

**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 10, 2017**, at **5:45 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:

5:45 - 6:15 p.m. High School Synthetic Turf Field Update

6:15 - 6:30 p.m. Regular Meeting Agenda Items



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
October 5, 2017

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
October 10, 2017
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES – September 26, 2017, Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PRESENTATION

Proclamation – Henrico History Month – October 2017.

APPOINTMENT

253-17 Resolution - Nomination of Member - Local Emergency Planning Committee.

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMIT

254-17 B. Hunt Gunter: Request to conditionally rezone from B-1 Business
REZ2017- District to B-2C Business District (Conditional) Parcel 741-742-5027
00020 containing .523 acres located at the northwest intersection of Pump Road
Tuckahoe and Patterson Avenue (State Route 6). The applicant proposes a drive-thru
 restaurant. The use will be controlled by proffered conditions and zoning
 ordinance regulations. The 2026 Comprehensive Plan recommends
 Commercial Concentration and Environmental Protection Area. The
 Planning Commission voted to recommend the Board of Supervisors **grant**
 the request.

255-17 Redco Properties, LLC: Request for a Provisional Use Permit under Sections
PUP2017- 24-58.2(a), 24-120, and 24-122.1 of Chapter 24 of the County Code to allow
00018 for extended hours of operation for a proposed restaurant on part of Parcels
Varina 816-711-6950 and 816-711-8151 located on the east side of S. Laburnum
 Avenue approximately 460' south of its intersection with Eubank Road. The
 existing zoning is B-3C Business District (Conditional). The 2026
 Comprehensive Plan recommends Commercial Concentration. The site is in
 the Airport Safety Overlay District. The Planning Commission voted to
 recommend the Board of Supervisors **grant** the request.

256-17 Jakhov LLC & JBJ & BJJ: Request to conditionally rezone from R-4 One-
REZ2017- Family Residence District to B-2C Business District (Conditional) part of
00021 Parcel 767-747-8171 containing 1.25 acres located on the west line of
Brookland Bethlehem Road approximately 650' northwest of its intersection with
 Glenside Drive. The applicant proposes to add land area to the adjacent

shopping center. The uses will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Office. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

PUBLIC HEARINGS – OTHER ITEMS

- 257-17 Ordinance - Vacation of Unimproved Right-of-Way - Dixie Road - Eaves Heights Subdivision - Fairfield District.
- 258-17 Ordinance - Vacation of Portions of Drainage Easement - Sadler Crossing - Three Chopt District.
- 259-17 Ordinance - Vacation of Portion of Utility Easement - Greengate - Three Chopt District.

PUBLIC COMMENTS

GENERAL AGENDA

- 260-17 Introduction of Resolution – Receipt of Requests for Amendments to the FY 2017-18 Annual Fiscal Plan: October, 2017.
- 261-17 Resolution - Approval of Revised Procedures for the Implementation of the Public-Private Education Facilities and Infrastructure Act of 2002.
- 262-17 Introduction of Ordinance - To Amend and Reordain Sections 5-49, 5-50, and 5-53 of the Code of the County of Henrico Titled, Respectively, “Required; tax year; amount of tax; exemptions from tax,” “Due date for payment of tax,” and “Application for license; issuance” to Allow Dog Owners to Obtain Lifetime Dog Licenses.
- 263-17 Resolution - Award of Contract - Juvenile Court Secured Parking - Brookland District.
- 264-17 Resolution - Signatory Authority - Second Amendment to Sublease - Capital Region Workforce Partnership - 121 Cedar Fork Road - Fairfield District.
- 265-17 Resolution - Signatory Authority - Agreement with Virginia Department of Transportation - County-wide Automated Traffic Management System (UPC 109951).
- 266-17 Resolution - Signatory Authority - Amendment to Agreement with Virginia Department of Transportation - Sidewalk Construction along St. Claire Lane (UPC 107177) - Fairfield District.
- 267-17 Resolution - Signatory Authority - Amendment to Agreement with Virginia Department of Transportation - Sidewalk Construction along Nuckols and Pouncey Tract Roads (UPC 105660) - Three Chopt District.

268-17

Resolution - Signatory Authority - Amendment to Agreement with Virginia Department of Transportation - Sidewalk Construction along Gay Avenue (UPC 108645) - Varina District.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
October 10, 2017**

PRESENTATION

PROCLAMATION – Henrico History Month – October 2017.

