

**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, April 23, 2024, at 3:45 p.m.** in the County Manager's Conference Room, Administration Building, 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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| 3:45 - 4:15 p.m. | Affordable Housing Update |
| 4:15 - 4:45 p.m. | North Gayton Road Interchange and
Short Pump Improvements Project Update |
| 4:45 - 5:00 p.m. | TEEL Landfill Litigation Update |
| 5:00 - 5:15 p.m. | Review of Regular Meeting Agenda Items |

Tanya N. Brackett

Tanya N. Brackett, CMC
Clerk, Henrico County Board of Supervisors
April 18, 2024

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
April 23, 2024
6:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES – April 9, 2024, Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PRESENTATION

Proclamation - Crime Victims' Rights Week - April 21 - 27, 2024.

PUBLIC HEARING ITEMS

- 133-24 Resolution - Authorization to Apply to the Virginia Department of Housing and Community Development to Amend the Henrico Portion of the City of Richmond North/Henrico County Enterprise Zone.

- 134-24 Ordinance - To Amend and Reordain an Ordinance Approved on June 13, 2023, Establishing the Henrico County Home Purchase Assistance Program to Assist Employees with the Purchase of Homes in the County.

- 135-24 Resolution - Signatory Authority - Exchange of Real Property - Virginia Center Commons - Fairfield District.

- 136-24 Ordinance - Vacation of Portion of Rights-of-Way - Athens Avenue and Bridgeport Avenue - Garden City Subdivision - Fairfield District.

- 137-24 Ordinance - Vacation of Building Line - Roslyn Hills Subdivision - 208 Melwood Lane - Tuckahoe District.

PUBLIC COMMENTS

GENERAL AGENDA

- 138-24 Resolution - Funding for Regional Homelessness Services.

- 139-24 Introduction of Ordinance - To Allow Alternative Bond Requirements for Certain Public Contracts by Adding Section 16-50 Titled "Indefinite Delivery or Quantity Contract Performance and Payment Bonds" to Article II of Chapter 16 of the Code of the County of Henrico.

- 140-24 Introduction of Ordinance - To Expand Eligibility for the RECAP Program by Amending and Reordaining Section 20-93 Titled "RECAP established;

qualifications; amount of tax cap” of the Code of the County of Henrico.

- 141-24 Introduction of Ordinance - To Raise the Threshold and Deduction for Business License Taxes from \$500,000 to \$1,000,000 by Amending and Reordaining the Following Sections of the Code of the County of Henrico Titled:
- 20-414 “Enumerated; amount of license tax”
 - 20-416 “Scientific research and development services”
 - 20-446 “Enumerated; amount of license tax”
 - 20-475 “Enumerated; amount of tax”
 - 20-506 “Tax on owners and operators”
 - 20-507 “Tax on promoters generally”
 - 20-509 “Tax on promoters of athletic contests or races”
 - 20-531 “Levy of tax; amount”
 - 20-559 “Amount of tax”
 - 20-560 “Speculative builders”
 - 20-600 “Hotels”
 - 20-601 “Restaurants, soda fountains and similar businesses”
 - 20-624 “Small loan companies”
 - 20-625 “Persons other than small loan companies lending money for purchase of chattels secured by liens; purchasers of conditional sales contracts”
 - 20-626 “Other moneylenders”
 - 20-627 “Persons making first mortgage loans or purchasing mortgage notes”
 - 20-648 “Amount of tax”
 - 20-650 “Commission merchants”
 - 20-691 “License required; tax basis”
 - 20-692 “Amount of tax”
 - 20-793 “Term defined; amount of tax”
 - 20-818 “Amount of tax on persons furnishing water”
 - 20-819 “Amount of tax on persons furnishing heat, light and power, and gas”
and
 - 20-821 “Amount of tax for telephone and telegraph businesses”
- 142-24 Resolution - Award of Contract - Elevator Replacement at Human Services Building - Brookland District.
- 143-24 Resolution - Signatory Authority - Memorandum of Understanding - The Happily Natural Day - Community Farm Program.
- 144-24 Resolution - Approval of Retention of Sales Proceeds by School Board - 4.78± Acres Located at 7850 Carousel Lane - Brookland District.
- 145-24 Resolution - Signatory Authority - Revocable Non-Transferable License Agreement for 5300 and 5302 Walker Avenue - Fairfield District.

