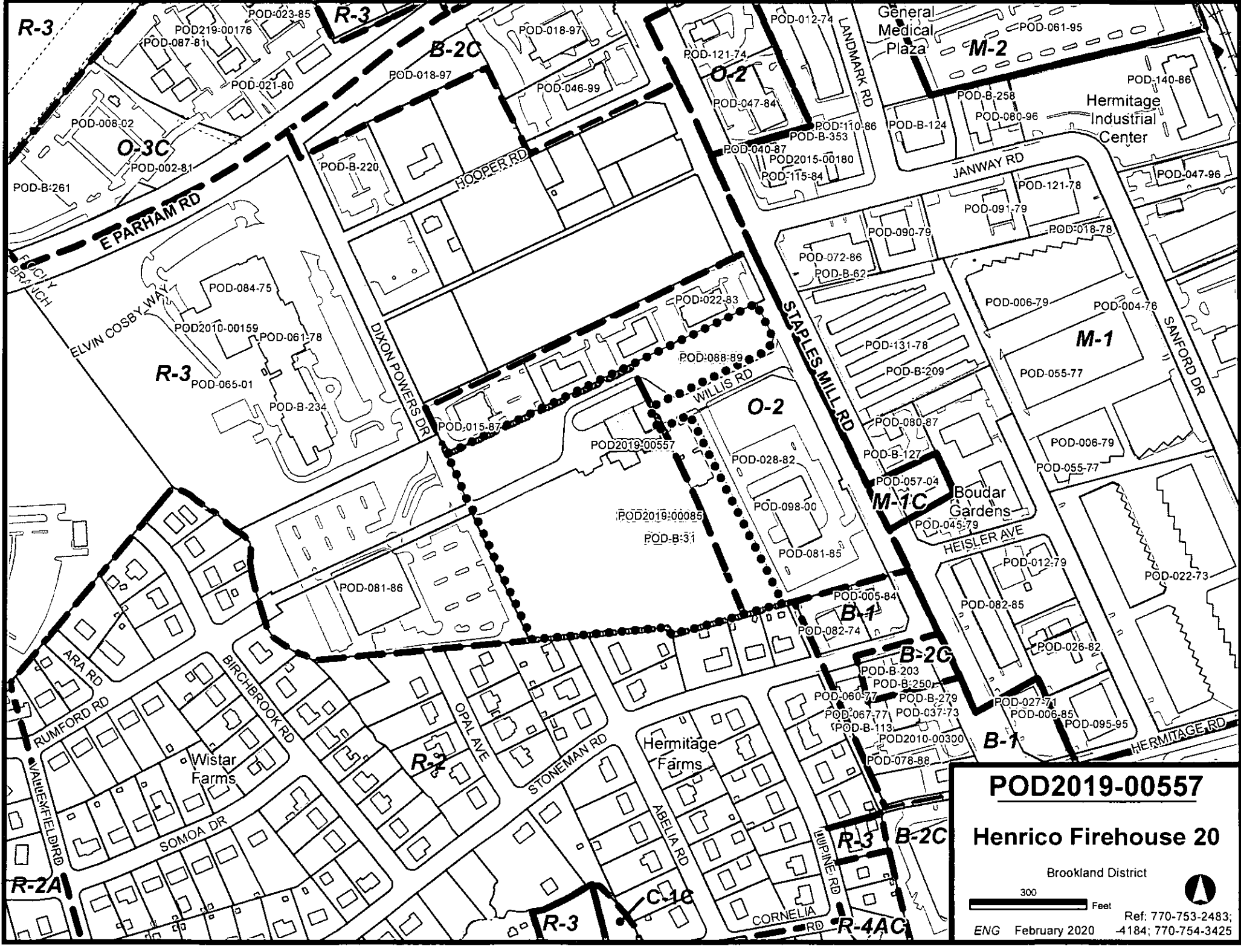
**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 70-20

Page No. 4 of 4

Agenda Title: **RESOLUTION — POD2019-00557 — Approval of Plan of Development for
Henrico Firehouse 20 — Brookland District**

COMMENTS: The Director of Planning has reviewed the plans submitted by Timmons Group and BKV Group and recommends approval of the plan of development; the County Manager concurs.



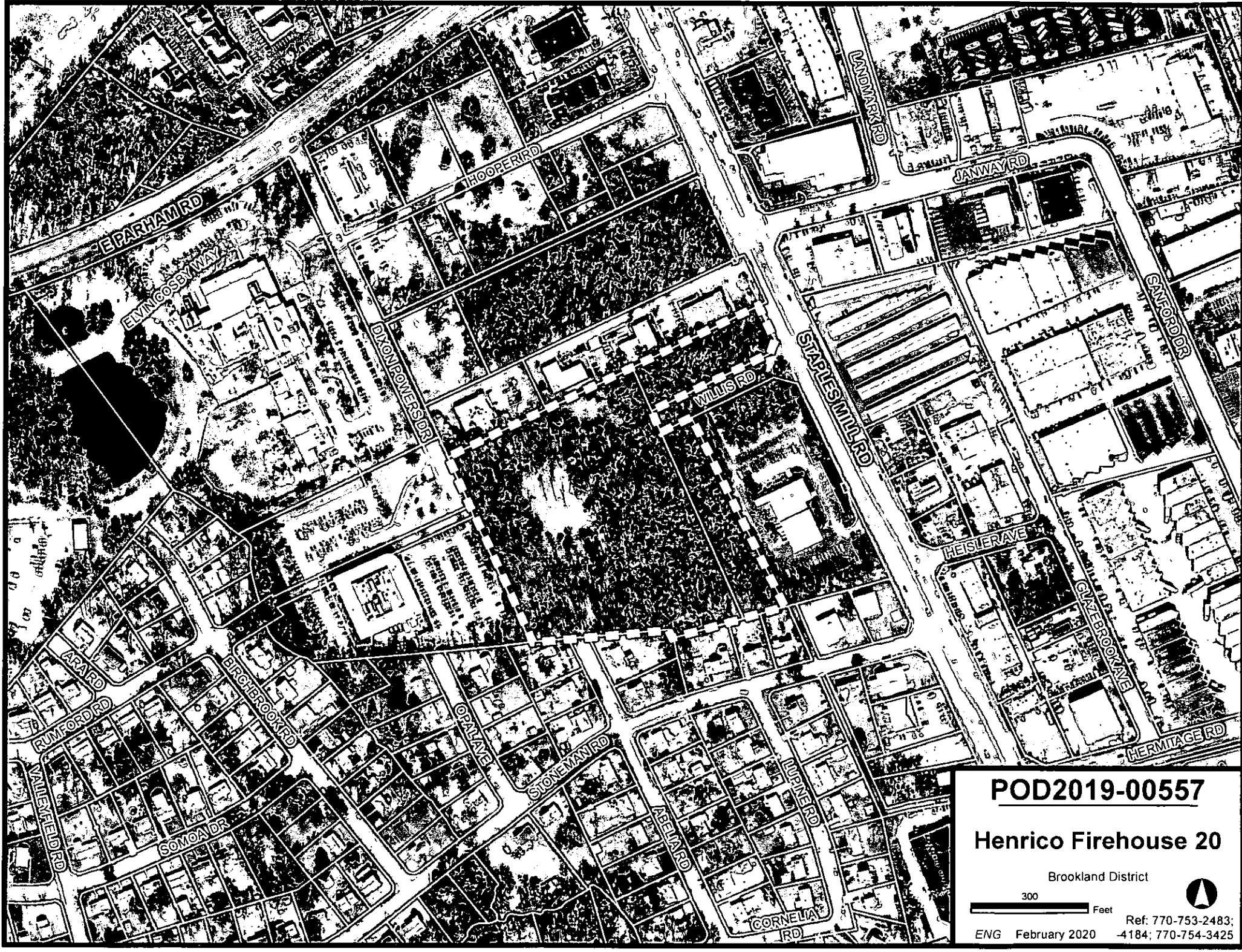
POD2019-00557

Henrico Firehouse 20

Brookland District

300 Feet

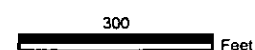
Ref: 770-753-2483;
ENG February 2020 4184; 770-754-3425



POD2019-00557

Henrico Firehouse 20

Brookland District



ENG February 2020 Ref: 770-753-2483; 4184; 770-754-3425



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

Agenda Item No. 71-20
Page No. 1 of 2

Agenda Title **RESOLUTION – Receipt of Operating and Capital Budget Estimates for Fiscal Year 2020-21 and Notice of Public Hearings on the Budget and Proposed Tax Rates**

<p>For Clerk's Use Only:</p> <p>Date <u>3/10/2020</u></p> <p><input checked="" type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Amended</p> <p><input type="checkbox"/> Deferred to</p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>Nelson</u> Seconded by (1) <u>Shaw</u></p> <p>(2) _____ (2) _____</p> <p>REMARKS: APPROVED</p>	<table border="0"> <tr> <td></td> <td align="center">YES NO OTHER</td> </tr> <tr> <td>Branin, T.</td> <td align="center">✓ _____</td> </tr> <tr> <td>Nelson, T.</td> <td align="center">✓ _____</td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center">✓ _____</td> </tr> <tr> <td>Schmitt, D.</td> <td align="center">✓ _____</td> </tr> <tr> <td>Thornton, F.</td> <td align="center">✓ _____</td> </tr> </table>		YES NO OTHER	Branin, T.	✓ _____	Nelson, T.	✓ _____	O'Bannon, P.	✓ _____	Schmitt, D.	✓ _____	Thornton, F.	✓ _____
	YES NO OTHER													
Branin, T.	✓ _____													
Nelson, T.	✓ _____													
O'Bannon, P.	✓ _____													
Schmitt, D.	✓ _____													
Thornton, F.	✓ _____													

WHEREAS, the County Manager has assembled his estimates of the resources and expenditures anticipated to be available or required during fiscal year 2020-21 for the operating and capital budgets from requests received from all County offices, divisions, boards, and departments, including the Department of Education; and,

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

WHEREAS, the Board desires to advertise proposed tax rates and levies for calendar year 2020 and hold a public hearing thereon.

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

- (1) The Board hereby receives the County Manager's estimates of resources and expenditures anticipated to be available or required during fiscal year 2020-21 for the operating and capital budgets.
- (2) The Board hereby directs its Clerk to advertise on or before Sunday, March 29, 2020, in at least one newspaper of general circulation in the County:
 - (a) A synopsis of the operating and capital budgets and a public hearing thereon to be held on Tuesday, April 14, 2020, at 6:00 p.m., in the Board Room at the Government Center, Hungary Spring and East Parham Roads, Henrico County, Virginia; and,
 - (b) Proposed tax rates and levies for calendar year 2020 and a public hearing thereon to be held on Tuesday, April 28, 2020, at 7:00 p.m., in the Board Room at the Government Center, Hungary Spring and East Parham Roads, Henrico County, Virginia.

By Agency Head 

By County Manager 

Routing:
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Copy to: _____

Certified:
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Clerk, Board of Supervisors
Date: _____

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

Agenda Item No.

Page No. 2 of 2

Agenda Title **RESOLUTION – Receipt of Operating and Capital Budget Estimates for Fiscal Year 2020-21 and Notice of Public Hearings on the Budget and Proposed Tax Rates**

- (3) The Board hereby directs its Clerk to post on or before Sunday, March 29, 2020, in a prominent public location at which notices are regularly posted at both the Eastern and Western Government Centers:
- (a) A synopsis of the operating and capital budgets and notice of a public hearing thereon to be held on Tuesday, April 14, 2020, at 6:00 p.m., in the Board Room at the Government Center, Hungary Spring and East Parham Roads, Henrico County, Virginia; and,
 - (b) A notice of proposed tax rates and levies for calendar year 2020 and a public hearing thereon to be held on Tuesday, April 28, 2020, at 7:00 p.m., in the Board Room at the Government Center, Hungary Spring and East Parham Roads, Henrico County, Virginia.

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

**COUNTY OF HENRICO, VIRGINIA,
SUPPLEMENTAL RESOLUTION**

RESOLUTION-Authorizing and Providing for the Issuance and Sale of Not to Exceed Three Hundred Twenty-Five Million Dollars (\$325,000,000) Aggregate Principal Amount of Water and Sewer System Revenue Bonds, of the County of Henrico, Virginia, for the Purpose of Refunding One or More Outstanding Series of Water and Sewer System Revenue Bonds of the County

ADOPTED MARCH 10, 2020

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**COUNTY OF HENRICO, VIRGINIA,
SUPPLEMENTAL RESOLUTION**

RESOLUTION-Authorizing and Providing for the Issuance and Sale of Not to Exceed Three Hundred Twenty-Five Million Dollars (\$325,000,000) Aggregate Principal Amount of Water and Sewer System Revenue Bonds, of the County of Henrico, Virginia, for the Purpose of Refunding One or More Outstanding Series of Water and Sewer System Revenue Bonds of the County

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

SECTION 1. Definitions.

(a) Unless the context shall clearly indicate some other meaning, all the words and terms used in this Supplemental Resolution which are defined in the Resolution, entitled "A RESOLUTION AUTHORIZING THE ISSUANCE OF TWELVE MILLION EIGHT HUNDRED SEVENTY THOUSAND DOLLARS (\$12,870,000) BONDS OF HENRICO COUNTY, VIRGINIA, FOR THE PURPOSE OF REFUNDING IN ADVANCE OF MATURITY WATER AND SEWER SYSTEM REVENUE BONDS, SERIES OF 1975, OF HENRICO COUNTY, VIRGINIA, HERETOFORE ISSUED FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, RECONSTRUCTING, IMPROVING, EXTENDING AND ENLARGING A UNIFIED WATER SUPPLY AND SANITARY SEWERAGE SYSTEM IN HENRICO COUNTY; PRESCRIBING THE FORM AND DETAILS OF THE BONDS AUTHORIZED HEREBY; COVENANTING AS TO THE ESTABLISHMENT, MAINTENANCE, REVISION AND COLLECTION OF RATES AND CHARGES FOR THE SERVICES, FACILITIES AND COMMODITIES OF SAID SYSTEM AND THE COLLECTION AND DISBURSEMENT OF THE REVENUES DERIVED THEREFROM; PLEDGING SAID REVENUES TO THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THE SAME BECOME DUE AND LIMITING THE PAYMENT OF SAID BONDS SOLELY TO SAID REVENUES; SETTING FORTH THE LIMITATIONS ON THE ISSUANCE OF ADDITIONAL BONDS PAYABLE FROM SAID REVENUES; AND MAKING OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE FOREGOING", adopted by the Board on November 23, 1977, and amended by resolutions adopted by the Board on January 13, 1999, February 9, 1999, and March 13, 2018 (such Resolution, as amended and supplemented is referred to herein as the "Original Resolution" and as further amended and supplemented hereby and by any Supplemental Resolutions hereafter adopted shall be referred to herein as the "Resolution"), shall for all purposes of this Supplemental Resolution have the respective meanings given to them in the Resolution.