The County of Henrico has a significant history, including English exploration and settlement, Native American and African American heritage and culture, Revolutionary War activity, and Civil War battles. The Board of Supervisors supports the Henrico County Historical Society's ongoing efforts to promote the County's history and heritage. This proclamation recognizes October 2017 as Henrico History Month and calls upon the citizens of the County to acknowledge and participate in this special observance.

APPOINTMENT

RESOLUTION – Nomination of Member – Local Emergency Planning Committee.

This Board paper nominates the following person for appointment to the Local Emergency Planning Committee for an unexpired term ending December 31, 2018, or thereafter, when his successor shall have been appointed and qualified:

Law Enforcement Representative

Todd A. Alvis

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMIT

REZ2017-00020
Tuckahoe

B. Hunt Gunter: Request to conditionally rezone from B-1 Business District to B-2C Business District (Conditional) Parcel 741-742-5027 containing .523 acres located at the northwest intersection of Pump Road and Patterson Avenue (State Route 6). The applicant proposes a drive-thru restaurant. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Commercial Concentration and Environmental Protection Area. Acting on a motion by Mr. Baka seconded by Mr. Witte, the Planning Commission voted 4-0 (one absent, one abstention) to recommend the Board of Supervisors **grant** the request because the proffered conditions will provide appropriate quality assurances not otherwise available and continues a form of zoning consistent with the area.

PUP2017-00018
Varina

Redco Properties, LLC: Request for a Provisional Use Permit under Sections 24-58.2(a), 24-120, and 24-122.1 of Chapter 24 of the County Code to allow extended hours of operation for a proposed restaurant on part of Parcels 816-711-6950 and 816-711-8151 located on the east side of S. Laburnum Avenue approximately 460' south of its intersection with Eubank Road. The existing

zoning is B-3C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Airport Safety Overlay District. Acting on a motion by Mr. Leabough seconded by Mr. Witte, the Planning Commission voted 4-0 (one absent, one abstention) to recommend the Board of Supervisors **grant** the request because it is reasonable in light of surrounding uses and existing zoning on the property.

REZ2017-
00021
Brookland

Jakhow LLC & JBJ & BJJ: Request to conditionally rezone from R-4 One-Family Residence District to B-2C Business District (Conditional) part of Parcel 767-747-8171 containing 1.25 acres located on the west line of Bethlehem Road approximately 650' northwest of its intersection with Glenside Drive. The applicant proposes to add land area to the adjacent shopping center. The uses will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Office. Acting on a motion by Mr. Witte, seconded by Mr. Baka, the Planning Commission voted 4-0 (one absent, one abstention) to recommend the Board of Supervisors **grant** the request because it would assist in achieving the appropriate development of adjoining property and it is reasonable in light of the business zoning in the area.

PUBLIC HEARINGS – OTHER ITEMS

ORDINANCE - Vacation of Unimproved Right-of-Way - Dixie Road - Eaves Heights Subdivision - Fairfield District.

This ordinance will vacate unimproved right-of-way for Dixie Road in the Eaves Heights subdivision, subject to the reservation of a permanent utility easement by the County across the southernmost 10 feet of the vacated right-of-way. The owners of the adjacent lots have requested the action, and the right-of-way is surplus to the County's needs.

The Real Property Department has processed this requested vacation through the Departments of Planning, Public Works, and Public Utilities without objection; the County Manager concurs.

ORDINANCE - Vacation of Portions of Drainage Easement - Sadler Crossing - Three Chopt District.

This Board paper would vacate portions of a drainage easement at Sadler Crossing on Sadler Road. ME Sadler, LLC, the property owner, has requested the vacation for development. There are no current or planned County facilities in the easement area, and the County has no need for the easement portions to be vacated.

The Real Property Department has processed the vacation request through the Departments of Planning, Public Utilities, and Public Works without objection; the County Manager concurs.

ORDINANCE - Vacation of Portion of Utility Easement - Greengate - Three Chopt District.

This Board paper would vacate a portion of a utility easement at Greengate on West Broad Street. ME Nuckols, LLC, the property owner, has requested the vacation for development. There are no current or planned County facilities in the easement area, and the County has no need for the portion to be vacated.

The Real Property Department has processed the vacation request through the Departments of Planning, Public Utilities, and Public Works without objection; the County Manager concurs.

PUBLIC COMMENTS

GENERAL AGENDA

INTRODUCTION OF RESOLUTION – Receipt of Requests for Amendments to the FY 2017-18 Annual Fiscal Plan: October, 2017.