- 146-24 Resolution - Signatory Authority - Letter of Agreement with Dominion Energy - Magellan Parkway Utility Relocation - Fairfield District.
- 147-24 Resolution - Authorization to Apply for Multimodal Project Discretionary Grant and Intent to Finance Short Pump Area Improvements - Three Chopt District.
- 148-24 Resolution - Authorization to Submit Letter of Intent to Participate in Virginia Department of Transportation SMART SCALE Program for FY 2026.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
April 23, 2024**

PRESENTATION

PROCLAMATION - Crime Victims' Rights Week - April 21 - 27, 2024.

This proclamation recognizes April 21 - 27, 2024, as Crime Victims' Rights Week and reaffirms the County's commitment to creating a victim service and criminal justice response that assists all victims of crime during Crime Victims' Rights Week and throughout the year.

PUBLIC HEARING ITEMS

RESOLUTION - Authorization to Apply to the Virginia Department of Housing and Community Development to Amend the Henrico Portion of the City of Richmond North/Henrico County Enterprise Zone.

This Board paper authorizes the County Manager to submit an application to the Virginia Department of Housing and Community Development to amend the City of Richmond North/Henrico County Enterprise Zone. The amendment would remove 134 parcels totaling approximately 166.7 acres, consisting of land that is either publicly owned, residential, or designated for residential use. The amendment would also add approximately 194.4 acres for potential economic development and commercial revitalization. Finally, the amendment would also modify six of the 16 County incentives and remove four incentives that are no longer unique to the Enterprise Zone.

The Virginia Enterprise Zone Grant Program requires both jurisdictions in a joint Enterprise Zone to approve the amendment application by resolution of the respective governing bodies. The Richmond City Council is expected to consider this matter in June.

The Director of Community Revitalization recommends approval, and the County Manager concurs.

ORDINANCE - To Amend and Reordain an Ordinance Approved on June 13, 2023, Establishing the Henrico County Home Purchase Assistance Program to Assist Employees with the Purchase of Homes in the County.

This Board paper amends and reordains the ordinance that established the Henrico County Home Purchase Assistance Program.

The Program assists eligible employees of the County, the School Board, and County constitutional officers with the purchase of their primary residences in the County. The proposed ordinance amends the Program so that (1) the forgiveness schedule aligns with income tax withholdings on a 24-pay period per year basis and (2) assisted employees can transfer full-time permanent employment with the County, the School Board, or a County

constitutional officer to full-time permanent employment with an authority created by the Board of Supervisors without causing the unforgiven principal balance to become due and payable.

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

RESOLUTION - Signatory Authority - Exchange of Real Property - Virginia Center Commons - Fairfield District.

This Board paper authorizes the County Manager to execute an exchange agreement and other documents necessary for the County to acquire approximately 7.858 acres of real estate at Virginia Center Commons in exchange for a 1.360-acre portion of its real estate at Virginia Center Commons and additional consideration. The Board paper authorizes the Chairman to execute and accept a deed of exchange for this transaction.

The Director of Real Property recommends approval of the Board paper; the County Manager concurs.

ORDINANCE - Vacation of Portion of Rights-of-Way - Athens Avenue and Bridgeport Avenue - Garden City Subdivision - Fairfield District.

This ordinance vacates portions of Athens Avenue and Bridgeport Avenue, which are rights-of-way in the Garden City subdivision. The vacation is subject to the County's right to access its existing utilities in the vacated rights-of-way. Scott Place Developer, LLC, which owns property adjacent to Athens Avenue and Bridgeport Avenue, has requested these vacations for the development of its property. The rights-of-way are not necessary for public transit.

The Real Property Division has processed this request through the Departments of Planning, Public Works, and Public Utilities without objection. The Director of Real Property recommends approval of the Board paper; the County Manager concurs.

ORDINANCE - Vacation of Building Line - Roslyn Hills Subdivision - 208 Melwood Lane - Tuckahoe District.

This ordinance would vacate the 50-foot portion of the building line on Lot 5, Block D, Section C of the Roslyn Hills subdivision, also known as 208 Melwood Lane.

The Real Property Division processed the requested vacation through the Departments of Planning, Public Works, and Public Utilities without objection. The Director of Real Property recommends approval of the Board paper; the County Manager concurs.

PUBLIC COMMENTS

GENERAL AGENDA

RESOLUTION - Funding for Regional Homelessness Services.

This resolution would appropriate \$804,468 for regional homelessness services provided by the Salvation Army and HomeAgain, pursuant to agreements among these agencies and the County. The Salvation Army will receive a total of \$565,933 and HomeAgain will receive a total of \$238,535, both paid in quarterly installments between FY 2023-24 and FY 2024-25.