(b) Unless the context shall clearly indicate some other meaning, the following terms shall, for all purposes of the Resolution and of any certificate, resolution or other

instrument amendatory thereof or supplemental thereto (including for all purposes of this Supplemental Resolution) and for all purposes of any opinion or instrument or other document therein mentioned, have the following meanings, with the following definitions to be equally applicable to both the singular and plural forms of such terms:

“Bonds” shall mean the Bonds authorized by this Supplemental Resolution and issued under the Resolution and this Supplemental Resolution at any time Outstanding, which Bonds shall have the series designation determined by the County Manager or any Deputy County Manager or the Director of Finance in accordance with the provisions of Section 2(a) hereof.

“Escrow Deposit Agreement” shall mean one or more escrow deposit agreements by and between the County and the Escrow Agent referred to in Section 10 hereof.

“1986 Code” shall mean the Internal Revenue Code of 1986 and the regulations promulgated by the United States Department of the Treasury thereunder from time to time.

“Official Statement” shall mean one or more Official Statements of the County relating to the Bonds.

“Preliminary Official Statement” shall mean one or more Preliminary Official Statements of the County relating to the Bonds.

“Refunded Bonds” shall mean all or a portion of the outstanding County of Henrico, Virginia, Water and Sewer System Revenue Bonds, the refunding of which shall be recommended by the County’s Financial Advisor and approved by the County’s Director of Finance and meeting the debt service savings requirement set forth in Section 9 hereof.

“Supplemental Resolution” shall mean this Supplemental Resolution.

Unless the context shall clearly indicate otherwise or otherwise require, (i) all references in this Supplemental Resolution to the Resolution (without specifying in such references any particular section of the Resolution) shall be to the Resolution as amended and supplemented, (ii) all references by number in this Supplemental Resolution to a particular section of the Resolution shall be to the section of that number of the Resolution, and if such section shall have been amended or supplemented, to such section as so amended and supplemented and (iii) all references by number in this Supplemental Resolution to a particular section of this Supplemental Resolution shall be only to the section of that number of this Supplemental Resolution.

Whenever used in this Supplemental Resolution, the words “herein”, “hereinbefore”, “hereinafter”, “hereof”, “hereunder” and other words of similar import, refer to this Supplemental Resolution only and to this Supplemental Resolution as a whole and not to any particular article, section or subdivision hereof, and the words “therein”, “thereinbefore”, “thereof”, “thereunder” and other words of similar import, refer to the Resolution as a whole and not to any particular article, section or subdivision thereof.

SECTION 2. Authorization of Issuance of Bonds.

(a) For the purpose of refunding the Refunded Bonds, there are hereby authorized to be issued, and shall be issued, under and secured by the Resolution, including this Supplemental Resolution, one or more series of Bonds to be issued from time to time in an aggregate principal amount not to exceed \$325,000,00, to be designated as "County of Henrico, Virginia, Water and Sewer System Revenue Bonds". The Bonds shall have such series designation as shall be determined by the County Manager or any Deputy County Manager or the Director of Finance (each an "Authorized Officer").

(b) (i) The Bonds shall be dated as of their date of issue, shall be issued in fully registered form, shall be in the denomination of \$5,000 or any integral multiple thereof, shall be numbered or lettered, or both, as shall be determined by the Paying Agent and Registrar for the Bonds, which numbers or letters shall have the letter "R" prefixed thereto, and shall mature and become due and payable on May 1 in each of the years and in the principal amounts to be determined by an Authorized Officer, and shall bear interest from the date thereof payable on such first interest payment date as shall be determined by an Authorized Officer (which first interest payment date shall be either a May 1 or a November 1), and semiannually on each May 1 and November 1 thereafter, at the rates per annum to be determined by an Authorized Officer.

(ii) The Bonds, if any, in term form, as determined by an Authorized Officer (the "Term Bonds") shall be retired by sinking fund installments which shall be accumulated in the Sinking Fund Account in the Revenue Fund in amounts, in addition to the amounts required to be deposited therein for the Outstanding Bonds, sufficient to redeem on May 1 of each year, at a redemption price equal to the principal amount of the Bond or Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption, the principal amount of such Bonds as determined by an Authorized Officer.

SECTION 3. Book-Entry Only System; Appointment of Principal Paying Agent and Registrar; Payment of Bonds; Books of Registry; Exchanges and Transfers of Bonds.

(a) (i) The Bonds shall be issued, upon initial issuance, in fully registered form and registered in the name of Cede & Co., a nominee of the Depository Trust Company, New York, New York ("DTC"), as registered owner of the Bonds, and immobilized in the custody of DTC. One fully registered Bond for the principal amount of each maturity shall be registered to Cede & Co. Beneficial owners of Bonds shall not receive physical delivery of Bonds. Individual purchases of Bonds may be made in book-entry form only in principal amounts of \$5,000 and integral multiples thereof. While registered in the name of Cede & Co., principal and interest payments on the Bonds shall be made by wire transfer to DTC or its nominee as registered owner of such Bonds on the applicable payment date, notwithstanding the provisions of Section 3(d) hereof.

(ii) Transfers of principal and interest payments to the participants of DTC, which include securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations (the "Participants") shall be the responsibility of DTC. Transfers of principal and interest payments to beneficial owners of the Bonds by the Participants is the responsibility of the Participants and other nominees of such beneficial owners. The Paying

Agent and Registrar, hereinafter referred to, shall notify DTC of any notice required to be given pursuant to the Resolution, as supplemented by this Supplemental Resolution, not less than fifteen (15) calendar days prior to the date upon which such notice is required to be given; *provided* that the failure to provide such notice to DTC shall not invalidate any action taken or notice given by the Paying Agent and Registrar hereunder.

(iii) Transfers of ownership interests in the Bonds shall be made by DTC and its Participants, acting as nominees of the beneficial owners of the Bonds, in accordance with rules specified by DTC and its Participants. The County makes no assurances that DTC, its Participants or other nominees of the beneficial owners of the Bonds shall act in accordance with such rules or on a timely basis.

(b) Replacement Bonds (the "Replacement Bonds") shall be issued directly to beneficial owners of Bonds rather than to DTC, or its nominee, but only in the event that:

(i) DTC determines not to continue to act as securities depository for the Bonds; or,

(ii) the County has advised DTC of its determination that DTC is incapable of discharging its duties; or,

(iii) the County has determined that it is in the best interest of the beneficial owners of the Bonds not to continue the book-entry system of transfer.

Upon occurrence of the events described in clause (i) or (ii) above the County shall attempt to locate another qualified securities depository. If the County fails to locate another qualified securities depository to replace DTC, the County shall execute and deliver Replacement Bonds substantially in the form set forth in Section 8 hereof to the Participants. In the event the County makes the determination noted in clause (iii) above (the County undertakes no obligation to make any investigation to determine the occurrence of any events that would permit the County to make any such determination) and has made provisions to notify the beneficial owners of Bonds by mailing an appropriate notice to DTC, the County shall execute and deliver Replacement Bonds substantially in the form set forth in Section 8 hereof to any Participants making a request for such Replacement Bonds. The County shall be entitled to rely on the records provided by DTC as to the Participants entitled to receive Replacement Bonds. Principal of and interest on the Replacement Bonds shall be payable as provided in subsection (d) of this Section 3 hereof, and such Replacement Bonds will be transferable and exchangeable in accordance with subsection (e) of this Section 3.

(c) Appointment of Principal Paying Agent and Registrar. Any Authorized Officer is hereby authorized to appoint a Paying Agent and Registrar for the Bonds (herein referred to as the "Paying Agent" or "Principal Paying Agent" or "Registrar" or "Paying Agent and Registrar").

(d) Payment of Bonds. (i) The interest on the Bonds shall be payable by check, draft or wire transfer mailed by the Paying Agent and Registrar to the registered owners of the Bonds at their addresses as the same appear on the books of registry as of the fifteenth (15th) day of the calendar month next preceding each interest payment date.

(ii) The principal of the Bonds shall be payable at the designated corporate trust office of the Paying Agent and Registrar.

(iii) The principal of and interest on the Bonds shall be payable in such coin or currency of the United States of America as at the respective dates of payment is legal tender for public and private debts.

(e) Books of Registry; Exchanges and Transfers of Bonds. (i) At all times during which any Bond remains Outstanding and unpaid, the Paying Agent and Registrar shall keep or cause to be kept at its designated corporate trust office, books of registry for the registration, exchange and transfer of the Bonds. Upon presentation at the office of the Paying Agent and Registrar for such purpose, the Paying Agent and Registrar, under such reasonable regulations as it may prescribe, shall register, exchange or transfer, or cause to be registered, exchanged or transferred, on the books of registry the Bonds as herein set forth.

(ii) Any Bond may be exchanged at the office of the Paying Agent and Registrar for a like aggregate principal amount of such Bonds in other authorized principal amounts of the same interest rate and maturity.

(iii) Any Bond may, in accordance with its terms, be transferred upon the books of registry by the registered owner thereof, in person or by the duly authorized agent of such registered owner, upon surrender of such Bond to the Paying Agent and Registrar for cancellation, accompanied by a written instrument of transfer duly executed by the registered owner thereof or the duly authorized agent of such registered owner, in form satisfactory to the Paying Agent and Registrar.

(iv) All transfers or exchanges pursuant to this Section 3(e) shall be made without expense to the registered owner of such Bonds, except as otherwise herein provided, and except that the Paying Agent and Registrar shall require the payment by the registered owner of the Bond requesting such transfer or exchange of any tax or other governmental charges required to be paid with respect to such transfer or exchange. All Bonds surrendered pursuant to this Section 3(e) shall be cancelled.

SECTION 4. Redemption of Bonds.

(a) Optional Redemption. The Bonds shall be subject to redemption as determined by an Authorized Officer at the time of sale, subject to Section 9 hereof.

(b) Mandatory Sinking Fund Redemption. The Bonds, if any, in term form shall also be subject to mandatory sinking fund redemption as determined by an Authorized Officer at the time of sale.

(c) Partial Redemption. In the event less than all of the Bonds of a particular maturity are called for redemption, the particular Bonds of such maturity or portion thereof in installments of \$5,000 to be redeemed shall be selected by lot or by such other means in accordance with DTC procedures as shall be directed by an Authorized Officer.

(d) Notice of Redemption. Notice of any such redemption shall be mailed not less than thirty (30) days and not more than forty-five (45) days prior to the date fixed for redemption by first class mail, postage prepaid, to the registered owner of the Bonds to be redeemed at such address as it appears on the books of registry kept by the Paying Agent and Registrar for the Bonds as of the close of business on the forty-fifth (45th) day preceding the date fixed for redemption. Such notice shall specify the date, numbers and maturities of the Bonds to be redeemed, the date and place fixed for their redemption, and if less than the entire principal amount of any Bond is to be redeemed, that such Bond must be surrendered in exchange for the principal amount thereof to be redeemed and the issuance of a new Bond equalling in principal amount that portion of the principal amount thereof not redeemed, and shall also state that upon the date fixed for redemption there shall become due and payable upon each Bond called for redemption the principal amount thereof, together with the interest accrued thereon to the date fixed for redemption, and that from and after such date interest thereon shall cease to accrue.

(e) Effect of Redemption. When notice of redemption of any Bonds shall have been given as hereinabove set forth, such Bonds shall become due and payable on the date so specified for their redemption at a price equal to the principal amount thereof, together with the interest accrued thereon to such date. Whenever payment of such redemption price shall have been duly made or provided for, interest on the Bonds so called for redemption shall cease to accrue from and after the date so specified for their redemption. All redeemed Bonds shall be cancelled and not reissued.

SECTION 5. Execution and Authentication of Bonds: CUSIP Identification Numbers.

(a) Execution of Bonds. The Bonds shall be executed in the name of the County by the manual or facsimile signatures of the Chairman and the Clerk of the Board, and the seal of the County shall be impressed, or a facsimile thereof printed, on the Bonds.

(b) Authentication of Bonds. The County Manager or any Deputy County Manager and the Director of Finance shall direct the Paying Agent and Registrar to authenticate the Bonds and no Bond shall be valid or obligatory for any purpose unless and until the certificate of authentication endorsed on such Bond shall have been manually executed by an authorized signator of the Paying Agent and Registrar. Upon the authentication of any Bond, the Paying Agent and Registrar shall insert in the certificate of authentication the date as of which such Bond is authenticated. The execution and authentication of the Bonds in the manner above set forth is adopted as a due and sufficient authentication of the Bonds.

(c) CUSIP Identification Numbers. CUSIP identification numbers may be printed on the Bonds, but neither the failure to print any such number on any Bonds, nor any error or omission with respect thereto, shall constitute cause for failure or refusal by the successful bidder for the Bonds to accept delivery of and pay for the Bonds in accordance with the terms of its proposal to purchase the Bonds. No such number shall constitute or be deemed to be a part of any Bond or a part of the contract evidenced thereby and no liability shall attach to the County or any of its officers or agents because of or on account of any such number or any use made thereof.

