

**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, May 25, 2021, at 5:15 p.m.** in the County Manager's Conference Room 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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|------------------|--------------------------------|
| 5:15 - 5:45 p.m. | Zoning Ordinance Update |
| 5:45 - 6:15 p.m. | Solid Waste Programming Update |
| 6:15 - 6:30 p.m. | County Floodplain Ordinance |
| 6:30 - 6:45 p.m. | Regular Meeting Agenda Items |

Tanya Brackett Harding

Tanya Brackett Harding, CMC
Clerk, Henrico County Board of Supervisors
May 20, 2021

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
May 25, 2021
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES – May 11, 2021, Regular and Special Minutes

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PRESENTATION

Proclamation - Drug Court Month - May 2021.

APPOINTMENT/RESIGNATION

158-21 Resolution - Appointment of Member - Community Criminal Justice Board.

159-21 Resolution - Resignation of Member - Henrico Areal Mental Health and Developmental Services Board.

PUBLIC HEARING ITEMS

160-21 Ordinance - To Amend and Reordain Subsections (c) and (d) of Section 17-58 Titled "Charges" of the Code of the County of Henrico, To Change Bimonthly Refuse Collection Fees.

161-21 Resolution - Abandonment of Elks Pass Lane Beginning at Lake Brook Drive - Three Chopt District.

162-21 Ordinance - To Amend and Reordain Section 22-126 of the Code of the County of Henrico Titled "Weight limits for specific streets" to Restrict Through Truck Traffic on Miller Road between Willson Road and Darbytown Road - Varina District.

PUBLIC COMMENTS

GENERAL AGENDA

163-21 Resolution - Award of Contracts - Annual Traffic and Roadway Engineering Services.

164-21 Resolution - To Set a Public Hearing for the Abandonment of Segment of Ring Road at Virginia Center Commons - Fairfield District.

- 165-21 Resolution - Signatory Authority - Agreement with Virginia Department of Transportation - Lakeside Community Trail, Phase 1 - Fairfield District.
- 166-21 Resolution - Signatory Authority - Agreement with Virginia Department of Transportation - Lakeside Community Trail, Phase 2 - Fairfield District.
- 167-21 Resolution - Award of Contract - Oakleys Lane Realignment and Improvements - Fairfield and Varina Districts.
- 168-21 Resolution - Award of Contract - Gaskins Road Sidewalk Project - Tuckahoe District.
- 169-21 Resolution - Signatory Authority - Amended Agreement with Virginia Department of Transportation - Sidewalk Construction along Gay Avenue - Varina District.
- 170-21 Resolution - Determination Required for Virginia Housing Financing of Woodman Road Apartments - Brookland District.
- 171-21 Introduction of Resolution - Receipt of Requests for Amendments to FY2020-21 Annual Fiscal Plan: June, 2021.
- 172-21 Resolution - Extension of Cable Television Franchise - Verizon Virginia LLC.
- 173-21 Resolution - Acquisition of Right-of-Way and Easements - Liesfeld Parkway - Three Chopt District.
- 174-21 Resolution - Acquisition of Right-of-Way and Easements - Blackthorn Lane and Barbara Lane - Three Chopt District.
- 175-21 Resolution - Award of Contract - Annual In-Place Asphalt Concrete Paving Repairs.
- 176-21 Resolution - Award of Contract - Mayfield and Chickahominy Sewage Pumping Station Upgrades - Brookland and Fairfield Districts.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
May 25, 2021**

PRESENTATION

PROCLAMATION - Drug Court Month - May 2021.

The National Association of Drug Court Professionals sponsors the observance of National Drug Court Month each May. The Henrico County Drug Court is a collaborative effort of the 14th Judicial Circuit, the Commonwealth's Attorney's Office, the Sheriff's Office, Henrico Area Mental Health and Developmental Services, the Police Division, the Community Corrections Program, and the Probation and Parole District 32 Office of the Virginia Department of Corrections. During May 2021, the County's Drug Court will celebrate the program's 18th anniversary and 252nd graduate. This proclamation recognizes May 2021 as Drug Court Month in Henrico County; salutes the men and women who have contributed to the success of the County's Adult Drug Court; and calls to the attention of Henrico residents the theme for this year's observance, *Justice for All*.

APPOINTMENT/RESIGNATION

RESOLUTION - Appointment of Member - Community Criminal Justice Board.

This Board paper appoints the following person to the Community Criminal Justice Board for an unexpired term ending June 30, 2022, or thereafter when his successor shall have been appointed and qualified:

Three Chopt District Jeffrey P. Marks

RESOLUTION - Resignation of Member - Henrico Area Mental Health and Developmental Services Board.