This Board paper introduces a resolution to amend the annual fiscal plan for fiscal year 2017-18. The requested amendments are shown in a list dated October 3, 2017, provided by the County Manager to the Board of Supervisors.

Pursuant to Virginia Code Section 15.2-2507, the County may amend its budget to adjust the aggregate amount to be appropriated during the current fiscal year. However, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by publishing notice of a meeting and public hearing once in a newspaper having general circulation in the County at least seven days prior to the meeting date. The notice states the intent of the Board of Supervisors to amend the budget and includes a brief synopsis of the proposed budget amendments.

The budget amendments that are the subject of this paper fall under the one percent threshold that triggers the advertised public hearing requirement. Nevertheless, this paper directs the Clerk of the Board to advertise, in the Richmond Times-Dispatch on October 17, 2017, a synopsis of the proposed amendments and a public hearing to be held on October 24, 2017. A separate paper will be submitted to the Board to amend the Annual Fiscal Plan and appropriate funds for expenditure, as applicable, after the October 24, 2017, public hearing.

RESOLUTION - Approval of Revised Procedures for the Implementation of the Public-Private Education Facilities and Infrastructure Act of 2002.

This Board paper would adopt revisions to the County’s Procedures for the Implementation of the Public-Private Education Facilities and Infrastructure Act of 2002 (the “Procedures”). The Board of Supervisors and School Board adopted the Procedures in 2004 as an alternative to the procedures of the Virginia Public Procurement Act for educational and other facilities.

The revisions to the Procedures extend the time for accepting detailed proposals, reorganize and clarify the language of the Procedures, and make technical amendments to comply with

changes in state law. The suggested revisions were discussed with the Board of Supervisors and School Board in work sessions and have been posted for public comment on the County’s procurement website. The School Board adopted the revised Procedures for Schools projects at its meeting on September 28, 2017.

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

INTRODUCTION OF ORDINANCE – To Amend and Reordain Sections 5-49, 5-50, and 5-53 of the Code of the County of Henrico Titled, Respectively, “Required; tax year; amount of tax; exemptions from tax,” “Due date for payment of tax,” and “Application for license; issuance” to Allow Dog Owners to Obtain Lifetime Dog Licenses.

This Board paper introduces for advertising and a public hearing on November 14, 2017, an ordinance to allow dog owners to obtain lifetime dog licenses. The proposed fee for the lifetime license is \$10. The lifetime license is valid as long as the dog’s rabies vaccination is kept current and the dog’s owner resides in the County.

This ordinance was enabled by the 2017 General Assembly and was discussed by the Board in a work session on September 26, 2017.

RESOLUTION - Award of Contract - Juvenile Court Secured Parking - Brookland District.

This Board paper would award a contract for \$134,700 to Brooks & Company General Contractors, Inc. to construct a new secured parking lot with sidewalks, controlled access, site lighting, and security cameras for the Henrico Juvenile and Domestic Relations District Court.

Five bids were received on September 14, 2017, in response to ITB #17-1477-8PEW and Addendum No. 1. The bidders and bid amounts are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
Brooks & Company General Contractors, Inc. Richmond, VA	\$134,700
Haley Builders, Inc. Ashland, VA	\$178,000
Blakemore Construction Corporation Rockville, VA	\$199,325
Messer Contracting, LLC Glen Allen, VA	\$204,440
Finley Asphalt & Sealing, Inc. Bristow, VA	\$213,204

Based upon a review of the bids, Brooks & Company General Contractors, Inc. is the lowest responsive and responsible bidder.

This Board paper would also authorize the County Manager, or the Purchasing Director as his designee, to execute change orders not to exceed 15% of the original contract amount. Funding to support the contract is available within the project budget.

The Director of General Services and the Purchasing Director recommend approval of this Board paper, and the County Manager concurs.

RESOLUTION - Signatory Authority - Second Amendment to Sublease - Capital Region Workforce Partnership - 121 Cedar Fork Road - Fairfield District.

This Board paper authorizes the County Manager to execute a sublease amendment between the County, as fiscal agent for the Capital Region Workforce Partnership, and the Commonwealth of Virginia to increase the Commonwealth's subleased space at 121 Cedar Fork Road from 481 to 2,033 square feet and to extend the sublease term for five years beginning November 11, 2017. The amendment also gives the Commonwealth the option to renew the lease for an additional three-year term. The space will be occupied by the Virginia Department of Veteran Services, the Virginia Department for Aging and Rehabilitative Services, and the Virginia Employment Commission to provide services pursuant to the Workforce Innovation and Opportunity Act of 2014.

