

**HENRICO COUNTY
NOTICE OF SPECIAL MEETING
BOARD OF SUPERVISORS**

Please take notice that a special meeting of the Board of Supervisors will be held on **Tuesday, October 26, 2010 at 4:30 p.m.** in the County Manager's Conference Room located on the third floor of the Administration Building at the Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

The matters to be reviewed by the Board at this time are:

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| 4:30 – 5:00 p.m. | Proposed Plan of Development (POD) for the Freedom Flag Monument |
| 5:00 – 6:00 p.m. | Federal Health Care Reform Update |
| 6:00 – 6:45 p.m. | <i>Dinner</i> |



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
October 21, 2010

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
October 26, 2010
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION – Rev. Travis Branch, Chaplin, Gospel Jail Ministry

APPROVAL OF MINUTES – October 12, 2010 Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PRESENTATION

Proclamation – Pancreatic Cancer Awareness Month – November 2010.

PUBLIC HEARING ITEMS

- 252-10 Resolution - POD-11-09 - Approval of a Plan of Development for West Area Elementary School #9 - Three Chopt District.

- 253-10 Ordinance – Vacation of Portion of Right-of-Way – Trebov Avenue Subdivision – Brookland District.

- 254-10 Resolution - Signatory Authority - Conveyance of Utility Easement – Fairfield District.

- 255-10 Ordinance – Vacation of Unimproved Portion of Alley – Revised Subdivision of Property of Geo. W. Turner - Fairfield District.

- 256-10 Resolution – Signatory Authority – Quitclaim of Portions of Utility Easement – St. Michael's Catholic Church – Three Chopt District.

- 257-10 Resolution - Signatory Authority – Quitclaim of Real Estate – Rising Mt. Zion Road – Varina District.

- 258-10 Resolution - Signatory Authority - Conveyance of Real Estate – Eastover Gardens Subdivision, Section A – Varina District.

- 259-10 Resolution – Signatory Authority – Lease of County Property – Williamsburg Road – Varina District.

- 260-10 Resolution – Signatory Authority – Sublease of Capital Region Workforce Center – KRA Corporation, a Maryland corporation – Chesterfield County, Virginia.

PUBLIC COMMENTS

GENERAL AGENDA

- 261-10 Introduction of Ordinance – To Amend and Reordain Section 20-74 of the Code of the County of Henrico Titled “Partial exemption for rehabilitated, renovated or replacement multifamily residential rental units” to Extend the Time for Completion of Rehabilitation Projects Encompassing at Least 50 Contiguous Acres.
- 262-10 Resolution - Award of Construction Contract - Tennis Courts Rehabilitation - Belmont Recreation Center.
- 263-10 Resolution – Acceptance of Target Stores, Inc. Law Enforcement Community Giving Grant Program Award to the County of Henrico Division of Police.
- 264-10 Resolution - Signatory Authority - Amendment to Contract for Engineering Design Services - Charles City Road Improvements from West of Laburnum Avenue to East of Monahan Road (approximately 1,365 feet). Project #00984 (formerly #555656-701-205-00). Varina District.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
October 26, 2010**

INVOCATION – Rev. Travis Branch, Chaplin, Gospel Jail Ministry

PRESENTATION

PROCLAMATION – Pancreatic Cancer Awareness Month – November 2010.

Pancreatic Cancer is the fourth most common cause of cancer death for men and women in the United States. The mortality rate for this type of cancer is 99 percent, the highest of any cancer. The Pancreatic Cancer Action Network is the only national patient advocacy organization that serves the pancreatic cancer community in Henrico County, in the Commonwealth of Virginia, and nationwide by focusing its efforts on public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer. This proclamation recognizes November 2010 as Pancreatic Cancer Awareness Month and calls the observance to the attention of all Henrico citizens.

PUBLIC HEARINGS ITEMS

RESOLUTION - POD-11-09 - Approval of a Plan of Development for West Area Elementary School #9 - Three Chopt District.

This Board paper is for Board of Supervisors' approval of a plan of development, as required by Sections 24-11(b) and 24-106 of the Henrico County Code, for construction of a two-story, 78,400 square-foot elementary school building with associated playing fields and parking areas. The 29.74-acre site is located at the southwest corner of the intersection of Pouncey Tract Road (State Route 271) and Quarry Hill Lane (private), on Parcel 734-776-1774. The property is zoned A-1, Agricultural District, and is located in the Three Chopt District.

The Department of Planning has coordinated the review of the plan of development with all County departments and has held a meeting with the project engineer and appropriate representatives from Henrico County Schools, 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. All design issues raised during the review of the project have been resolved.

The Director of Planning recommends approval of the plan of development, subject to the staff recommendations, the staff plan dated October 26, 2010, and the conditions listed in the Board paper, and the County Manager concurs.

The Board reviewed this plan of development in a work session on October 12, 2010.

ORDINANCE – Vacation of Portion of Right-of-Way – Trebov Avenue Subdivision – Brookland District.