Funding will come from the balance within the General Fund. The Director of Finance recommends approval of the Board paper, and the County Manager concurs.

INTRODUCTION OF ORDINANCE - To Allow Alternative Bond Requirements for Certain Public Contracts by Adding Section 16-50 Titled “Indefinite Delivery or Quantity Contract Performance and Payment Bonds” to Article II of Chapter 16 of the Code of the County of Henrico.

This Board paper introduces for advertisement and a public hearing on May 14, 2024, a proposed ordinance to provide the County flexibility with small job order contracting projects to allow contractors to furnish performance and payment bonds equal to the dollar amount of individual task orders as opposed to the overall contract amount.

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

INTRODUCTION OF ORDINANCE - To Expand Eligibility for the RECAP Program by Amending and Reordaining Section 20-93 Titled “RECAP established; qualifications; amount of tax cap” of the Code of the County of Henrico.

This Board paper introduces for advertisement and a public hearing on May 28, 2024, an ordinance to expand eligibility for the RECAP Program by increasing the gross combined income limit from \$105,000 to \$125,000 and the net combined financial worth limit from \$700,000 to \$750,000. The change would take effect January 1, 2025.

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

INTRODUCTION OF ORDINANCE - To Raise the Threshold and Deduction for Business License Taxes from \$500,000 to \$1,000,000 by Amending and Reordaining the Following Sections of the Code of the County of Henrico Titled:

- 20-414“Enumerated; amount of license tax”**
- 20-416“Scientific research and development services”**
- 20-446“Enumerated; amount of license tax”**
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- 20-509“Tax on promoters of athletic contests or races”**
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- 20-624“Small loan companies”**
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- 20-793“Term defined; amount of tax”**
- 20-818“Amount of tax on persons furnishing water”**
- 20-819“Amount of tax on persons furnishing heat, light and power, and gas” and**
- 20-821“Amount of tax for telephone and telegraph businesses”**

This Board paper introduces for advertisement and public hearing on May 28, 2024, an ordinance to increase the threshold for imposition of business licenses taxes from \$500,000 to \$1,000,000. Under the new threshold, businesses earning \$1,000,000 or less would not have to pay business license taxes to the County. Similarly, businesses making over \$1,000,000 would be able to deduct \$1,000,000 from their earnings before calculating the amount of their business license tax.

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

RESOLUTION - Award of Contract - Elevator Replacement at Human Services Building - Brookland District.

This Board paper awards a fixed price contract for \$329,700 to SRC, Inc. for the Elevator Replacement at Henrico County Human Services Building project. The project consists of removing and replacing multiple mechanical and electrical components of the existing elevator equipment while retaining the existing cab shell and hydraulic jack.

Work on the project is anticipated to begin in summer of 2024 and be completed within 90 days after the start of construction.

The County received one bid on February 26, 2024, in response to ITB 24-2636-1JL and Addendum No. 1. The bid was as follows:

Bidder	Bid Amount
Suburban Remodeling Corp., dba	\$329,700

SRC, Inc. Richmond, VA	
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Based upon a review of the bid, SRC, Inc. is the lowest responsive and responsible bidder.

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.

RESOLUTION - Signatory Authority - Memorandum of Understanding - The Happily Natural Day - Community Farm Program.

This Board paper authorizes the County Manager to execute a memorandum of understanding with The Happily Natural Day, a 501(c)(3) non-profit organization, to establish and manage a community farm on approximately 20 acres of County-owned property on Willis Church Road. The initial term of the MOU is two years and may be renewed for additional terms. The initial budget for the program is \$50,000.

The Chief of Staff recommends approval of this Board paper; the County Manager concurs.

RESOLUTION - Approval of Retention of Sales Proceeds by School Board - 4.78± Acres Located at 7850 Carousel Lane - Brookland District.

This Board paper approves the School Board’s retention of proceeds from the sale of 4.78± acres of the Mount Vernon Adult Education Center property to Richmond Hebrew Day School d/b/a Rudlin Torah Academy for \$3,600,000. On February 23, 2023, the School Board declared this acreage surplus and, on April 18, 2024, held a public hearing and approved a contract of sale. State law requires the approval of the Board of Supervisors for the School Board to retain the sales proceeds.

The Superintendent of Schools and the School Board request approval of this Board paper; the County Manager concurs.