The County originally subleased 481 square feet of office space to the Commonwealth for a term beginning August 1, 2013 and ending November 10, 2017. On April 11, 2017, the Board of Supervisors authorized the County Manager to execute an amendment to the sublease agreement whereby, effective May 1, 2017, the County would sublease 2,175 square feet of office space at 121 Cedar Fork Road to the Commonwealth. The Commonwealth subsequently determined that it only needs to sublease 2,033 square feet.

The amendment will extend the current sublease term to November 10, 2022, with an option to renew for an additional 3-year term. The Commonwealth's current monthly rent payment is \$2,612.42, and annual rent will escalate by 3% each year beginning November 11, 2017.

The Directors of the Capital Region Workforce Partnership and Real Property recommend approval of this action.

RESOLUTION - Signatory Authority - Agreement with Virginia Department of Transportation - County-wide Automated Traffic Management System (UPC 109951).

The Board paper authorizes the County Manager to execute a project administration agreement with the Virginia Department of Transportation ("VDOT") under which the County will upgrade and enhance the existing County-wide Automated Traffic Management System.

The estimated cost for the project is \$8,525,621. VDOT will reimburse the County 100% of the eligible project cost from the Congestion Mitigation and Air Quality Program. Because of VDOT charges, the estimated reimbursement to the County is \$8,199,806.

The County will provide the necessary oversight to ensure the project is developed in accordance with all applicable federal, state, and local requirements for design, right-of-way acquisition, and construction of the project.

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

RESOLUTION - Signatory Authority - Amendment to Agreement with Virginia Department of Transportation - Sidewalk Construction along St. Claire Lane (UPC 107177) - Fairfield District.

The Board paper authorizes the County Manager to execute an amendment to a 2016 project administration agreement with the Virginia Department of Transportation (“VDOT”) under which the County will construct approximately 2,310 feet of sidewalk within the County right-of-way along St. Claire Lane.

The estimated cost for the project has been revised from \$752,000 to \$1,147,000, and additional funding for the project is available under the VDOT Revenue Sharing Program.

VDOT will reimburse the County up to \$573,500 of the cost of construction, and the County will pay the remainder of the project cost. Because of VDOT charges, the estimated reimbursement to the County is \$546,388.

The County will provide the necessary oversight to ensure the project is developed in accordance with all applicable federal, state, and local requirements for design, right-of-way acquisition, and construction of the project.

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

RESOLUTION - Signatory Authority - Amendment to Agreement with Virginia Department of Transportation - Sidewalk Construction along Nuckols and Pouncey Tract Roads (UPC 105660) - Three Chopt District.

The Board paper authorizes the County Manager to execute an amendment to a 2015 project administration agreement with the Virginia Department of Transportation (“VDOT”) under which the County will construct approximately 6,760 feet of sidewalk within the County right-of-way along Nuckols Road and Pouncey Tract Road.

The estimated cost for the project has been revised from \$815,000 to \$1,342,062, and additional funding for the project is available under the VDOT Revenue Sharing Program.

VDOT will reimburse the County up to \$671,031 of the cost of construction, and the County will pay the remainder of the project cost. Because of VDOT charges, the estimated reimbursement to the County is \$642,440.

The County will provide the necessary oversight to ensure the project is developed in accordance with all applicable federal, state, and local requirements for design, right-of-way acquisition, and construction of the project.

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

RESOLUTION - Signatory Authority - Amendment to Agreement with Virginia Department of Transportation - Sidewalk Construction along Gay Avenue (UPC 108645) - Varina District.

The Board paper authorizes the County Manager to execute an amendment to a 2016 project administration agreement with the Virginia Department of Transportation ("VDOT") under which the County will construct approximately 1,700 feet of sidewalk within the County right-of-way along Gay Avenue.

The estimated cost for the project has been revised from \$900,000 to \$2,335,470, and additional funding for the project is available under the VDOT Revenue Sharing Program.

VDOT will reimburse the County up to \$1,167,735 of the cost of construction, and the County will pay the remainder of the project cost. Because of VDOT charges, the estimated reimbursement to the County is \$1,097,671.

The County will provide the necessary oversight to ensure the project is developed in accordance with all applicable federal, state, and local requirements for design, right-of-way acquisition, and construction of the project.

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