This Board paper accepts the resignation of Allison J. Batchelder, MD from the Henrico Area Mental Health and Developmental Services Board as the Family/Consumer representative.

PUBLIC HEARING ITEMS

ORDINANCE - To Amend and Reordain Subsections (c) and (d) of Section 17-58 Titled "Charges" of the Code of the County of Henrico, To Change Bimonthly Refuse Collection Fees.

The ordinance would increase bimonthly refuse collection fees for residences and other premises by \$6 to \$36. These changes would be effective July 1, 2021.

The changes are recommended to help pay increasing program costs for the Solid Waste Division.

The Board approved the introduction of this ordinance on April 27, 2021.

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

RESOLUTION - Abandonment of Elks Pass Lane Beginning at Lake Brook Drive - Three Chopt District.

This Board paper would abandon Elks Pass Lane, a 0.10-mile road beginning at Lake Brook Drive.

The Commonwealth of Virginia acquired right-of-way for the road in conjunction with the construction of I-295. At the request of the Virginia Department of Highways and Transportation, the Henrico County Board of Supervisors accepted Elks Pass Lane into the County's road inventory for maintenance by Board paper on July 27, 1983.

According to the Director of Public Works, Elks Pass Lane is no longer used for public travel, and Highwood Properties has requested that Elks Pass Lane be abandoned as a County road. Section 33.2-915 of the Code of Virginia allows the Board of Supervisors to abandon a section of a County road the Board deems no longer necessary for public use after a public hearing.

The Board paper finds that that no public necessity exists for the continuance of the road as a public road and that the welfare of the public would be best served by abandoning the section of road. Therefore, the road will be abandoned as a public road and shall be removed from the County's road inventory for maintenance.

The Director of Public Works recommends approval; the County Manager concurs.

ORDINANCE - To Amend and Reordain Section 22-126 of the Code of the County of Henrico Titled "Weight limits for specific streets" to Restrict Through Truck Traffic on Miller Road between Willson Road and Darbytown Road - Varina District.

This ordinance amends Section 22-126 of the Henrico County Code to prohibit trucks, pickup or panel trucks, and tractor trucks and trailers having a registered gross weight in excess of 7,500 pounds from using Miller Road between Willson Road and Darbytown Road. Miller Road is too narrow to handle larger trucks which have begun using it because of recent development in the area.

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

PUBLIC COMMENTS

GENERAL AGENDA

RESOLUTION - Award of Contracts - Annual Traffic and Roadway Engineering Services.

This Board paper would award contracts to Kimley-Horn and Associates; Rummel, Klepper & Kahl, LLP; and Whitman, Requardt & Associates, LLP to provide annual traffic and roadway engineering services. The contracts would be for design and engineering services for various infrastructure projects as across the County, including roadway, bicycle, and pedestrian improvements.

On December 21, 2020, 17 proposals were submitted in response to RFP# 20-2078-11KMW. Based upon review and evaluation of the proposals, the Selection Committee interviewed the following firms:

Clark Nexsen, Inc.
Kimley-Horn and Associates, Inc.
Rinker Design Associates, P.C.
Rummel, Klepper & Kahl, LLP
Vanasse Hangen Brustlin, Inc.
Whitman, Requardt & Associates, LLP

Based on the written proposals and interviews, the committee members selected Kimley-Horn and Associates; Rummel, Klepper & Kahl, LLP; and Whitman, Requardt & Associates, LLP as the top-ranked firms and negotiated a unit cost rate schedule with each firm. The contracts will be for a one-year term and may be renewed for two additional one-year terms. The project fees for each contract shall not exceed \$750,000 for any single project and \$2,500,000 per one-year term.

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

RESOLUTION - To Set a Public Hearing for the Abandonment of Segment of Ring Road at Virginia Center Commons - Fairfield District.

The developers of Virginia Center Commons have requested the abandonment of a portion of the ring road for Virginia Center Commons which was conveyed and dedicated to the County for public street purposes in January 2020. The segment to be abandoned has never been used as a public street, it is not necessary for public travel, and it has not become a part of the County road system. Once abandoned, the segment would be conveyed to the developers as part of a boundary line adjustment for the development.

The Board paper sets a public hearing on the abandonment for July 13, 2021.

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

RESOLUTION - Signatory Authority - Agreement with Virginia Department of Transportation - Lakeside Community Trail, Phase 1 - Fairfield District.

This Board paper would authorize the County Manager to execute a project administration agreement with the Virginia Department of Transportation (VDOT) under which the County will construct a 0.66-mile long, 12-foot-wide multi-use trail between Spring Park and Dumbarton Road.

The estimated cost is \$1,823,840. VDOT will reimburse the County up to \$962,328 from the federal Transportation Alternatives Program, and the County will pay the remainder of the project cost.

