

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
May 10, 2016**

The Henrico County Board of Supervisors convened a special meeting on Tuesday, May 10, 2016, at 5:30 p.m., in the County Manager's Conference Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

Members of the Board Present:

Tyrone E. Nelson, Chairman, Varina District
Richard W. Glover, Vice Chairman, Brookland District
Thomas M. Branin, Three Chopt District
Patricia S. O'Bannon, Tuckahoe District

Member of the Board Absent:

Frank J. Thornton, Fairfield District

Other Officials Present:

John A. Vithoukas, County Manager
Joseph P. Rapisarda, Jr., County Attorney
Joseph T. Tokarz, II, Deputy County Attorney
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board
Tanya B. Harding, Administrative Assistant/Deputy Clerk to the Board
Joseph P. Casey, Ph.D., Deputy County Manager for Administration
Timothy A. Foster, P.E., Deputy County Manager for Community Operations
W. Brandon Hinton, Assistant Deputy County Manager for Community Services
Douglas A. Middleton, Deputy County Manager for Public Safety
Randall R. Silber, Deputy County Manager for Community Development
C. Michael Schnurman, Jr., Legislative Liaison
Tamra R. McKinney, Director of Public Relations & Media Services

Mr. Nelson called the meeting to order at 5:37 p.m.

Mr. Vithoukas briefly referred to the items listed on the agenda for this special meeting.

Proposed Changes to the Taxicab Ordinance

Mr. Vithoukas introduced this topic and recognized Andrew Newby, Assistant County Attorney, who narrated a slide presentation providing a brief recap of what led to the proposal, an overview of proposed amendments, and a discussion of administrative changes and future events. The agenda for the 7:00 p.m. regular meeting included introduction of the proposed amendments for

an advertised public hearing on June 14. Mr. Newby began his presentation by reviewing the current status of the regional taxi industry, noting taxicabs face increased competition from new transportation network companies (TNCs) like Uber and Lyft that are subject to minimal regulations at the state level rather than local regulation as is the case with taxicabs. He next addressed the current status of regional ordinances, pointing out the taxi ordinances for Chesterfield, Hanover, and Henrico Counties and the City of Richmond are written to be reciprocal so that taxicab drivers and companies who meet the requirements of one ordinance can operate on the same footing in all four jurisdictions. Local taxicab companies have requested relief from local regulations to help level the playing field with TNCs, and the Capital Region Taxicab Advisory Board (CRTAB) recommended ordinance amendments to the area jurisdictions in April 2015. Mr. Newby assured Mr. Nelson that he and Chief Middleton have been working with their counterparts in the other jurisdictions to bring the regional ordinances back in sync since the Richmond City Council adopted amendments to its ordinance in November 2015.

Mr. Newby continued his presentation by highlighting the proposed amendments, which are designed to restore uniform regulations in this region's localities and lessen regulatory burdens on the taxicab industry. He and Mr. Vithoulkas responded to questions from Mrs. O'Bannon and Mr. Glover regarding the annual safety inspections and fees for permits and certificates required under the existing ordinance versus the proposed ordinance. Mr. Glover expressed concern that a fee increase contained in the staff proposal will heighten the competitive disadvantage for taxicab companies and run them out of business. He suggested the County should ask the Virginia General Assembly to adopt regulations for TNCs that parallel those for taxicab companies. Mr. Rapisarda acknowledged the Virginia General Assembly created the schism between TNCs and taxicab companies by adopting minimal regulations for TNCs. Chief Middleton reiterated that the regulatory changes proposed by staff are supported by the taxicab industry.

Mr. Newby resumed his presentation by explaining administrative changes recommended by staff that would transfer regulatory functions currently performed by CRTAB to the Police Division. Chief Middleton reviewed the history of CRTAB in response to questions from Mr. Glover and Mrs. O'Bannon. He noted CRTAB was established in 1990 through the Richmond Regional Planning District Commission and more recently staffed by GRTC Transit System's RideFinders.

Mr. Newby concluded his presentation by identifying the next steps the County and the other three local jurisdictions will take in moving forward with the proposed ordinance. The goal is for the amendments to the area ordinances to become effective upon their approval. In response to further questions by Mr. Glover, Mr. Rapisarda referred to some of the less significant changes in the proposed ordinance that were requested by the taxicab industry. Mr. Glover voiced disagreement with placing greater restrictions on taxicab companies than those placed on TNCs by the General Assembly. Mrs. O'Bannon characterized the proposed amendments as a first step towards easing the regulatory burden on taxicab companies prior to going to the General Assembly. Mr. Rapisarda responded to a concern stated by Mr. Nelson pertaining to the logistics of having the four localities approve similar ordinances. Mr. Glover agreed to support introduction of the ordinance but said he thought it should be in sync with state regulations on TNCs prior to approval. Mr. Vithoulkas noted the Board's reservations about the proposed fee increases.

The Board recessed for dinner at 6:17 p.m. and reconvened at 6:23 p.m.

On motion by Mrs. O'Bannon, seconded by Mr. Branin, the Board approved going into a Closed Meeting at 6:23 p.m. for Discussion of the Terms and Award of a Public Contract Involving the Expenditure of Public Funds for a Public Safety Radio Communications Contract, Pursuant to Section 2.2-3711(A)(29) of the Code of Virginia, 1950, as Amended.

The vote of the Board was as follows:

<u>Aye</u>	<u>Absent</u>
Tyrone E. Nelson	Frank J. Thornton
Richard W. Glover	
Thomas M. Branin	
Patricia S. O'Bannon	

On motion of Mrs. O'Bannon, seconded by Mr. Glover, the Board approved going out of the Closed Meeting at 6:49 p.m.

The vote of the Board was as follows:

<u>Aye</u>	<u>Absent</u>
Tyrone E. Nelson	Frank J. Thornton
Richard W. Glover	
Thomas M. Branin	
Patricia S. O'Bannon	

On motion of Mrs. O'Bannon, seconded by Mr. Branin, the Board approved the attached Certificate of Closed Meeting.

The vote of the Board was as follows:

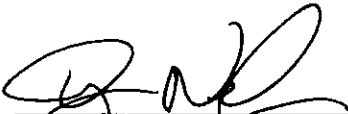
<u>Aye</u>	<u>Absent</u>
Tyrone E. Nelson	Frank J. Thornton
Richard W. Glover	
Thomas M. Branin	
Patricia S. O'Bannon	

Regular Meeting Agenda Items

Mr. Vithoukas briefly reviewed the agenda for the 7:00 p.m. regular meeting. He informed the Board that he had no Manager's Comments but that Mr. Branin would recognize former Three Chopt District Supervisor Dave Kaechele during Board of Supervisors' Comments, at which time representatives of Henrico's General Assembly delegation would present a resolution to Mr. Kaechele in recognition of his numerous years of service on the Board. Mr. Vithoukas reviewed the three presentation items and seven resignation and appointment papers, several of which were triggered by the recent retirement of Deputy County Manager

for Community Services Jane Crawley and the transition by Chief Middleton from Police Chief to Deputy County Manager for Public Safety. He then referred to the two rezoning cases, one other public hearing item, and four general agenda items. Mr. Vithoukas reminded the Board that Police Chief Humberto Cardounel had sent the Board a note on the second general agenda item introducing an ordinance relating to reporting requirements for pawnbrokers and precious metals and gem dealers. Mr. Vithoukas responded to a question from Mr. Nelson pertaining to the second general agenda item, which would award a construction contract for a water play area at the Eastern Henrico Recreation Center.

There being no further business, the meeting was adjourned at 6:54 p.m.



Chairman, Board of Supervisors
Henrico County, Virginia