SECTION 6. Covenant as to Compliance with 1986 Code. The County hereby covenants to comply with the provisions of Sections 103 and 141 through 150 of the 1986 Code and the applicable Treasury Regulations promulgated thereunder, applicable to any Bonds issued as tax-exempt obligations, throughout the term of such Bonds.

SECTION 7. Sources of Payment of Bonds. The principal of and interest on the Bonds are payable solely from, and secured solely by, a pledge of the Revenues to be derived from the operation of the County's Water and Sewer System, subject to the prior application of such Revenues to provide for the expenses of operation and maintenance of such System and on a parity with the Outstanding principal amount of Water and Sewer System Bonds of the County and on a parity with the payment of principal of and interest on all Bonds and interest on all Bond Anticipation Notes hereafter issued under the Resolution.

SECTION 8. Form of Bonds. The Bonds shall be in substantially the form set forth in Exhibit A hereto with such necessary or appropriate variations, omissions and insertions as are incidental to their numbers, interest rates and maturities or as are otherwise permitted or required by law or this Supplemental Resolution.

SECTION 9. Sale of the Bonds.

(a) The Bonds shall be sold in one or more series from time to time in accordance with the provisions of Section 2 at competitive or negotiated sale at an aggregate purchase price of not less than ninety-eight percent (98%) of the principal amount thereof and on such other terms and conditions as are provided in the Notice of Sale thereof or in the Purchase Contract or Bond Purchase Agreement relating thereto.

(b) If the Bonds are sold at competitive sale, they may be sold contemporaneously with other bonds of the County under a combined Official Notice of Sale. If the Bonds are sold at competitive sale, any Authorized Officer is hereby authorized to cause to be published and distributed, via electronic dissemination or otherwise, an Official Notice of Sale of the Bonds in such form and containing such terms and conditions as such Authorized Officer may deem advisable, subject to the provisions hereof.

(c) Upon the determination by any Authorized Officer to sell the Bonds at competitive or negotiated sale, any Authorized Officer is hereby authorized, without further notice to or action by the Board of Supervisors, to determine the principal amounts, maturity dates and the taxable or tax-exempt rates of interest the Bonds shall bear; *provided that:*

(i) in no event shall the aggregate principal amount of the Bonds to be issued under this Supplemental Resolution exceed \$325,000,000;

(ii) in no event shall the true interest cost for the Bonds exceed three and one-quarter percent (3.25%);

(iii) in no event shall the premium payable by the County upon the redemption of the Bonds exceed two percent (2%) of the principal amount thereof; provided, however, that

the Bonds may be issued with a make-whole redemption price as shall be approved by any Authorized Officer at the time of sale of the Bonds;

(iv) in no event shall the final maturity date of the Bonds exceed thirty-one (31) years from the date of issuance;

(v) Bonds may be issued and sold for the purpose of refunding the Refunded Bonds only if the refunding of the Refunded Bonds will result in net present value savings to the County; and

(vi) if the Bonds authorized by this Supplemental Resolution shall not, on their date of sale, constitute at least sixty-six and two-thirds percent (66 2/3%) of all Bonds to be Outstanding under the Resolution on and as of the date of issuance of the Bonds authorized hereby, there shall be deposited into the Reserve Account on the date of issuance of the Bonds authorized hereby, such amount as shall be necessary to make the amount on deposit in the Reserve Account on and as of the date of issuance of such Bonds to be not less than the maximum Debt Service Requirement for any year for all Outstanding Bonds issued under the Resolution.

(d) If the Bonds are sold at negotiated sale, any Authorized Officer is hereby authorized, without further notice to or action by the Board of Supervisors, to select the underwriters for the Bonds (the "Underwriters") and to execute and deliver to the Underwriters a Purchase Contract or Bond Purchase Agreement relating to the Bonds.

(e) Any Authorized Officer is hereby authorized to cause to be prepared and distributed, via electronic dissemination or otherwise, a Preliminary Official Statement and a final Official Statement relating to each series of the Bonds. Any Authorized Officer is hereby further authorized to certify that the Preliminary Official Statement for the Bonds of each series authorized hereunder is "deemed final" for purposes of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934. Any Authorized Officer is hereby authorized to execute and deliver the final Official Statement for the Bonds of each series authorized hereunder, and any Authorized Officer or the County Attorney, as applicable, are each hereby authorized to execute and deliver to the purchasers of the Bonds of each series, certificates in the forms provided for in the Official Statement for the Bonds of such series.

(f) Any Authorized Officer is hereby further authorized to execute and deliver to the purchasers of the Bonds of each series authorized hereunder a Continuing Disclosure Certificate or a Continuing Disclosure Agreement evidencing the County's undertaking to comply with the continuing disclosure requirements of Paragraph (b)(5) of such Rule 15c2-12 to the extent applicable to the Bonds, such Continuing Disclosure Certificate or Continuing Disclosure Agreement to be in such form as shall be approved by such Authorized Officer upon the advice of counsel (including the County Attorney or Bond Counsel to the County), such approval to be conclusively evidenced by the execution of such Continuing Disclosure Certificate or Continuing Disclosure Agreement by such Authorized Officer.

SECTION 10. Approval of Execution and Delivery of Escrow Deposit; Appointment of Escrow Agent; Authorization of Purchase of Securities; Designation of Refunded Bonds for Redemption.

(a) Any Authorized Officer is hereby authorized and directed to execute and deliver to the Escrow Agent an Escrow Deposit Agreement for each series of Refunded Bonds in such form as such Authorized Officer executing the same shall approve upon the advice of counsel (including the County Attorney and Bond Counsel), such approval to be conclusively evidenced by the execution thereof by such Authorized Officer. There shall be transferred to the Escrow Agent from the Principal and Interest Accounts and the Reserve Account in the Revenue Fund such amounts on credit to such accounts for the payment of principal and interest on the Refunded Bonds for deposit into the Escrow Deposit Fund thereunder such amounts as shall be determined by the Director of Finance.

(b) Any Authorized Officer is hereby authorized to appoint an Escrow Agent (the "Escrow Agent") in connection with the refunding of the Refunding Bonds.

(c) The Escrow Agent is hereby authorized to purchase from moneys deposited in the Escrow Deposit Fund created and established under the Escrow Deposit Agreement United States Government Securities as referred to in the Escrow Deposit Agreement and as permitted by the Resolution. Such securities so purchased shall be held by the Escrow Agent under and in accordance with the provisions of the Escrow Deposit Agreement. Any Authorized Officer is hereby authorized to execute, on behalf of the County, any instruments required to be executed on behalf of the County in connection with investments contemplated by the Escrow Deposit Agreement.

(d) Subject to the issuance, sale and delivery of the Bonds pursuant to this Supplemental Resolution, the Board hereby designates for redemption the Refunded Bonds to be redeemed at a redemption price equal to the principal amount thereof, together with the interest accrued thereon to the date or dates fixed for redemption thereof, plus the applicable premium, if any. Any Authorized Officer is hereby authorized and directed to deliver to the escrow agent under the Escrow Deposit Agreement irrevocable written instructions to give notices of such redemption of the Refunded Bonds, in the name and on behalf of the County, to the registered owners thereof, such notices to be given in the manner and at the time or times provided in the respective proceedings authorizing the issuance of the respective bonds and to be in substantially the forms attached as one or more exhibits to the Escrow Deposit Agreement.

SECTION 11. Debt Service Payments.

(a) For the purpose of providing for the payment of the interest on the Bonds, not later than the first interest payment date for the Bonds and on or before May 1 and November 1 in each year thereafter, there shall be credited to the Interest Account an amount such that, if the same amount were so paid and credited to the Interest Account on each May 1 and November 1 and thereafter, the aggregate of the amounts so credited to the Interest Account, would on such date be equal to the installment of interest coming due on such date on the Bonds. In making such credits to the Interest Account, any amounts paid into the Revenue Fund and credited to the Interest Account representing accrued interest received on the sale of the Bonds

and any other credit otherwise made to such account shall be taken into consideration and allowed for.

(b) For the purpose of providing for the payment of the principal of the Bonds issued as Serial Bonds, not later than each May 1 on which such Serial Bonds shall come due and payable, there shall be credited to the Principal Account an amount such that the aggregate of the amounts so credited to the Principal Account together with any other moneys theretofore credited to the Principal Account, would be equal to the installment of principal of such Bonds issued as Serial Bonds coming due on such date.

(c) For the purpose of providing moneys to retire any Term Bonds, not later than each May 1 on which sinking fund installments shall be due on any Term Bonds, there shall be credited to the Sinking Fund Account for the purpose of retiring such Term Bonds, an amount such that the aggregate of the amounts so credited to such account, together with other moneys theretofore credited to such account, would be equal to the sinking fund installment on the Term Bonds coming due on such date.

SECTION 12. Supplemental Resolution is a "Supplemental Resolution" under the Resolution; Bonds are "Bonds" and "Additional Bonds" under the Resolution.

(a) This Supplemental Resolution is adopted pursuant to Section 18A of the Resolution. This Supplemental Resolution (i) supplements the Resolution, (ii) is hereby found, determined, and declared to constitute and to be a "Supplemental Resolution" within the meaning of the quoted words as defined and used in the Resolution and (iii) is adopted pursuant to and under the authority of the Resolution.

(b) (i) The Bonds are hereby found, determined and declared to constitute and to be "Additional Bonds" and "Bonds" within the meaning of the quoted words as defined and used in the Resolution. The Bonds shall be entitled to the benefits, security and protection of the Resolution, equally and proportionately with any other Bonds heretofore or hereafter issued thereunder, shall be payable from the Revenues of the Water and Sewer System on a parity with all Bonds heretofore or hereafter issued under the Resolution, shall rank *pari passu* with all Bonds heretofore or hereafter issued under the Resolution and shall be equally and ratably secured with all Bonds heretofore or hereafter issued under the Resolution by a prior and paramount lien and charge on the Revenues, without priority or distinction by reason of series, number, date, date of sale, date of issuance, date of execution and authentication or date of delivery, all as is more fully set forth in the Resolution.

(ii) It is hereby further found, determined and declared that no default exists in the payment of the principal of or interest and premium, if any, on any Bond issued under the Resolution and that all mandatory redemptions, if any, of Bonds required to have been made under the terms of the Resolution or any Supplemental Resolution have been made.

SECTION 13. Amendments to Resolution. (a) The amendments set forth in this Section 13 shall be effective at such time as such amendments have been consented to by the holders of at least sixty-six and two-thirds percent (66 2/3%) of Outstanding Bonds under the Resolution (hereinafter the "Effective Date"), except as otherwise set forth below. By virtue of

their purchase of the Bonds authorized by this Supplemental Resolution (for the purposes of this Section 13, such Bonds shall be referred to in this Section 13 as the "Series 2020 Bonds"), the holders of such Series 2020 Bonds shall consent, and shall be deemed to have consented, to the amendments to the Original Resolution set forth below.

(b) Each of the amendments set forth below, individually, is subject to, and shall be deemed to be, repealed and of no force and effect, without any further action by the Board of Supervisors, in the event that any such amendment shall, on and as of the sale date of the Series 2020 Bonds, cause any initial rating on the Series 2020 Bonds or any then-existing rating on any other Outstanding Bonds on and as of the sale date of the Series 2020 Bonds, to be lower than the ratings on the Outstanding Bonds in effect on the date of adoption of this Supplemental Resolution, or to be withdrawn, as a result of the inclusion of such amendments in this Supplemental Resolution.

(c) Subject to the foregoing, the Resolution is hereby amended as follows:

(A) **Debt Service Reserve Account.** (1) The Original Resolution shall be amended and read to provide that, from and after the Effective Date, the Reserve Account established under the Resolution shall secure only such series of Bonds as shall be designated by the County at the time of sale thereof as being secured by the Reserve Account, subject to paragraph (c)(A)(4) below. Notwithstanding anything in the Resolution to the contrary, Additional Bonds issued on or after the Effective Date shall not be required to be secured by the Reserve Account and the holders of any such series of Bonds as may be designated by the County at the time of sale thereof as not being secured by the Reserve Account shall have no rights to payment from funds on deposit in any Reserve Account established now or hereafter under the Resolution.

(2) From and after the Effective Date, and subject to paragraph (c)(A)(4) below, paragraph E under the heading "PRIORITY SECOND" in Section 9 of the Original Resolution shall be amended to provide that the amount required to be maintained in the Reserve Account shall be equal to the maximum Debt Service Requirement for any year for all Outstanding Series 2013 Bonds, Series 2014 Bonds, Series 2016 Bonds, Series 2018 Bonds and Series 2019 Bonds issued under the Resolution.

(3) From and after the Effective Date, any Reserve Account established for any series of Bonds issued on or after the Effective Date to be secured by a Reserve Account shall be maintained in an amount equal to the Reserve Account requirement for such series of Bonds as shall be set forth in any Supplemental Resolution relating to such series of Bonds.

(4) From and after the Effective Date, the Reserve Account, if any, established for the Series 2020 Bonds may, at the option of the County, without the consent of the holders of the Series 2020 Bonds, be released, and the funds on deposit therein shall thereupon be used by the County for any purpose permitted by the Resolution.

(B) **Covenant as to Rates and Charges.** From and after the Effective Date, the definition of "Operating Revenues" as defined in Section 14 of the Original Resolution shall be amended and restated for all purposes of the Resolution, including for the purposes of Section 18 of the Original Resolution, as follows: "Operating Revenues" means the Revenues after deduction therefrom of any income, revenues and moneys derived from (i) the proceeds of the sale or other disposition of all or any part of the Water and Sewer System, and (ii) the proceeds of insurance and condemnation awards received with respect to the Water and Sewer System."