RESOLUTION - Signatory Authority - Revocable Non-Transferable License Agreement for 5300 and 5302 Walker Avenue - Fairfield District.

This Board paper authorizes the County Manager to execute a revocable non-transferable license agreement allowing Linda Wood to use County-owned properties located at 5300 and 5302 Walker Avenue for the cultivation of a garden for her personal use. Ms. Wood agrees to maintain both lots and restore them to their original condition when she no longer intends to use them for gardening purposes.

The Directors of Recreation and Parks and Real Property recommend approval of the Board paper; the County Manager concurs.

RESOLUTION - Signatory Authority - Letter of Agreement with Dominion Energy - Magellan Parkway Utility Relocation - Fairfield District.

The Department of Public Works has negotiated an agreement with Dominion Energy under which the County will pay Dominion Energy for the materials, equipment, and work necessary to relocate the electric distribution facilities in conflict with the proposed improvements for the Magellan Parkway project from Park Central Drive to Brook Road.

Under the agreement, the Department of Public Works will pay \$901,441 to Dominion Energy to cover the cost of the utility relocation for this segment of the project.

The Board paper authorizes the Director of Public Works to execute the agreement in forms approved by the County Attorney.

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

RESOLUTION - Authorization to Apply for Multimodal Project Discretionary Grant and Intent to Finance Short Pump Area Improvements - Three Chopt District.

This Board paper authorizes the Director of Public Works to apply for funds in any amount from the Multimodal Project Discretionary Grant (“MPDG”) program of the U. S. Department of Transportation for fiscal year 2025-2026. The MPDG program supports surface transportation projects of national or regional significance designed to strengthen supply chains, spur economic development, and improve safety and daily life.

The County has identified the Short Pump Area Improvements as an eligible project. The project includes the construction of a new interchange at N. Gayton Road and Interstate 64, a reconstruction of the interchange at W. Broad Street and Interstate 64, improvements on W. Broad Street, and improvements on Interstate 295 between Interstate 64 and Nuckols Road. With concurrence from the Federal Highway Administration (“FHWA”) and the Virginia Department of Transportation (“VDOT”), the project may be constructed in phases.

The Central Virginia Transportation Authority has already awarded \$64,895,000 in regional funds for the project, and VDOT has awarded \$26,000,000 in SMART SCALE funds towards designing and constructing these improvements.

The estimated cost of the project is \$305 million. The County will pursue other sources of local, regional, and state funding for this project, and intends to request MPDG funds of \$60 million.

This Board paper would also state the County’s intent to participate in financing of the Short Pump Area Improvements up to \$60,000,000 in County debt, either through the full faith and credit of the County if supported by voter referendum, or through a Virginia Resource Authority bond.

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

RESOLUTION - Authorization to Submit Letter of Intent to Participate in Virginia Department of Transportation SMART SCALE Program for FY 2026.

This Board paper would authorize the Director of Public Works to submit a letter of intent to participate in the SMART SCALE Program of the Virginia Department of Transportation for FY 2026. The program allocates funds for transportation projects such as highway improvements, transit and rail capacity expansion, bicycle and pedestrian improvements, and transportation demand management.

The County has identified 16 potential projects that are eligible for applications to the SMART SCALE funding program:

1. Brook Road Improvements – Azalea Avenue to Brook Run Shopping Center;
2. E. Parham Road Improvements – I-95 to Cleveland Street;
3. Gaskins Road at I-64 (North Quadrant and Auxiliary Lanes).
4. Gaskins Road at I-64 (South Quadrant Partial Cloverleaf).
5. Glenside Drive and Horsepen Road Safety Improvements;
6. Mechanicsville Turnpike (Route 360) Shared Use Path - Laburnum Avenue to City Limits;
7. Nine Mile Road Improvements – Gordons Lane to Dabbs House Road;
8. Parham Road Pedestrian Improvements – Holly Hill Road to Three Chopt Road;
9. Pulse Extension West;
10. Route 250 at Route 288 Interchange Improvements – Route 250 to Bon Secours Parkway;
11. Route 360 and I-64 Interchange Improvements;
12. Short Pump Area Improvements;
13. Springfield Road Improvements;
14. W. Broad Street and Glenside Drive Intersection Improvements;
15. W. Broad Street and Parham Road Intersection Improvements;
16. Williamsburg Road Improvements - Randall Avenue to Charles City Road.

To participate in the Program, the Board must authorize staff to submit these projects for funding and pass a resolution authorizing the specified projects.

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