Approval of this Ordinance will vacate a 1,475 square foot unimproved portion of Fitzhugh Avenue right-of-way, abutting Lot 1, Block C, of Trebov Avenue Subdivision. The owner of this lot, Larisa Yushuvayeva, has been maintaining this area and there are no future plans to widen Fitzhugh Avenue through this or adjacent subdivisions. If this ordinance is approved, permanent utility and drainage easements for existing County facilities will be reserved. The Real Property Department has processed this requested vacation through the Departments of Planning, Public Utilities and Public Works without objection.

RESOLUTION - Signatory Authority - Conveyance of Utility Easement – Fairfield District.

The approval of this resolution will authorize the Chairman and Clerk of the Board of Supervisors to execute a Deed of Easement conveying to Virginia Landbank Company (the “Company”) a utility easement so that it may construct private water and sewer lines across a portion of County land to connect to the County’s water and sewer facilities located in Hartman Street. The easement will be located within the driveway easement which the County granted to the Company pursuant to Board resolution 79-10 approved March 9, 2010. The Company’s parcel is adjacent to the County parcel and currently has no water or sewer available. There are no County facilities in the easement area and the water and sewer lines will not interfere with the County’s use of the property.

The Real Property Department has processed this request through the Departments of Planning, Public Utilities, Public Works, and Recreation and Parks without objection.

ORDINANCE – Vacation of Unimproved Portion of Alley – Revised Subdivision of Property of Geo. W. Turner - Fairfield District.

Approval of this Ordinance will vacate an unimproved portion of the alley lying adjacent to Lots 4, 5, 6 and 7 in Revised Subdivision of Property of Geo. W. Turner owned by Curtis W. and Ann G. Markham. There are no County facilities in the area and none are planned. Mr. Markham has been mowing and maintaining the alley. The Real Property Department has processed this requested vacation through the Departments of Planning, Public Works and Public Utilities without objection.

RESOLUTION – Signatory Authority – Quitclaim of Portions of Utility Easement – St. Michael’s Catholic Church – Three Chopt District.

Approval of this Resolution will authorize the Chairman and Clerk of the Board of Supervisors to execute a Quitclaim Deed in a form approved by the County Attorney, releasing the County’s interest in portions of a utility easement acquired in 1996 across property of St. Michael’s Catholic Church. The owner of the land, the Bishop of the Catholic Diocese of Richmond, Virginia, conveyed to the County, at no cost, a replacement easement to allow for improvements to the Church and has requested portions of the original easement which are no

longer needed for utilities be quitclaimed to him. The Real Property Department has processed this request through the Departments of Public Utilities and Planning without objection. The Directors of Real Property and Public Utilities recommend approval of this action.

RESOLUTION - Signatory Authority – Quitclaim of Real Estate – Rising Mt. Zion Road – Varina District.

The approval of this resolution will authorize the Chairman and Clerk of the Board of Supervisors to execute a Quitclaim Deed, in a form approved by the County Attorney, conveying 0.593 acre of County land fronting on Rising Mt. Zion Road to the adjacent land owner, Nathaniel S. Roots. The land, which is not needed by the County, is a residue parcel which remained from land that the County acquired in 1983 from the Commonwealth of Virginia for Rising Mt. Zion Road. In addition to providing a sealed survey, Mr. Roots will pay a consideration of \$3,500. The Real Property Department has processed this request through the Departments of Public Works and Planning without objection. The Directors of Public Works and Real Property recommend approval of this Board paper.

RESOLUTION - Signatory Authority - Conveyance of Real Estate – Eastover Gardens Subdivision, Section A – Varina District.

The approval of this resolution will authorize the Chairman and Clerk of the Board of Supervisors to execute a deed, in a form approved by the County Attorney, conveying 0.040 acre of County land, known as Well Lot No. 1 (“Well Lot”), to Conley S. Booth and Marie R. Booth who own the adjoining Lot 7 in Eastover Gardens Subdivision, Section A. The Well Lot was acquired as part of the water system acquisition from Aqua Virginia in 2007. In addition to providing a sealed survey, the Booths will pay a consideration of \$1,000. The County will reserve a 10’ easement for existing waterline service and a portion of an existing 10’ easement for utilities and drainage from the conveyance. The Real Property Department has processed this request through the Departments of Public Utilities and Planning without objection. The Directors of Public Utilities and Real Property recommend approval of this action.

RESOLUTION – Signatory Authority – Lease of County Property – Williamsburg Road – Varina District.

Approval of this resolution will authorize the County Manager to execute a Lease Agreement between the County of Henrico and KRA Corporation, a Maryland corporation (“KRA”), for approximately 1,885 square feet of dedicated office space, together with the right to use the common area, within the County’s Capital Region Workforce Center’s facility (“One Stop facility”) located at 5410 Williamsburg Road. KRA will use the space as one of several Workforce Investment Act service providers at the One Stop facility.