(C) **Amendments to the Resolution.** From and after the date on which there shall no longer be any Outstanding Series 2013 Bonds, Series 2014 Bonds, Series 2016 Bonds, Series 2018 Bonds or Series 2019 Bonds under the Resolution, paragraph 2 of Section 25 of the Original Resolution shall be amended to provide that amendments to the Resolution requiring the consent of the holders of Bonds shall be permitted and shall become effective upon the consent of the holders of not less than a majority in aggregate principal amount of the Outstanding Bonds; provided, however, that, without the consent of the holder of each Bond affected thereby, no modification shall be made which will (a) extend the time of payment of the principal of or the interest on any Bond or reduce the principal amount thereof or the rate of interest thereon or the premium payable upon the redemption thereof, (b) give to any Bond any preference over any other Bond secured equally and ratably therewith, (c) create any pledge prior to or on a parity with the pledge afforded by the Resolution, (d) deprive any holder of the security afforded by the pledge of the Bond Resolution, or (e) reduce the percentage in principal amount of the Bonds required to authorize any modification to the Resolution.

(D) **Issuance of Refunding Bonds.** From and after the Effective Date, paragraph B of Section 18 of the Original Resolution shall be amended to provide that, in lieu of satisfaction of the requirements for issuance of Refunding Bonds set forth in such paragraph B, Refunding Bonds may also be issued upon delivery of a certificate of the Director of Finance of the County demonstrating satisfaction of the conditions set forth in subparagraphs 1, 2 and 3 of paragraph A of Section 18 of the Original Resolution.

SECTION 14. **Filing of this Supplemental Resolution with Circuit Court.** The County Attorney be and hereby is authorized and directed to file a copy of this Supplemental Resolution, certified by the Clerk of the Board to be a true and correct copy thereof, with the Circuit Court of the County.

SECTION 15. **Effect of Article and Section Headings and Table of Contents.** The headings or titles of articles and sections hereof, and any table of contents appended hereto or copies hereof, shall be for convenience of reference only and shall not affect the meaning or construction, interpretation or effect of this Supplemental Resolution.

SECTION 16. **Effectiveness of this Supplemental Resolution.** This Supplemental Resolution shall be effective from and after the adoption hereof by the Board; *provided* that in the event any Bonds authorized for issuance under this Supplemental Resolution shall not have been issued and delivered on or before June 30, 2021, this Supplemental

Resolution shall thereafter be void and the authorization herein shall terminate and be of no further force and effect.

(FORM OF BOND)
UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO
WATER AND SEWER SYSTEM REVENUE BOND,
SERIES _____

REGISTERED

REGISTERED

No. R-__

\$ _____

INTEREST RATE:

MATURITY DATE:

DATE OF BOND:

CUSIP NO.:

%

MAY 1, ____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM:

The County of Henrico (hereinafter referred to as the "County"), a political subdivision of the Commonwealth of Virginia, for value received, hereby acknowledges itself indebted and hereby promises to pay to the Registered Owner (named above), or registered assigns, but solely from the revenues and moneys pledged to the payment hereof hereinafter specified and not otherwise, on the Maturity Date (specified above), unless this Bond shall have been called for previous redemption and payment of the redemption price shall have been duly made or provided for, the Principal Sum (specified above), and to pay interest on such Principal Sum, but solely from such revenues and moneys pledged to the payment hereof hereinafter specified and not otherwise, on the first day of [May] [November], 20__, and semiannually on the first day of May and the first day of November of each year thereafter (each such date is hereinafter referred to as an "interest payment date"), from the date hereof or from the interest payment date next preceding the date of authentication hereof to which interest shall have been paid, unless such date of authentication is an interest payment date, in which case from such interest payment date, or unless such date of authentication is within the period from the sixteenth (16th) day to the last day of the calendar month next preceding the following interest payment date, in which case from such following interest payment date, such interest to be paid until the maturity or redemption hereof at the Interest Rate (specified above) per annum, by wire transfer or by check or draft mailed by the Registrar hereinafter mentioned to the Registered Owner in whose name this Bond is registered upon the books of registry of the County kept by the Registrar as of the close of business on the fifteenth (15th) day (whether or not a business day) of the calendar month next preceding each interest payment date at the address of the Registered Owner hereof as it appears on such books of registry; *provided, however,* that so long as this Bond is in book-entry only form and registered in the name of Cede & Co., as nominee of the Depository Trust Company ("DTC"), or in the name of such other nominee of DTC as may be requested by an authorized representative of DTC, interest on this Bond shall be paid directly to Cede & Co. or such other nominee of DTC by wire transfer. Interest on this Bond shall be

calculated on the basis of a three hundred sixty (360) day year consisting of twelve (12) thirty (30) day months.

The principal of this Bond is payable on presentation and surrender hereof at the designated corporate trust office of _____, as Paying Agent and Registrar, in the City of _____, _____. Principal of and interest on this Bond are payable in such coin or currency of the United States of America as at the respective dates of payment thereof is legal tender for public and private debts.

This Bond is one of a duly authorized series of Bonds (herein referred to as the "Bonds") of the aggregate principal amount of _____ Dollars (\$ _____) of like date, denomination and tenor herewith except for number, interest rate, maturity and redemption provisions, and is issued under and pursuant to and in full compliance with the Constitution and statutes of the Commonwealth of Virginia, including Chapter 26 of Title 15.2 of the Code of Virginia, 1950 (the same being the Public Finance Act of 1991), a resolution duly adopted on November 23, 1977 by the Board of Supervisors of the County, entitled "A RESOLUTION AUTHORIZING THE ISSUANCE OF TWELVE MILLION EIGHT HUNDRED SEVENTY THOUSAND DOLLARS (\$12,870,000) BONDS OF HENRICO COUNTY, VIRGINIA, FOR THE PURPOSE OF REFUNDING IN ADVANCE OF MATURITY WATER AND SEWER SYSTEM REVENUE BONDS, SERIES OF 1975, OF HENRICO COUNTY, VIRGINIA, HERETOFORE ISSUED FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, RECONSTRUCTING, IMPROVING, EXTENDING AND ENLARGING A UNIFIED WATER SUPPLY AND SANITARY SEWERAGE SYSTEM IN HENRICO COUNTY; PRESCRIBING THE FORM AND DETAILS OF THE BONDS AUTHORIZED HEREBY; COVENANTING AS TO THE ESTABLISHMENT, MAINTENANCE, REVISION AND COLLECTION OF RATES AND CHARGES FOR THE SERVICES, FACILITIES AND COMMODITIES OF SAID SYSTEM AND THE COLLECTION AND DISBURSEMENT OF THE REVENUES DERIVED THEREFROM; PLEDGING SAID REVENUES TO THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THE SAME BECOME DUE AND LIMITING THE PAYMENT OF SAID BONDS SOLELY TO SAID REVENUES; SETTING FORTH THE LIMITATIONS ON THE ISSUANCE OF ADDITIONAL BONDS PAYABLE FROM SAID REVENUES; AND MAKING OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE FOREGOING", as amended, and a resolution supplemental thereto duly adopted by such Board on March 10, 2020, entitled "RESOLUTION-Authorizing and Providing for the Issuance and Sale of Not to Exceed Three Hundred Twenty-Five Million Dollars (\$325,000,000) Aggregate Principal Amount of Water and Sewer System Revenue Bonds, of the County of Henrico, Virginia, for the Purpose of Refunding One or More Outstanding Series of Water and Sewer System Revenue Bonds of the County" (such resolutions being herein referred to collectively as the "Resolution") for the purpose of refunding certain outstanding Water and Sewer System Revenue Bonds of the County.

This Bond and the series of Bonds of which this is one and interest thereon are payable solely from, and secured equally and ratably solely by a lien and charge on, the revenues derived from the operation of the water and sewer system of the County, consisting of the plants and properties, real and personal, tangible and intangible, owned or operated by the County, used

for or pertaining to the supply, storage, treatment, transmission and distribution of water, or the collection, transmission, treatment and disposal of sewage, and all additions, improvements, enlargements, extensions, expansions and betterments to such plants and properties hereafter constructed or otherwise acquired (exclusive of any such plants and properties constituting separate utility systems and financed other than by Bonds or Additional Bonds issued under the Resolution), subject, however, to the prior payment from such revenues of the expenses of operation and maintenance of the water and sewer system, on a parity with the payment of principal of and interest on all Bonds and interest on all Bond Anticipation Notes issued under the Resolution.

This Bond and the series of Bonds of which this is one are not a debt of the County within the meaning of any constitutional or statutory limitation upon the creation of general obligation indebtedness of the County, nor does this Bond or the Bonds of the series of which it is one impose any general liability upon the County, and the County shall not be liable for the payment hereof or thereof out of any funds of the County except the revenues of the water and sewer system of the County, which revenues have been pledged to the punctual payment of the principal of and interest on this Bond and the series of Bonds of which this is one in accordance with the provisions of the Resolution.

Reference is hereby made to the Resolution, to all of the provisions of which any Registered Owner of this Bond by his acceptance hereof hereby assents, for definitions of terms, the description of and the nature and extent of the security for the Bonds issued under the Resolution, including this Bond, the description of the plants and properties constituting the water and sewer system of the County, the description of and the nature and extent of the security for, and the revenues and the moneys pledged to the payment of the interest on and principal of, the Bonds issued under the Resolution, including this Bond; the nature and extent and manner of enforcement of the pledge; the covenants of the County as to the fixing, maintaining and revising of rates, rentals, fees and charges for the services, facilities and commodities of the water and sewer system of the County; the covenants of the County as to the collection, deposit and application of the revenues of the water and sewer system of the County, the conditions upon which other Bonds may hereafter be issued under the Resolution payable on a parity with this Bond from the revenues of the water and sewer system of the County and equally and ratably secured herewith, the conditions upon which the Resolution may be amended or supplemented, the rights and remedies of the owner hereof with respect hereto, the rights, duties and obligations of the County, the provisions discharging the Resolution as to this Bond and the lien and pledge of this Bond on the revenues of the water and sewer system of the County if there shall have been deposited with the paying agent for this Bond on or before the maturity or redemption hereof moneys sufficient to pay the principal hereof and the interest hereon to the maturity or redemption date hereof, or certain specified securities maturing at such times and in such amounts which, together with the earnings thereon, would be sufficient for such payment; and for the other terms and provisions of the Resolution.

The Bonds of the series of which this Bond is one maturing on and before May 1, _____ are not subject to redemption prior to their stated maturities thereof. The Bonds of the series of which this Bond is one (or portions thereof in installments of \$5,000) maturing on and after May 1, _____ are subject to redemption at the option of the County prior to the stated

maturities thereof, on or after May 1, _____ in whole or in part at any time and at the redemption price of par, together with the interest accrued on such principal amount to the date fixed for redemption. [The Bonds of the series of which this Bond is one maturing May 1, _____ shall be redeemed pursuant to the Resolution on May 1 in each year commencing _____ 1, _____, from moneys to be credited to the Sinking Fund Account in the Revenue Fund for the redemption of such Bonds, such redemption to be made at a redemption price equal to the principal amount thereof, together with the interest accrued on such principal amount to the date fixed for the redemption thereof.] In the event less than all of the Bonds of a particular maturity are called for redemption, the particular Bonds of such maturity or portions thereof in installments of \$5,000 to be redeemed shall be selected by lot.

If this Bond is redeemable and this Bond (or any portion of the principal amount thereof in installments of \$5,000) shall be called for redemption, notice of the redemption hereof, specifying the date, number and maturity of this Bond, the date and place fixed for its redemption and if less than the entire principal amount of this Bond is to be redeemed, that this Bond must be surrendered in exchange for the principal amount thereof to be redeemed and the issuance of a new Bond equaling in principal amount that portion of the principal amount hereof not to be redeemed, shall be mailed not less than thirty (30) days prior to the date fixed for redemption by first class mail, postage prepaid, to the Registered Owner of this Bond at the address of such Registered Owner as it appears on the books of registry maintained by the Registrar as of the close of business on the forty-fifth (45th) day preceding the date fixed for redemption. If notice of redemption of this Bond shall have been given as aforesaid, and payment of the principal amount of this Bond (or the portion of the principal amount hereof to be redeemed) and of the accrued interest payable upon such redemption shall have been duly made or provided for, interest hereon shall cease to accrue from and after the date so specified for the redemption hereof.

Subject to the limitations and upon payment of the charges, if any, provided in the proceedings authorizing the Bonds of the series of which this Bond is one, this Bond may be exchanged at the designated corporate trust office of the Registrar for a like aggregate principal amount of Bonds of other authorized principal amounts and of the series of which this Bond is one. This Bond is transferable by the Registered Owner hereof, in person or by the agent of such Registered Owner duly authorized in writing, at the designated corporate trust office of the Registrar but only in the manner, subject to the limitations and upon payment of the charges, if any, provided in the proceedings authorizing the Bonds of the series of which this Bond is one, and upon the surrender hereof for cancellation. Upon such transfer a new Bond or Bonds of authorized denominations and of the same aggregate principal amount of the series of which this Bond is one will be issued to the transferee in exchange herefor.

This Bond shall not be valid or obligatory unless the certificate of authentication hereon shall have been manually signed by an authorized signator of the Registrar.

It is hereby certified, recited and declared that all acts, conditions and things required to have happened, to exist and to have been performed precedent to and in the issuance of this Bond and the series of which it is one, have happened, do exist and have been performed

in regular and due time, form and manner as required by law, and that the Bonds of the series of which this Bond is one do not exceed any constitutional or statutory limitation of indebtedness.

IN WITNESS WHEREOF, the County, by its Board of Supervisors, has caused this Bond to be executed by the manual or facsimile signature of the Chairman of such Board; the seal of the County to be impressed or a facsimile thereof imprinted hereon, attested by the manual or facsimile signature of the Clerk of such Board; and this Bond to be dated the date first above written.

Chairman of the Board of Supervisors

(Seal)

Clerk of the Board of Supervisors

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds delivered pursuant to the within-mentioned proceedings.