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 the Board paper, and the County Manager concurs.

RESOLUTION - Signatory Authority - Agreement with Virginia Department of Transportation - Lakeside Community Trail, Phase 2 - Fairfield District.

This Board paper would authorize the County Manager to execute a project administration agreement with the Virginia Department of Transportation (VDOT) under which the County will construct a 0.50-mile long, 12-foot-wide multi-use trail between Dumbarton Road and the Lakeside Recreation Area. The work includes construction of two 16-foot-wide bridges totaling a 500-foot span over Upham Brook.

The estimated cost is \$2,971,330. VDOT will reimburse the County up to \$1,761,886 from the federal Transportation Alternatives Program, and the County will pay the remainder of the project cost.

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 the Board paper, and the County Manager concurs.

RESOLUTION - Award of Contract - Oakleys Lane Realignment and Improvements - Fairfield and Varina Districts.

This Board paper awards a contract for \$4,363,287.60 to Abernathy Construction Corporation for realigning a 0.45-mile-long section of Oakleys Lane between South Holly Avenue and Oakleys Place. The project will include a new bridge over Gillies Creek along with wider travel lanes and shoulders. In addition, a right turn lane will be added on Oakleys Lane near its intersection with South Holly Avenue.

Work on the project is anticipated to begin in July 2021 and to be completed within 420 calendar days.

The County received five bids on April 14, 2021, in response to ITB 21-2140-3JOK and Addendum Nos. 1 and 2. The bidders and bid amounts are as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
Abernathy Construction Corporation Glen Allen, Virginia	\$4,363,287.60
Crowder Construction Company Charlotte, North Carolina	\$4,574,874.00
Kiewitt Infrastructure South Company Glen Allen, Virginia	\$4,671,285.50
Allan Myers VA, Inc. Glen Allen, Virginia	\$4,897,777.00
Branscome, Inc. Rockville, Virginia	\$6,373,112.75

Based upon a review of the bids, Abernathy Construction Corporation is the lowest responsive and responsible bidder.

The final contract amount shall be determined upon completion of the project by multiplying the unit quantities authorized by the County by the unit prices submitted in the contractor's bid. Funding to support the contract is available within the project budget.

The Director of Public Works and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.

RESOLUTION - Award of Contract - Gaskins Road Sidewalk Project - Tuckahoe District.

This Board paper would award a construction contract for \$987,613.37 to M&F Concrete, Inc. for construction of the Gaskins Road Sidewalk project.

The project involves installation of approximately 3,600 feet of sidewalk along with a 2-foot-wide utility strip, crosswalks, pedestrian signal improvements, curb and gutter, and storm sewer. Work on the project is anticipated to begin on July 1, 2021, and is scheduled to be completed within 170 calendar days.

The County received five bids on April 22, 2021, in response to ITB No. 21-2129-2EAR and Addenda No. 1. The bidders and bid amounts are as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
M&F Concrete, Inc. Manassas, VA	\$987,613.37

Finley Asphalt & Sealing, Inc. Ashland, VA	\$1,031,413.71
Blakemore Construction Corporation Rockville, VA	\$1,168,398.31
Central Contracting Co., Inc. Richmond, VA	\$1,207,954.64
Messer Contracting, LLC Glen Allen, VA	\$1,414,454.50

Based upon a review of the bids, M&F Concrete, Inc. is the lowest responsive and responsible bidder.

The final contract amount shall be determined upon completion of the project by multiplying the actual unit quantities authorized by the County for construction times the unit prices submitted in the contractor's bid. 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. Funding for the project is available within the project budget.

The Director of Public Works and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.

RESOLUTION - Signatory Authority - Amended Agreement with Virginia Department of Transportation - Sidewalk Construction along Gay Avenue - Varina District.

On October 18, 2016, the County entered into a project administration agreement with the Virginia Department of Transportation (VDOT) for the estimated project cost of \$900,000 for preliminary engineering, right-of-way acquisition, utility relocation, and construction of improvements.

The improvements include the installation of approximately 1,600 feet of new sidewalk, curb and gutter, drainage, and roadway improvements along the south side of Gay Avenue beginning 850 feet west of S. Laburnum Avenue where the existing sidewalk terminates to Millers Lane as well as approximately 130 feet of sidewalk along the east side of Millers Lane south of Gay Avenue.

On October 24, 2017, the agreement with VDOT was amended to reflect an increase in the estimated project cost to \$2,335,470. The Department of Public Works has negotiated an amended agreement to reflect the new estimated project cost of \$3,089,031, of which VDOT will reimburse the County up to \$1,562,550.

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

The Board paper would authorize the County Manager to execute the amended agreement for the improvements to Gay Avenue.