The monthly rent for this space will be \$1,256.67 for the initial term of eleven months beginning August 1, 2010 with a 2.5% annual increase in rent each year beginning July 1 for any renewal or extensions provided under the terms of the Lease Agreement. KRA’s annual rent per square foot for the initial term is \$8.00.

The Directors of the Capital Region Workforce Partnership and Real Property recommend approval of this Board paper, and the County Manager concurs.

RESOLUTION – Signatory Authority – Sublease of Capital Region Workforce Center – KRA Corporation, a Maryland corporation – Chesterfield County, Virginia.

Approval of this resolution will authorize the County Manager to execute a Sublease Agreement among the County of Henrico, FP Chesterfield ABEF, LLC and KRA Corporation, a Maryland corporation (“KRA”), to sublease to KRA 832 square feet of dedicated office space, together with the right to use approximately 6,980 square feet of common area, within the Capital Region Workforce Center’s facility (“One Stop facility”) located at 7333 Whitepine Road in Chesterfield County. The property is owned by FP Chesterfield ABEF, LLC and leased to the County. KRA will use the space as one of several Workforce Investment Act service providers at the One Stop facility.

The monthly rent for this space will be \$3,633.93 for the initial term of eleven months beginning August 1, 2010 with a 2.5% annual increase in rent each year beginning August 1 for any renewal or extensions provided under the terms of the Sublease Agreement. KRA’s monthly rent per square foot is equal to the County’s monthly rent per square foot.

The Directors of the Capital Region Workforce Partnership and Real Property recommend approval of this Board paper, and the County Manager concurs.

PUBLIC COMMENTS

GENERAL AGENDA

INTRODUCTION OF ORDINANCE – To Amend and Reordain Section 20-74 of the Code of the County of Henrico Titled “Partial exemption for rehabilitated, renovated or replacement multifamily residential rental units” to Extend the Time for Completion of Rehabilitation Projects Encompassing at Least 50 Contiguous Acres.

This Board paper introduces for advertisement and public hearing on November 23, 2010, an ordinance to amend Henrico Code section 20-74 to extend the time for completion of rehabilitation projects encompassing at least 50 contiguous acres from nine to 15 years.

This amendment was discussed during a work session on October 12, 2010.

RESOLUTION – Award of Construction Contract – Tennis Courts Rehabilitation – Belmont Recreation Center.

This resolution awards a contract to **Tennis Courts, Inc.**, the lowest responsive and responsible bidder, in the amount of \$535,442 to rehabilitate the eight existing tennis courts at the Belmont Recreation Center. The existing courts--six clay courts and two hard courts--were constructed in 1960 and are in need of a complete rehabilitation. The core construction project includes all work to provide six fast-dry courts with sub-surface irrigation and two synthetic courts for year

round play. Supporting work includes demolition, site work/grading, water line piping, storm water features, asphalt and concrete work, fencing and supporting elements. The work will be substantially complete within 150 days after the notice to proceed is issued.

Two bids were received on September 29, 2010:

<u>Bidder</u>	<u>Bid</u>
Tennis Courts, Inc.	\$535,442
Contracting Solutions, Inc.	\$601,942

Funding to support the contract is available within the project budget.

RESOLUTION – Acceptance of Target Stores, Inc. Law Enforcement Community Giving Grant Program Award to the County of Henrico Division of Police.

This Board paper accepts a \$1,500 grant from Target Stores, Inc. to the Division of Police to purchase needed navigational (GPS) devices for the Forensics Team. There is no local match.

RESOLUTION - Signatory Authority - Amendment to Contract for Engineering Design Services - Charles City Road Improvements from West of Laburnum Avenue to East of Monahan Road (approximately 1,365 feet). Project #00984 (formerly #555656-701-205-00). Varina District.

On December 14, 2005, the Board of Supervisors approved a contract with Michael Baker, Jr., Inc. for a lump sum fee of \$1,084,121.76 for the preparation of design and construction plans for Charles City Road improvements from west of Laburnum Avenue to east of Monahan Road.

On February 10, 2009, the Board approved an amendment to the engineering contract for a fixed lump sum fee of \$220,453.00 for additional work to design approximately 1,365 feet of waterline along Charles City and Monahan Roads and additional roadway design.

On November 24, 2009, the Board approved a second amendment for a fixed lump sum fee of \$186,379.16 required to provide final plans for a stand-alone construction project on Charles City Road near the proposed intersection with the I-895 Connector.

Additional work is required for engineering design services related to coordination with the I-895 Connector project. Michael Baker, Jr., Inc. and the Department of Public Works have negotiated a fixed lump sum fee for the additional design work in an amount of \$164,038.16.

This Board paper authorizes the County Manager and the Clerk to execute the amendment in a form approved by the County Attorney in the amount of \$164,038.16, together with any necessary change orders within funds available. Funds for this project will be provided from the Capital Projects Fund Project #00984 (formerly #555656-701-205-00).

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