_____,
as Registrar and Paying Agent

By: _____
Authorized Signature

Date of Authentication: _____, _____

ASSIGNMENT

For value received, the undersigned hereby sell(s), assign(s) and transfer(s) unto

(Please print or type name and address, including postal zip code, of transferee)

PLEASE INSERT SOCIAL SECURITY
OR OTHER TAX IDENTIFYING NUMBER
OF TRANSFEREE:

[Empty rectangular box for Social Security or Tax Identifying Number]

. Dated: _____

Signature(s) Guaranteed:

NOTICE: Signature(s) must be guaranteed by a member firm of the New York Stock Exchange, Inc. or a commercial bank or trust company.

(Signature(s) of Registered Owner)
NOTICE: the signature(s) above must correspond with the name of the Registered Owner as it appears on the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.



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

Agenda Item No. 73-20

Page No. 1 of 2

Agenda Title: RESOLUTION — Award of Contract — Commonwealth’s Attorney Office Renovation — Brookland District

For Clerk's Use Only: Date: <u>3/10/2020</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>Schmitt</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____ REMARKS: <div style="font-size: 2em; font-weight: bold; text-align: center;">APPROVED</div>	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</td> </tr> <tr> <td>Branin, T.</td> <td align="center">✓</td> <td align="center">---</td> <td align="center">---</td> </tr> <tr> <td>Nelson, T.</td> <td align="center">✓</td> <td align="center">---</td> <td align="center">---</td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center">✓</td> <td align="center">---</td> <td align="center">---</td> </tr> <tr> <td>Schmitt, D.</td> <td align="center">✓</td> <td align="center">---</td> <td align="center">---</td> </tr> <tr> <td>Thornton, F.</td> <td align="center">✓</td> <td align="center">---</td> <td align="center">---</td> </tr> </table>		YES	NO	OTHER	Branin, T.	✓	---	---	Nelson, T.	✓	---	---	O'Bannon, P.	✓	---	---	Schmitt, D.	✓	---	---	Thornton, F.	✓	---	---
	YES	NO	OTHER																							
Branin, T.	✓	---	---																							
Nelson, T.	✓	---	---																							
O'Bannon, P.	✓	---	---																							
Schmitt, D.	✓	---	---																							
Thornton, F.	✓	---	---																							

WHEREAS, the County needs to renovate the Commonwealth’s Attorney Office; and,

WHEREAS, the County received five bids on February 12, 2020, in response to ITB No. 20-1965-1JOK with the following results for the Base Bid and Additive Alternate No. 1:

Bidder	Total Bid
Brooks & Co. General Contractors, Inc. Richmond, VA	\$286,100
RMT Construction & Development Group LLC Richmond, VA	\$315,777
VIRTEXCO Corporation Richmond, VA	\$342,300
Suburban Remodeling Corp. d/b/a SRC, Inc. Richmond, VA	\$372,800
The Carpentry and Painting Experts, LLC Henrico, VA	\$413,200

WHEREAS, after review and evaluation of all bids, it was determined that Brooks & Co. General Contractors, Inc. is the lowest responsive and responsible bidder for the Base Bid and Additive Alternate No. 1.

By Agency Head By County Manager

Routing:
Yellow to: _____

Certified:
A Copy Teste: _____

Copy to: _____

Clerk, Board of Supervisors

Date: _____

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

Agenda Item No. 73-20

Page No. 2 of 2

**RESOLUTION — Award of Contract — Commonwealth's Attorney Office Renovation —
Brookland District**

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

1. A contract to furnish all labor, materials, supplies, equipment, and services necessary for renovation of the Commonwealth's Attorney Office is awarded to Brooks & Co. General Contractors, Inc., the lowest responsive and responsible bidder, in the amount of \$286,100 pursuant to ITB No. 20-1965-1JOK and the bid consisting of the Base Bid and Additive Alternate No. 1 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 all change orders within the scope of the project budget not to exceed 15 percent of the original contract amount.

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

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

Agenda Item No. 74-20

Page No. 2 of 2

Agenda Title: RESOLUTION — SIA2020-00001 — Glover Park Expansion Site — Substantially in Accord with the 2026 Comprehensive Plan — Brookland District

Comments: The Director of Planning concurs with the finding of the Planning Commission that the proposed Glover Park expansion site is substantially in accord with the Plan and recommends approval of the Board paper; the County Manager concurs.



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

Agenda Item No. 75-20
Page No. 1 of 2

Agenda Title: **RESOLUTION — Award of Contract — Berkeley Pointe Water Main Replacement — Tuckahoe District**

For Clerk's Use Only: Date: <u>3/10/2020</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) _____ REMARK: 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"/> _____
---	---	---

WHEREAS, the County received three bids on February 5, 2020, in response to Invitation to Bid No. 19-1932-10PEW and Addendum No. 1 for replacement of the water main and related work along Coachouse Lane and Wetherburn Court in the Berkeley Pointe townhouse development; and,

WHEREAS, the project will replace approximately 660 feet of existing 4-inch, 6-inch, and 8-inch diameter water pipe with ductile iron water pipe; replace 31 water service connections; and rehabilitate six sewer manholes; and,

WHEREAS, the bids were as follows:

<u>Bidders</u>	<u>Bid Amount</u>
C. T. Purcell Excavating, Inc. Montpelier, VA	\$523,643.00
Suffolk Utility Construction, Inc. Suffolk, VA	\$659,053.85
Kelvic Construction Company, Inc. Stafford, VA	\$723,752.00

WHEREAS, after a review and evaluation of all bids, it was determined that C. T. Purcell Excavating, Inc. is the lowest responsive and responsible bidder.

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

- The contract is awarded to C. T. Purcell Excavating, Inc., the lowest responsive and responsible bidder, in the amount of \$523,643, pursuant to Invitation to Bid No.19-1932-10PEW, Addendum No. 1, and the bid submitted by C. T. Purcell Excavating, Inc.

By Agency Head By County Manager

Routing:
Yellow to: _____
Copy to: _____

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

Date: _____

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

Agenda Item No. 75-20

Page No. 2 of 2

Agenda Title: **RESOLUTION — Award of Contract – Berkeley Pointe Water Main Replacement
— Tuckahoe District**

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.

RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED ONE HUNDRED THIRTEEN MILLION THIRTY-FIVE THOUSAND DOLLARS (\$113,035,000) AGGREGATE PRINCIPAL AMOUNT OF COUNTY OF HENRICO, VIRGINIA, GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS

WHEREAS, the voters of Henrico County, Virginia (the "County"), at an election in the County held on November 8, 2016, approved the issuance of general obligation bonds of the County (the "Voter Authorization"), for the purposes and in the amounts as follows:

<u>Purpose</u>	<u>2016 Election</u>
Schools	\$272,600,000
Libraries	24,000,000
Fire Stations and Facilities	22,100,000
Recreation and Parks	87,100,000
Roads	<u>14,000,000</u>
	\$419,800,000

WHEREAS, as of the date of adoption of this Resolution, the County has issued (i) its \$102,255,000 aggregate principal amount of General Obligation Public Improvement Bonds, Series 2017A, (ii) its \$99,395,000 aggregate principal amount of General Obligation Public Improvement Bonds, Series 2018, and (iii) its \$105,115,000 aggregate principal amount of General Obligation Public Improvement Bonds, Series 2019 (collectively, the "Outstanding Bonds") pursuant to the Voter Authorization;

WHEREAS, the County may issue an additional \$113,035,000 of its general obligation bonds under and pursuant to the Voter Authorization for the following purposes and in the following amounts:

<u>Purpose</u>	<u>Outstanding Bonds</u>	<u>Remaining Voter Authorization</u>
Schools	\$221,885,000	\$50,715,000
Recreation and Parks	44,445,000	42,655,000
Fire Stations and Facilities	11,435,000	10,665,000
Libraries	24,000,000	0
Roads	5,000,000	9,000,000

WHEREAS, in the judgment of the Board of Supervisors of the County, it is necessary and expedient to issue and sell not to exceed One Hundred Thirteen Million Thirty-Five Thousand Dollars (\$113,035,000) aggregate principal amount of general obligation bonds of the County in accordance with the Voter Authorization and this Resolution to pay costs of public improvement projects in the approximate amounts set forth below:

<u>Purpose</u>	<u>Total Bonds to be Issued</u>
Schools	\$50,715,000
Libraries	0
Fire Stations and Facilities	10,665,000
Recreation and Parks	42,655,000
Roads	9,000,000

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

SECTION 1. Pursuant to Chapter 26 of Title 15.2 of the Code of Virginia, 1950, as amended, the same being the Public Finance Act of 1991 (the "Public Finance Act of 1991"), and the Voter Authorization, for the purpose of financing certain school capital improvements, road improvements, and recreation and parks facilities capital improvements, there are authorized to be issued in one or more series from time to time One Hundred Thirteen Million Thirty-Five Thousand Dollars (\$113,035,000) aggregate principal amount of general obligation bonds of the County to be designated as the "Henrico County, Virginia, General Obligation Public Improvement Bonds" (herein referred to as the "Bonds").

SECTION 2. (a) The Bonds shall be issued in fully registered form and shall be in the denomination of \$5,000 or any integral multiple thereof. The Bonds shall be numbered from R-1 upwards in order of issuance and shall have such series designation as shall be determined by the Director of Finance; shall mature in such years and in such amounts in each year as shall be determined by the Director of Finance; and shall bear interest, calculated on the basis of a 360-day year comprised of twelve 30-day months, at such rate or rates per annum as shall be determined in accordance with the provisions of Section 8, such interest to be payable semiannually; *provided* the first interest payment date may be any date within one (1) year from the date of the Bonds as determined by the Director of Finance. The Director of Finance is authorized to determine, in accordance with and subject to the provisions of this Resolution: the date or dates of the Bonds; the interest payment dates thereof; the record dates thereof; the maturity dates thereof; the amount of principal maturing on each maturity date; and whether or not the Bonds shall be subject to redemption prior to their stated maturity or maturities and if subject to such redemption, the premiums, if any, payable upon such redemption and the respective periods in which such premiums are payable.

(b) (i) If the Bonds are subject to redemption and if any Bonds (or portions thereof in installments of \$5,000 or any integral multiple thereof) are to be redeemed, notice of such redemption specifying the date, numbers and maturity or maturities of the Bond or Bonds to be redeemed, the date and place or places fixed for their redemption, the premium, if any, payable upon such redemption and, if less than the entire principal amount of a Bond called for redemption is to be redeemed, that such Bond must be surrendered in exchange for payment of the principal amount thereof to be redeemed and the issuance of a new Bond or Bonds equalling in principal amount that portion of the principal amount of such Bond not to be redeemed, shall be mailed not less than thirty (30) days prior to the date fixed for redemption, by first class mail, postage prepaid, to the registered owner of such Bond at his address as it appears on the books of registry kept by the Registrar (as hereinafter defined) as of the close of business on the forty-fifth (45th) day next preceding the date fixed for redemption. If any Bond shall have been called for redemption and notice thereof shall have been given as hereinabove set forth, and payment of the principal amount of such Bond (or of the principal amount thereof to be redeemed) and of the accrued interest and premium, if any, payable upon such redemption shall have been duly made or provided for, interest on such Bond (or on the principal amount thereof to be redeemed) shall cease to accrue from and after the date so specified for the redemption thereof. So long as the Bonds are in book-entry only form, any notice of redemption shall be given only to The Depository Trust Company, New York, New York ("DTC"), or to its nominee. The County

shall not be responsible for providing any beneficial owner of the Bonds any notice of redemption.

(ii) Any notice of the optional redemption of the Bonds may state that it is conditioned upon there being on deposit with the County, or with a designated agent of the County, on the date fixed for the redemption thereof an amount of money sufficient to pay the redemption price of such Bonds, together with the interest accrued thereon to the date fixed for the redemption thereof, and any conditional notice so given may be rescinded at any time before the payment of the redemption price of such Bonds, together with the interest accrued thereon, is due and payable if any such condition so specified is not satisfied. If a redemption of any Bonds does not occur after a conditional notice is given due to there not being on deposit with the County, or with a designated agent of the County, a sufficient amount of money to pay the redemption price of such Bonds, together with the interest accrued thereon to the date fixed for the redemption thereof, the corresponding notice of redemption shall be deemed to be revoked.

SECTION 3. The full faith and credit of the County are irrevocably pledged to the punctual payment of the principal of and premium, if any, and interest on the Bonds as the same become due. In each year while the Bonds, or any of them, are outstanding and unpaid, the Board of Supervisors is authorized and required to levy and collect annually, at the same time and in the same manner as other taxes of the County are assessed, levied and collected, a tax upon all taxable property within the County, over and above all other taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay when due the principal of and premium, if any, and interest on the Bonds to the extent other funds of the County are not lawfully available and appropriated for such purpose.

SECTION 4. (a) The Bonds shall be executed, for and on behalf of the County, by the manual or facsimile signature of the Chairman of the Board of Supervisors and shall have a facsimile of the corporate seal of the Board of Supervisors imprinted thereon, attested by the manual or facsimile signature of the Clerk of the Board of Supervisors.

(b) The Director of Finance is hereby appointed as the Registrar and Paying Agent for the Bonds, and is further hereby authorized to appoint, and to enter into any paying agency agreement with, any bank or trust company or other qualified registrar and paying agent, to serve as Registrar and Paying Agent in lieu of the Director of Finance serving in such capacity (the "Registrar"). No Bond shall be valid or obligatory for any purpose unless and until the certificate of authentication endorsed on such Bond shall have been manually executed by an authorized officer of the Registrar. Upon the authentication of any Bonds, the Registrar shall insert in the certificate of authentication the date as of which such Bonds are authenticated as follows: (i) if the Bond is authenticated prior to the first interest payment date, the certificate shall be dated as of the date of the initial issuance and delivery of the Bonds of the series of Bonds of which such Bond is one, (ii) if the Bond is authenticated upon an interest payment date, the certificate shall be dated as of such interest payment date, (iii) if the Bond is authenticated after the fifteenth (15th) day of the calendar month next preceding an interest payment date and prior to such interest payment date, the certificate shall be dated as of such interest payment date, and (iv) in all other instances the certificate shall be dated as of the interest payment date next preceding the date upon which the Bond is authenticated. In the event that the dates on which interest is payable on the Bonds of any series are other than the first days of a calendar month,

the provisions with respect to authentication as set forth in this Section 4(b) and in the form of the Bonds shall be modified by the Director of Finance as necessary or appropriate.

(c) The execution and authentication of the Bonds in the manner above set forth is adopted as a due and sufficient authentication of the Bonds.

SECTION 5. (a) The principal of the Bonds shall be payable upon presentation and surrender thereof, at the office of the Registrar. Interest on the Bonds shall be payable by check mailed by the Registrar to the registered owners of such Bonds at their respective addresses as such addresses appear on the books of registry kept pursuant to this Section 5. The principal of and premium, if any, and interest on the Bonds shall be payable in such coin or currency of the United States of America as at the respective dates of payment is legal tender for public and private debts.

(b) At all times during which any Bond of any series remains outstanding and unpaid, the Registrar shall keep or cause to be kept at its office books of registry for the registration, exchange and transfer of Bonds of such series. Upon presentation at its office for such purpose, the Registrar, under such reasonable regulations as it may prescribe, shall register, exchange or transfer, or cause to be registered, exchanged or transferred, on the books of registry the Bonds as hereinbefore set forth.

(c) Any Bond may be exchanged at the office of the Registrar for such series of Bonds for a like aggregate principal amount of such Bonds in other authorized principal sums of the same series, interest rate and maturity.

(d) Any Bond of any series may, in accordance with its terms, be transferred upon the books of registry by the person in whose name it is registered, in person or by his duly authorized agent, upon surrender of such Bond to the Registrar for cancellation, accompanied by a written instrument of transfer duly executed by the registered owner in person or by his duly authorized attorney, in form satisfactory to the Registrar.

(e) All transfers or exchanges pursuant to this Section 5 shall be made without expense to the registered owner of such Bonds, except as otherwise herein provided, and except that the Registrar shall require the payment by the registered owner of the Bond requesting such transfer or exchange of any tax or other governmental charges required to be paid with respect to such transfer or exchange. All Bonds surrendered pursuant to this Section 5 shall be cancelled.

(f) (i) The Bonds shall be issued in full book-entry form. One Bond representing each maturity of the Bonds will be issued to and registered in the name of Cede & Co., as nominee of DTC, as registered owner of the Bonds and each such Bond will be immobilized in the custody of DTC. DTC will act as securities depository for the Bonds. Individual purchases will be made in book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof. Purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased.

(ii) Principal, premium and interest payments on the Bonds will be made by the Registrar to DTC or its nominee, Cede & Co., as registered owner of the Bonds, which will in turn remit such payments to DTC participants for subsequent disbursement to the beneficial owners of the Bonds. Transfers of principal and interest payments to DTC participants will be

the responsibility of DTC. Transfers of such payments to beneficial owners of the Bonds by DTC participants will be the responsibility of such participants and other nominees of such beneficial owners. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and, in turn, by DTC participants who act on behalf of the indirect participants of DTC and the beneficial owners of the Bonds.

(iii) The County will not be responsible or liable for sending transaction statements or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants or for transmitting payments to, communicating with, notifying or otherwise dealing with any beneficial owner of the Bonds.

SECTION 6. (a) CUSIP identification numbers may be printed on the Bonds, but no such number shall constitute a part of the contract evidenced by the particular Bond upon which it is printed; no liability shall attach to the County or any officer or agent thereof (including any paying agent for the Bonds) by reason of such numbers or any use made thereof (including any use thereof made by the County, any such officer or any such agent) or by reason of any inaccuracy, error or omission with respect thereto or in such use; and any inaccuracy, error or omission with respect to such numbers shall not constitute cause for failure or refusal by a purchaser of the Bonds to accept delivery of and pay for such Bonds. All expenses in connection with the assignment and printing of CUSIP numbers on the Bonds shall be paid by the initial purchasers of the Bonds.

(b) A copy of the final legal opinion with respect to the Bonds, with the name of the attorney or attorneys rendering the same, together with a certification of the Clerk of the Board of Supervisors, executed by a facsimile signature of that officer, to the effect that such copy is a true and complete copy (except for letterhead and date) of the legal opinion which was dated as of the date of delivery of and payment for the Bonds, may be printed on the Bonds.

SECTION 7. The County covenants and agrees to comply with the provisions of Sections 103 and 141-150 of the Internal Revenue Code of 1986, as amended (the "Code") and the applicable Treasury Regulations promulgated thereunder throughout the term of the Bonds.

SECTION 8. The Bonds shall be sold in one or more series in accordance with the provisions of Section 2 at competitive or negotiated sale at an aggregate purchase price of not less than one hundred percent (100%) of the principal amount thereof, plus accrued interest thereon from their date to the date of delivery thereof and payment therefor, and on such other terms and conditions as are provided in the Official Notice of Sale thereof or in the Purchase Contract relating thereto.

If the Bonds are sold at competitive sale, they may be sold contemporaneously with other bonds of the County under a combined Official Notice of Sale. If the Bonds are sold at competitive sale, the Director of Finance is hereby authorized to cause to be prepared and distributed (via electronic dissemination or otherwise) an Official Notice of Sale of the Bonds in such form and containing such terms and conditions as the Director of Finance may deem advisable, subject to the provisions hereof.

Upon the determination by the Director of Finance to sell the Bonds at competitive or negotiated sale, the Director of Finance is hereby authorized, without further notice to or action by the Board of Supervisors, to determine the rates of interest the Bonds shall bear; *provided, however*, in no event shall the true interest cost for the Bonds exceed five percent (5%). In no event shall the premium payable by the County upon the redemption of the Bonds exceed two percent (2%) of the principal amount thereof; *provided, however*, that the Bonds may be subject to redemption at a make-whole redemption price calculated as may be determined by the Director of Finance at the time of sale of the Bonds.

If the Bonds are sold at negotiated sale, the Director of Finance is hereby authorized, without further notice to or action by the Board of Supervisors, to select the underwriters for the Bonds (the "Underwriters") and to execute and deliver to the Underwriters a Bond Purchase Contract or Bond Purchase Agreement relating to the Bonds.

The Director of Finance is hereby authorized to cause to be prepared and distributed (via electronic dissemination or otherwise) a Preliminary Official Statement and a final Official Statement relating to the Bonds. The Director of Finance is hereby further authorized to certify that the Preliminary Official Statement for the Bonds of each series authorized hereunder is "deemed final" for purposes of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934. The County Manager or any Deputy County Manager and the Director of Finance are hereby authorized to execute and deliver the final Official Statement for the Bonds of each series authorized hereunder, and the County Manager or any Deputy County Manager, the Director of Finance and the County Attorney are hereby authorized to execute and deliver to the purchasers of the Bonds of each series certificates in the forms provided for in the Official Statement for the Bonds of such series.

The County Manager, any Deputy County Manager or the Director of Finance is each hereby further authorized to execute and deliver to the purchasers of the Bonds of each series authorized hereunder a Continuing Disclosure Certificate or a Continuing Disclosure Agreement evidencing the County's undertaking to comply with the continuing disclosure requirements of Paragraph (b)(5) of such Rule 15c2-12 to the extent applicable to the Bonds, such Continuing Disclosure Certificate or Continuing Disclosure Agreement to be in such form as shall be approved by the County Manager, any Deputy County Manager or the Director of Finance upon the advice of counsel (including the County Attorney or Bond Counsel to the County), such approval to be conclusively evidenced by his execution of such Continuing Disclosure Certificate or Continuing Disclosure Agreement.

SECTION 9. The Board of Supervisors hereby authorizes the County to make expenditures for the purposes for which the Bonds are to be issued in advance of the issuance and receipt of the proceeds of sale of the Bonds and to reimburse such expenditures from the proceeds of the sale of the Bonds. The adoption of this Resolution shall be considered as an "official intent" within the meaning of Treasury Regulations Section 1.150-2 promulgated under the Code.

SECTION 10. The Bonds, the certificate of authentication of the Registrar and the assignment endorsed on the Bonds shall be in substantially the form set forth in Exhibit A, with such necessary or appropriate variations, omissions, and insertions as are incidental to their

numbers, interest rates, and maturities, or as are otherwise permitted or required by law or this Resolution.

SECTION 11. The County Attorney is hereby directed to file a copy of this Resolution, certified by the Clerk of the Board of Supervisors to be a true copy hereof, with the Circuit Court of the County.

SECTION 12. All resolutions and proceedings in conflict herewith are, to the extent of such conflict, repealed.

EXHIBIT A

**UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
HENRICO COUNTY
GENERAL OBLIGATION PUBLIC IMPROVEMENT
BONDS, SERIES _____**

REGISTERED

REGISTERED

No. R-__

\$ _____

INTEREST
RATE:
%

MATURITY
DATE:

DATE OF BOND:

CUSIP NO.:

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: DOLLARS

Henrico County (hereinafter referred to as the "County"), a political subdivision of the Commonwealth of Virginia, for value received, hereby acknowledges itself indebted and hereby promises to pay to the Registered Holder (named above), or registered assigns, on the Maturity Date (specified above), unless this Bond shall have been called for previous redemption and payment of the redemption price shall have been duly made or provided for, the Principal Sum (specified above), and to pay interest on such Principal Sum on _____, 20__ and semiannually on each _____ and _____ thereafter (each such date is hereinafter referred to as an "interest payment date"), from the date hereof or from the interest payment date next preceding the date of authentication hereof to which interest shall have been paid, unless such date of authentication is an interest payment date, in which case from such interest payment date, or unless such date of authentication is within the period from the sixteenth (16th) day to the last day of the calendar month next preceding the following interest payment date, in which case from such following interest payment date, such interest to be paid until the maturity or redemption hereof at the Interest Rate (specified above) per annum, by wire transfer or by check mailed by the Registrar hereinafter mentioned to the Registered Owner hereof in whose name this Bond is registered upon the books of registry, as of the close of business on the record date (whether or not a business day) next preceding each interest payment date. The record dates for this Bond shall be _____ and _____. Interest on this Bond shall be calculated on the basis of a 360-day year comprised of twelve 30-day months.

The principal of this Bond is payable upon presentation and surrender thereof at the office of the Director of Finance of the County (the "Registrar"). The principal of and interest on this Bond are payable in such coin or currency of the United States of America as at the respective dates of payment is legal tender for public and private debts.

This Bond is one of a duly authorized issue of Bonds (herein referred to as the "Bonds") in the aggregate principal amount of _____ Dollars (\$_____) of like date, denomination and tenor herewith except for number, interest rate, maturity and redemption provisions, and is issued under and pursuant to and in full compliance with the Constitution and statutes of the Commonwealth of Virginia, including Chapter 26 of Title 15.2 of the Code of Virginia, 1950, as amended (the same being the Public Finance Act of 1991), for the purpose of financing certain school capital improvements, road improvements, and recreation and parks facilities capital improvements in the County in accordance with an election held in the County on November 8, 2016, and pursuant to a resolution duly adopted by the Board of Supervisors of the County on March 10, 2020 (the "Resolution").

The Bonds maturing on or after _____ may be redeemed prior to their respective maturity dates, on or after _____, at the option of the County, as a whole or in part at any time at the price equal to the principal amount of the Bonds to be redeemed, together with the interest accrued thereon to the date fixed for the redemption thereof.

In the event less than all of the Bonds of a particular maturity are called for redemption, the particular Bonds of such maturity or portions thereof in installments of \$5,000 to be redeemed shall be selected by lot.

If this Bond is redeemable and this Bond (or any portion of the principal amount thereof in installments of \$5,000) shall be called for redemption, notice of the redemption hereof, specifying the date, number and maturity of this Bond, the date and place fixed for its redemption, and if less than the entire principal amount of this Bond is to be redeemed, that this Bond must be surrendered in exchange for the principal amount thereof to be redeemed and the issuance of a new Bond equaling in principal amount that portion of the principal amount hereof not to be redeemed, shall be mailed not less than thirty (30) days prior to the date fixed for redemption by first class mail, postage prepaid, to the Registered Owner of this Bond at his address as it appears on the books of registry maintained by the Registrar as of the close of business on the forty-fifth (45th) day preceding the date fixed for redemption. If notice of redemption of this Bond shall have been given as aforesaid, and payment of the principal amount of this Bond (or the portion of the principal amount hereof to be redeemed) and of the accrued interest payable upon such redemption shall have been duly made or provided for, interest hereon shall cease to accrue from and after the date so specified for the redemption hereof.

Any notice of the optional redemption of this Bond may state that it is conditioned upon there being on deposit with the County, or with a designated agent of the County, on the date fixed for the redemption hereof an amount of money sufficient to pay the redemption price of this Bond, together with the interest accrued thereon to the date fixed for the redemption hereof, and any conditional notice so given may be rescinded at any time before the payment of the redemption price of this Bond, together with the interest accrued thereon, is due and payable if any such condition so specified is not satisfied. If a redemption of this Bond does not occur after a conditional notice is given due to there not being on deposit with the County, or with a designated agent of the County, a sufficient amount of money to pay the redemption price of this Bond, together with the interest accrued thereon to the date fixed for the redemption hereof, the corresponding notice of redemption shall be deemed to be revoked.

Subject to the limitations and upon payment of the charges, if any, provided in the proceedings authorizing the Bonds of the issue of which this Bond is one, this Bond may be exchanged at the principal office of the Registrar for a like aggregate principal amount of Bonds of other authorized principal amounts and of the series of which this Bond is one. This Bond is transferable by the Registered Owner hereof, in person or by his attorney duly authorized in writing, at the principal office of the Registrar but only in the manner, subject to the limitations and upon payment of the charges, if any, provided in the proceedings authorizing the Bonds of the issue of which this Bond is one, and upon the surrender hereof for cancellation. Upon such transfer a new Bond or Bonds of authorized denominations and of the same aggregate principal amount of the issue of which this Bond is one will be issued to the transferee in exchange herefor.

The full faith and credit of the County are irrevocably pledged to the punctual payment of the principal of and interest on this Bond as the same become due. In each year while this Bond is outstanding and unpaid, the Board of Supervisors of the County is authorized and required to levy and collect annually, at the same time and in the same manner as other taxes of the County are assessed, levied and collected, a tax upon all taxable property within the County, over and above all other taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay when due the principal of and interest on this Bond to the extent other funds of the County are not lawfully available and appropriated for such purpose.

This Bond shall not be valid or obligatory unless the certificate of authentication hereon shall have been manually signed by an authorized signator of the Registrar.

It is hereby certified, recited and declared that all acts, conditions and things required to have happened, to exist and to have been performed precedent to and in the issuance of this Bond and the issue of which it is one, have happened, do exist and have been performed in regular and due time, form and manner as required by law, and that the Bonds of the issue of which this Bond is one do not exceed any constitutional or statutory limitation of indebtedness.

IN WITNESS WHEREOF, the County, by its Board of Supervisors, has caused this Bond to be executed by the manual or facsimile signature of the Chairman of such Board; the corporate seal of such Board to be impressed or imprinted hereon, attested by the manual or facsimile signature of the Clerk of such Board; and this Bond to be dated the date first above written.

Clerk of the Board of
Supervisors

(Seal)

Chairman of the Board of Supervisors

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds delivered pursuant to the within-mentioned proceedings.

Director of Finance, Registrar

By: _____
Authorized Signature

Date of Authentication: _____, _____

(FORM OF ASSIGNMENT)

For value received, the undersigned hereby sell(s), assign(s) and transfer(s) unto

(Please print or type name and address, including postal zip code, of transferee)

PLEASE INSERT SOCIAL SECURITY
OR OTHER TAX IDENTIFYING NUMBER
OF TRANSFEEE:

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to transfer such Bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

Signature(s) Guaranteed

NOTICE: Signature (s) must be guaranteed by a member firm of The New York Stock Exchange, Inc. or a commercial bank or trust company.

(Signature(s) of Registered Owner)
NOTICE: The signature(s) above must correspond with the name of the Registered Owner as it appears on the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.



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

Agenda Item No. 17-20
Page No. 1 of 1

Agenda Title: RESOLUTION – Authorizing and Providing for the Issuance, Sale and Delivery of Not to Exceed Seventeen Million Five Hundred Thousand Dollars (\$17,500,000) Principal Amount of County of Henrico, Virginia, General Obligation Public Improvement Refunding Bonds

For Clerk's Use Only:

Date: 3/10/2020
 Approved
 Denied
 Amended
 Deferred to:

*added
change*
BOARD OF SUPERVISORS ACTION
 Moved by (1) O'Bannon Seconded by (1) Schmitt
 (2) O'Bannon (2) Schmitt

REMARKS: **APPROVED**

	YES	NO	OTHER
Braun, T.	<u>(2)</u> ✓		
Nelson, T.	✓		
O'Bannon, P.	✓		
Schmitt, D.	✓		
Thornton, F.	✓		

The Board of Supervisors adopted the attached resolution.

Comments: This resolution was prepared by the County's bond counsel and has been reviewed and approved as to form by the County Attorney.

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

Routing:
 Yellow to: _____
 Copy to: _____

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

Date: _____

RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF NOT TO EXCEED SEVENTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS (\$17,500,000) PRINCIPAL AMOUNT OF COUNTY OF HENRICO, VIRGINIA, GENERAL OBLIGATION PUBLIC IMPROVEMENT REFUNDING BONDS

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

SECTION 1. Pursuant to Chapter 26 of Title 15.2 of the Code of Virginia, 1950, the same being the Public Finance Act of 1991, for the purpose of refunding all or a portion of certain currently outstanding issues of general obligation bonds of the County, the refunding of which shall be recommended by the County's Financial Advisor (collectively, the "Refunded Bonds"), there are authorized to be issued not to exceed Seventeen Million Five Hundred Thousand Dollars (\$17,500,000) principal amount of general obligation bonds of the County to be designated as the "County of Henrico, Virginia, General Obligation Public Improvement Refunding Bonds" (the "Bonds").

SECTION 2. (a) The Bonds shall be issued in fully registered form and shall be in the denomination of \$5,000 or any integral multiple thereof. The Bonds shall be numbered from R-1 upwards in order of issuance and shall have such other series designation as shall be determined by the Director of Finance, shall mature in such years and in such amounts in each year as shall be determined by the Director of Finance and shall bear interest, calculated on the basis of a 360-day year comprised of twelve 30-day months, at such rate or rates per annum as shall be determined in accordance with the provisions of Section 8, such interest to be payable semiannually; *provided* that the first interest payment date may be any date within one (1) year from the date of the Bonds as determined by the Director of Finance. The Director of Finance is authorized to determine, in accordance with and subject to the provisions of this Resolution: the date or dates of the Bonds, the interest payment dates thereof, the maturity dates thereof, the amount of principal maturing on each maturity date and whether or not the Bonds shall be subject to redemption prior to their stated maturity or maturities and if subject to such redemption, the premiums, if any, payable upon such redemption and the respective periods in which such premiums are payable.

(b) (i) If the Bonds are subject to redemption and if any Bonds (or portions thereof in installments of \$5,000 or any integral multiple thereof) are to be redeemed, notice of such redemption specifying the date, numbers and maturity or maturities of the Bond or Bonds to be redeemed, the date and place or places fixed for their redemption, the premium, if any, payable upon such redemption and, if less than the entire principal amount of a Bond called for redemption is to be redeemed, that such Bond must be surrendered in exchange for payment of the principal amount thereof to be redeemed and the issuance of a new Bond or Bonds equalling in principal amount that portion of the principal amount of such Bond not to be redeemed, shall be mailed not less than thirty (30) days prior to the date fixed for redemption, by first class mail, postage prepaid, to the registered owner of such Bond at the address of such registered owner as it appears on the books of registry kept by the Registrar (as hereinafter defined) as of the close of business on the forty-fifth (45th) day next preceding the date fixed for redemption. If any Bond

shall have been called for redemption and notice thereof shall have been given as hereinabove set forth, and payment of the principal amount of such Bond (or of the principal amount thereof to be redeemed) and of the accrued interest and premium, if any, payable upon such redemption shall have been duly made or provided for, interest on such Bond (or on the principal amount thereof to be redeemed) shall cease to accrue from and after the date so specified for the redemption thereof.

(ii) Any notice of the optional redemption of the Bonds may state that it is conditioned upon there being on deposit with the County, or with a designated agent of the County, on the date fixed for the redemption thereof an amount of money sufficient to pay the redemption price of such Bonds, together with the interest accrued thereon to the date fixed for the redemption thereof, and any conditional notice so given may be rescinded at any time before the payment of the redemption price of such Bonds, together with the interest accrued thereon, is due and payable if any such condition so specified is not satisfied. If a redemption of any Bonds does not occur after a conditional notice is given due to there not being on deposit with the County, or with a designated agent of the County, a sufficient amount of money to pay the redemption price of such Bonds, together with the interest accrued thereon to the date fixed for the redemption thereof, the corresponding notice of redemption shall be deemed to be revoked.

(iii) So long as the Bonds are in book-entry only form, any notice of redemption shall be given only to The Depository Trust Company, New York, New York ("DTC"), or to its nominee. The County shall not be responsible for providing any beneficial owner of the Bonds any notice of redemption.

SECTION 3. The full faith and credit of the County are irrevocably pledged to the punctual payment of the principal of and interest on the Bonds as the same become due. In each year while the Bonds, or any of them, are outstanding and unpaid, the Board of Supervisors is authorized and required to levy and collect annually, at the same time and in the same manner as other taxes of the County are assessed, levied and collected, a tax upon all taxable property within the County, over and above all other taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay when due the principal of and interest on the Bonds to the extent other funds of the County are not lawfully available and appropriated for such purpose.

SECTION 4. (a) The Bonds shall be executed, for and on behalf of the County, by the manual or facsimile signature of the Chairman of the Board of Supervisors and shall have a facsimile of the seal of the County imprinted thereon, attested by the manual or facsimile signature of the Clerk of the Board of Supervisors.

(b) The Director of Finance is hereby appointed to serve as the Registrar and Paying Agent for the Bonds (the "Registrar"). The Director of Finance is also hereby authorized to appoint a bank or trust company to serve as Registrar and to appoint a successor Registrar. No Bond shall be valid or obligatory for any purpose unless and until the certificate of authentication endorsed on such Bond shall have been manually executed by the Registrar. Upon the authentication of any Bonds the Registrar shall insert in the certificate of authentication the date as of which such Bonds are authenticated as follows: (i) if the Bond is authenticated prior to the first interest payment date, the certificate shall be dated as of the date of the initial issuance and

delivery of the Bonds of the series of Bonds of which such Bond is one, (ii) if the Bond is authenticated upon an interest payment date, the certificate shall be dated as of such interest payment date, (iii) if the Bond is authenticated after the fifteenth (15th) day of the calendar month next preceding an interest payment date and prior to such interest payment date, the certificate shall be dated as of such interest payment date and (iv) in all other instances the certificate shall be dated as of the interest payment date next preceding the date upon which the Bond is authenticated.

(c) The execution and authentication of the Bonds in the manner above set forth is adopted as a due and sufficient authentication of the Bonds.

SECTION 5. (a) The principal of and interest on the Bonds shall be payable in such coin or currency of the United States of America as at the respective dates of payment thereof is legal tender for public and private debts. The principal of the Bonds shall be payable upon presentation and surrender thereof at the office of the Registrar. Interest on the Bonds shall be payable by check mailed by the Registrar to the registered owners of the Bonds at their respective addresses as such addresses appear on the books of registry kept pursuant to this Section 5; *provided, however*, that so long as the Bonds are in book-entry form and registered in the name of Cede & Co., as nominee of DTC, or in the name of such other nominee of DTC as may be requested by an authorized representative of DTC, interest on the Bonds shall be paid directly to Cede & Co. or such other nominee of DTC by wire transfer.

(b) At all times during which any Bond of any series remains outstanding and unpaid, the Registrar shall keep or cause to be kept at its office books of registry for the registration, exchange and transfer of Bonds of such series. Upon presentation at its office for such purpose, the Registrar, under such reasonable regulations as it may prescribe, shall register, exchange or transfer, or cause to be registered, exchanged or transferred, on the books of registry the Bonds as hereinbefore set forth.

(c) Any Bond may be exchanged at the office of the Registrar for such series of Bonds for a like aggregate principal amount of such Bonds in other authorized principal sums of the same series, interest rate and maturity.

(d) Any Bond of any series may, in accordance with its terms, be transferred upon the books of registry by the registered owner thereof, in person or by the duly authorized agent of such registered owner, upon surrender of such Bond to the Registrar for cancellation, accompanied by a written instrument of transfer duly executed by such registered owner in person or by the duly authorized attorney of such registered owner, in form satisfactory to the Registrar.

(e) All transfers or exchanges pursuant to this Section 5 shall be made without expense to the registered owner of such Bonds, except as otherwise herein provided, and except that the Registrar shall require the payment by the registered owner of the Bond requesting such transfer or exchange of any tax or other governmental charges required to be paid with respect to such transfer or exchange. All Bonds surrendered pursuant to this Section 5 shall be cancelled.

(f) (i) The Bonds shall be issued in full book-entry form. One Bond representing each maturity of the Bonds will be issued to and registered in the name of Cede & Co., as nominee of DTC, or in the name of such other nominee of DTC as may be requested by an authorized representative of DTC, as registered owner of the Bonds and each such Bond will be immobilized in the custody of DTC. DTC will act as securities depository for the Bonds. Individual purchases will be made in book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof. Purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased.

(ii) Principal and interest payments on the Bonds will be made by the Registrar to DTC or its nominee, Cede & Co., or such other nominee of DTC as may be requested by an authorized representative of DTC, as registered owner of the Bonds, which will in turn remit such payments to DTC participants for subsequent disbursement to the beneficial owners of the Bonds. Transfers of principal and interest payments to DTC participants will be the responsibility of DTC. Transfers of such payments to beneficial owners of the Bonds by DTC participants will be the responsibility of such participants and other nominees of such beneficial owners. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and, in turn, by DTC participants who act on behalf of the indirect participants of DTC and the beneficial owners of the Bonds.

(iii) The County will not be responsible or liable for sending transaction statements or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants or for transmitting payments to, communicating with, notifying or otherwise dealing with any beneficial owner of the Bonds.

SECTION 6. (a) CUSIP identification numbers may be printed on the Bonds, but no such number shall constitute a part of the contract evidenced by the particular Bond upon which it is printed; no liability shall attach to the County or any officer or agent thereof (including any paying agent for the Bonds) by reason of such numbers or any use made thereof (including any use thereof made by the County, any such officer or any such agent) or by reason of any inaccuracy, error or omission with respect thereto or in such use; and any inaccuracy, error or omission with respect to such numbers shall not constitute cause for failure or refusal by a purchaser of the Bonds to accept delivery of and pay for such Bonds. All expenses in connection with the assignment and printing of CUSIP numbers on the Bonds shall be paid by the initial purchasers of the Bonds.

(b) A copy of the final legal opinion with respect to the Bonds, with the name of the attorney or attorneys rendering the same, together with a certification of the Clerk of the Board of Supervisors, executed by a facsimile signature of that officer, to the effect that such copy is a true and complete copy (except for letterhead and date) of the legal opinion which was dated as of the date of delivery of and payment for the Bonds, may be printed on the Bonds.

SECTION 7. To the extent it shall be contemplated at the time of their issuance that the interest on any Bonds issued hereunder shall be excludable from gross income for purposes of federal income taxation, the County covenants and agrees to comply with the provisions of Sections 103 and 141-150 of the Internal Revenue Code of 1986 and the applicable Treasury Regulations promulgated thereunder throughout the term of the Bonds.

SECTION 8. The Bonds shall be sold in one or more series in accordance with the provisions of Section 2 at competitive or negotiated sale at not less than ninety-eight percent (98%) of the principal amount thereof and on such other terms and conditions as are provided in the Official Notice of Sale thereof or in the Purchase Contract or Bond Purchase Agreement relating thereto.

If the Bonds are sold at competitive sale, they may be sold contemporaneously with other bonds of the County under a combined Official Notice of Sale. If the Bonds are sold at competitive sale, the Director of Finance is hereby authorized to cause to be prepared and distributed (via electronic dissemination or otherwise) an Official Notice of Sale of the Bonds in such form and containing such terms and conditions as the Director of Finance may deem advisable, subject to the provisions hereof.

Upon the determination by the Director of Finance to sell the Bonds at competitive or negotiated sale, the Director of Finance is hereby authorized, without further notice to or action by the Board of Supervisors, to determine the rates of interest the Bonds shall bear; *provided that*:

(i) in no event shall the true interest cost for the Bonds exceed five percent (5%);

(ii) in no event shall the premium payable by the County upon the redemption of the Bonds exceed two percent (2%) of the principal amount thereof; provided, however, that the Bonds may be subject to redemption at a make-whole redemption price calculated as may be determined by the Director of Finance at the time of sale of the Bonds; and

(iii) the Bonds of any series may be issued and sold only if the refunding of the Refunded Bonds refunded thereby will result in aggregate net present value debt service savings of at least three percent (3%).

If the Bonds are sold at negotiated sale, the Director of Finance is hereby authorized, without further notice to or action by the Board of Supervisors, to select the underwriters for the Bonds (the "Underwriters") and to execute and deliver to the Underwriters a Purchase Contract or a Bond Purchase Agreement relating to the Bonds.

The Director of Finance is hereby authorized to cause to be prepared and distributed (via electronic dissemination or otherwise) a Preliminary Official Statement and a final Official Statement relating to the Bonds. The Director of Finance is hereby further authorized to certify that the Preliminary Official Statement for the Bonds of each series authorized hereunder is "deemed final" for purposes of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934. The County Manager or any Deputy County Manager and the Director of Finance are hereby authorized to execute and deliver the final Official Statement for the Bonds of each series authorized hereunder, and the County Manager or any Deputy County Manager, the Director of Finance and the County Attorney are hereby authorized to execute and deliver to the purchasers of the Bonds of each series certificates in the forms provided for in the Official Statement for the Bonds of such series.

The Director of Finance is hereby further authorized to execute and deliver to the purchasers of the Bonds of each series authorized hereunder a Continuing Disclosure Certificate or a Continuing Disclosure Agreement evidencing the County's undertaking to comply with the continuing disclosure requirements of Paragraph (b)(5) of such Rule 15c2-12 to the extent applicable to the Bonds, such Continuing Disclosure Certificate or Continuing Disclosure Agreement to be in such form as shall be approved by the Director of Finance upon the advice of counsel (including the County Attorney or Bond Counsel to the County), such approval to be conclusively evidenced by the execution of such Continuing Disclosure Certificate or Continuing Disclosure Agreement by the Director of Finance.

SECTION 9. (a) The Director of Finance is hereby authorized to appoint an escrow agent (the "Escrow Agent") for the County in connection with the refunding of the Refunded Bonds and to select a verification agent, if necessary, in connection with the refunding of the Refunded Bonds.

(b) The Director of Finance is hereby authorized and directed to execute and deliver an Escrow Deposit Agreement by and between the County and the Escrow Agent in such form as shall be approved by the Director of Finance upon the advice of counsel (including the County Attorney or Bond Counsel to the County), such approval to be conclusively evidenced by the execution of the Escrow Deposit Agreement by the Director of Finance.

(c) The County Manager, any Deputy County Manager or the Director of Finance is hereby authorized from time to time to execute, on behalf of the County, subscriptions for United States Time Deposit Securities - State and Local Government Series, if any, to be purchased by the Escrow Agent from moneys deposited in the Escrow Deposit Fund created and established under any Escrow Deposit Agreement and from time to time to authorize the sale of such United States Time Deposit Securities - State and Local Government Series and the purchase of other United States Time Deposit Securities - State and Local Government Series or open market obligations of the United States in lieu of and in substitution therefor. Such United States Time Deposit Securities - State and Local Government Series, if any, and open market obligations so purchased shall be held by the Escrow Agent under and in accordance with the provisions of the related Escrow Deposit Agreement. The County Manager, any Deputy County Manager or the Director of Finance is hereby authorized to enter into such purchase agreements, including forward supply agreements, if any, as shall be required in connection with the purchase by the Escrow Agent, from moneys deposited in the Escrow Deposit Fund created and established under any Escrow Deposit Agreement, of Government Securities (as defined in the Escrow Deposit Agreement) other than United States Time Deposit Securities - State and Local Government Series.

SECTION 10. Subject to the issuance, sale and delivery of the Bonds pursuant to this Resolution, the Board of Supervisors hereby designates for redemption the Refunded Bonds to be redeemed at a redemption price equal to the principal amount thereof, together with the interest accrued thereon to the date or dates fixed for redemption thereof, plus the applicable premium, if any. The Director of Finance is hereby authorized and directed to deliver to the escrow agent under the Escrow Deposit Agreement irrevocable written instructions to give notices of such redemption of the Refunded Bonds, in the name and on behalf of the County, to the registered owners thereof, such notices to be given in the manner and at the time or times

provided in the respective proceedings authorizing the issuance of the respective bonds and to be in substantially the forms to be set forth as exhibits to the Escrow Deposit Agreement.

SECTION 11. The Bonds, the certificate of authentication of the registrar and the assignment endorsed on the Bonds, shall be in substantially the form set forth in Exhibit A.

SECTION 12. The County Attorney is hereby directed to file a copy of this Resolution, certified by the Clerk of the Board of Supervisors to be a true copy hereof, with the Circuit Court of the County.

SECTION 13. All resolutions and proceedings in conflict herewith are, to the extent of such conflict, repealed.

SECTION 14. In the event any Bonds authorized for issuance under this Resolution shall not have been issued on or before March 1, 2021, such authorization to issue such Bonds shall terminate and shall be of no further force and effect.

EXHIBIT A

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO
GENERAL OBLIGATION PUBLIC IMPROVEMENT
REFUNDING BOND, SERIES _____

REGISTERED

REGISTERED

No. R-__

\$ _____

INTEREST
RATE:
%

MATURITY
DATE:

DATE OF BOND:

CUSIP NO.:

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM:

DOLLARS

The County of Henrico (hereinafter referred to as the "County"), a political subdivision of the Commonwealth of Virginia, for value received, hereby acknowledges itself indebted and hereby promises to pay to the Registered Owner (named above), or registered assigns, on the Maturity Date (specified above), unless this Bond shall have been called for previous redemption and payment of the redemption price shall have been duly made or provided for, the Principal Sum (specified above), and to pay interest on such Principal Sum on _____, _____ and semiannually on each _____ and _____ thereafter (each such date is hereinafter referred to as an "interest payment date"), from the date hereof or from the interest payment date next preceding the date of authentication hereof to which interest shall have been paid, unless such date of authentication is an interest payment date, in which case from such interest payment date, or unless such date of authentication is within the period from the sixteenth (16th) day to the last day of the calendar month next preceding the following interest payment date, in which case from such following interest payment date, such interest to be paid until the maturity or redemption hereof at the Interest Rate (specified above) per annum, by wire transfer or by check mailed by the Registrar hereinafter mentioned to the Registered Owner hereof in whose name this Bond is registered upon the books of registry, as of the close of business on the fifteenth (15th) day (whether or not a business day) of the calendar month next preceding each interest payment date; *provided, however,* that so long as this Bond is in book-entry only form and registered in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"), or in the name of such other nominee of DTC as may be requested by an authorized representative of DTC, interest on this Bond shall be paid directly to Cede & Co. or such other nominee of DTC by wire transfer. Interest on this Bond shall be calculated on the basis of a three hundred sixty (360) day year comprised of twelve (12) thirty (30) day months.

The principal of this Bond is payable upon presentation and surrender thereof at the office of the Director of Finance of the County (the "Registrar"). The principal of and

interest on this Bond are payable in such coin or currency of the United States of America as at the respective dates of payment is legal tender for public and private debts.

This Bond is one of a duly authorized issue of Bonds (herein referred to as the "Bonds") in the aggregate principal amount of _____ Dollars (\$_____) of like date, denomination and tenor herewith except for number, interest rate, maturity and redemption provisions, and is issued under and pursuant to and in full compliance with the Constitution and statutes of the Commonwealth of Virginia, including Chapter 26 of Title 15.2 of the Code of Virginia, 1950 (the same being the Public Finance Act of 1991), for the purpose of refunding certain outstanding general obligation public improvement bonds of the County pursuant to a resolution duly adopted by the Board of Supervisors of the County on March 10, 2020.

The Bonds maturing on or before _____, 20__ will not be subject to optional redemption before their respective maturity dates.

The Bonds maturing on or after _____, 20__ may be redeemed prior to their respective maturity dates, on or after _____, 20__, at the option of the County, as a whole or in part at any time, at the price equal to the principal amount of the Bonds to be redeemed, together with the interest accrued thereon to the date fixed for the redemption thereof.

In the event less than all of the Bonds of a particular maturity are called for redemption, the particular Bonds of such maturity or portions thereof in installments of \$5,000 to be redeemed shall be selected by lot.

If this Bond is redeemable and this Bond (or any portion of the principal amount thereof in installments of \$5,000) shall be called for redemption, notice of the redemption hereof, specifying the date, number and maturity of this Bond, the date and place fixed for its redemption, and if less than the entire principal amount of this Bond is to be redeemed, that this Bond must be surrendered in exchange for the principal amount hereof to be redeemed and the issuance of a new Bond equalling in principal amount that portion of the principal amount hereof not to be redeemed, shall be mailed not less than thirty (30) days prior to the date fixed for redemption by first class mail, postage prepaid, to the Registered Owner of this Bond at the address of such Registered Owner as it appears on the books of registry maintained by the Registrar as of the close of business on the forty-fifth (45th) day preceding the date fixed for redemption. If notice of redemption of this Bond shall have been given as aforesaid, and payment of the principal amount of this Bond (or the portion of the principal amount hereof to be redeemed) and of the accrued interest payable upon such redemption shall have been duly made or provided for, interest hereon shall cease to accrue from and after the date so specified for the redemption hereof.

Any notice of the optional redemption of this Bond may state that it is conditioned upon there being on deposit with the County, or with a designated agent of the County, on the date fixed for the redemption hereof an amount of money sufficient to pay the redemption price of this Bond, together with the interest accrued thereon to the date fixed for the redemption hereof, and any conditional notice so given may be rescinded at any time before the payment of

the redemption price of this Bond, together with the interest accrued thereon, is due and payable if any such condition so specified is not satisfied. If a redemption of this Bond does not occur after a conditional notice is given due to there not being on deposit with the County, or with a designated agent of the County, a sufficient amount of money to pay the redemption price of this Bond, together with the interest accrued thereon to the date fixed for the redemption hereof, the corresponding notice of redemption shall be deemed to be revoked.

Subject to the limitations and upon payment of the charges, if any, provided in the proceedings authorizing the Bonds of the issue of which this Bond is one, this Bond may be exchanged at the office of the Registrar for a like aggregate principal amount of Bonds of other authorized principal amounts and of the series of which this Bond is one. This Bond is transferable by the Registered Owner hereof, in person or by the attorney of such Registered Owner duly authorized in writing, at the office of the Registrar but only in the manner, subject to the limitations and upon payment of the charges, if any, provided in the proceedings authorizing the Bonds of the issue of which this Bond is one, and upon the surrender hereof for cancellation. Upon such transfer a new Bond or Bonds of authorized denominations and of the same aggregate principal amount of the issue of which this Bond is one will be issued to the transferee in exchange herefor.

The full faith and credit of the County are irrevocably pledged to the punctual payment of the principal of and interest on this Bond as the same become due. In each year while this Bond is outstanding and unpaid, the Board of Supervisors of the County is authorized and required to levy and collect annually, at the same time and in the same manner as other taxes of the County are assessed, levied and collected, a tax upon all taxable property within the County, over and above all other taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay when due the principal of and interest on this Bond to the extent other funds of the County are not lawfully available and appropriated for such purpose.

This Bond shall not be valid or obligatory unless the certificate of authentication hereon shall have been manually signed by an authorized signator of the Registrar.

It is hereby certified, recited and declared that all acts, conditions and things required to have happened, to exist and to have been performed precedent to and in the issuance of this Bond and the issue of which it is one, have happened, do exist and have been performed in regular and due time, form and manner as required by law, and that the Bonds of the issue of which this Bond is one do not exceed any constitutional or statutory limitation of indebtedness.

IN WITNESS WHEREOF, the County, by its Board of Supervisors, has caused this Bond to be executed by the manual or facsimile signature of the Chairman of the Board of Supervisors; a facsimile of the seal of the County to be imprinted hereon, attested by the manual or facsimile signature of the Clerk of the Board of Supervisors; and this Bond to be dated the date first above written.

Clerk of the Board of
Supervisors

(Seal)

Chairman of the Board of Supervisors

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds delivered pursuant to the within-mentioned proceedings.

Date of Authentication: _____, _____

By: _____
Director of Finance, Registrar

(FORM OF ASSIGNMENT)

For value received, the undersigned hereby sell(s), assign(s) and transfer(s) unto

(Please print or type name and address, including postal zip code, of transferee)

PLEASE INSERT SOCIAL SECURITY
OR OTHER TAX IDENTIFYING NUMBER
OF TRANSFEREE:

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to transfer such Bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

Signature(s) Guaranteed

NOTICE: Signature (s) must be guaranteed by a member firm of The New York Stock Exchange, Inc. or a commercial bank or trust company.

(Signature(s) of Registered Owner)
NOTICE: The signature(s) above must correspond with the name of the Registered Owner as it appears on the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.