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

RESOLUTION - Determination Required for Virginia Housing Financing of Woodman Road Apartments - Brookland District.

This Board paper would make two determinations required by state law for Virginia Housing (formerly VHDA) financing of a proposed apartment complex of up to 350 units at the former Laurel Park Shopping Center. The proposed development would increase the availability of affordable housing because the Virginia Housing financing would require the applicant to lease at least 20% of the dwellings to persons earning no more than 80% of the County's median income.

For the Virginia Housing financing to be available, the Board of Supervisors must make certain determinations by resolution. The Board paper would determine (1) the industrial, commercial or other economic development of the area will benefit the County but the area lacks the housing needed to induce manufacturing, industrial, commercial, governmental, educational, entertainment, community development, healthcare, or nonprofit enterprises or undertakings to locate or remain in the area, and (2) private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe, and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in the area and induce other persons and families to live within the area and thereby create a desirable economic mix of residents in the area.

The Director of Community Revitalization recommends approval of the Board paper; the County Manager concurs.

INTRODUCTION OF RESOLUTION - Receipt of Requests for Amendments to FY 2020-21 Annual Fiscal Plan: June, 2021.

This Board paper introduces a resolution to amend the annual fiscal plan for FY 2020-21. The requested amendments are shown in a list dated May 18, 2021, 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 are greater than one percent of the total expenditures shown in the currently adopted budget. Therefore, to comply with the notice requirement, this paper directs the Clerk of the Board to advertise, in the Richmond Times-Dispatch on June 1, 2021, a synopsis of the proposed amendments and a public hearing to be held on June 8, 2021. A separate paper will be submitted to the Board

to amend the Annual Fiscal Plan and appropriate funds for expenditure, as applicable, after the June 8, 2021, public hearing.

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

RESOLUTION - Extension of Cable Television Franchise - Verizon Virginia LLC.

This Board paper extends the term of the cable television franchise of Verizon Virginia LLC from June 13, 2021, to December 13, 2021. County staff and Verizon Virginia LLC are negotiating to renew the cable television franchise, and a six-month extension will allow additional time to complete negotiations.

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

RESOLUTION - Acquisition of Right-of-Way and Easements - Liesfeld Parkway - Three Chopt District.

This Board paper would authorize the acquisition of 59,568 square feet of right-of-way, 2,373 square feet of permanent drainage easements, 31,536 square feet of temporary construction easements, and 9,807 square feet of permanent utility easements to relocate Dominion Energy Virginia facilities across the property at Liesfeld Parkway for the Three Chopt Road Improvements project. West Broad Village Master Association, Inc. owns the property and has agreed to accept \$75,000 for the right-of-way and easements.

The Director of Public Works and the Deputy County Manager for Community Operations recommend approval of the Board paper; the County Manager concurs.

RESOLUTION - Acquisition of Right-of-Way and Easements - Blackthorn Lane and Barbara Lane - Three Chopt District.

This Board paper would authorize the acquisition of 1,335 square feet of right-of-way, 1,929 square feet of temporary construction easements, 163 square feet of permanent utility easement to relocate Dominion Energy Virginia facilities, and 163 square feet of permanent utility easement to relocate Verizon Virginia facilities across the properties at Blackthorn Lane and Barbara Lane. The acquisition is necessary for the Three Chopt Road Improvements project. Three Chopt Village Townhouse Association, Inc. owns the properties and has agreed to accept \$84,462 for the right-of-way, easements, and improvements within a private access easement.

The Director of Public Works and the Deputy County Manager for Community Operations recommend approval of the Board paper; the County Manager concurs.

RESOLUTION - Award of Contract - Annual In-Place Asphalt Concrete Paving Repairs.

This Board paper would award a contract for annual in-place asphalt concrete paving repair services to Colony Construction, Inc. for \$298,250. The contract period runs through April 30, 2022, with an option for the County to renew for up to two additional one-year periods.

On February 24, 2021, three bids were submitted in response to Invitation to Bid No. 21-2106-1EAR:

<u>Bidders</u>	<u>Bid Amounts</u>
Colony Construction, Inc. Powhatan, VA	\$298,250.00
Blakemore Construction Corporation Rockville, VA	\$393,137.50
Finley Asphalt & Sealing, Inc. Ashland, VA	\$673,560.50

The Board paper also grants signatory authority to the County Manager to execute the contract in a form approved by the County Attorney.

The Director of Public Utilities and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.

RESOLUTION - Award of Contract - Mayfield and Chickahominy Sewage Pumping Station Upgrades - Brookland and Fairfield Districts.

This Board paper awards a contract for \$2,441,700 to Crowder Construction Company for the Mayfield and Chickahominy Sewage Pumping Station Upgrades project.

The project will maintain the reliability of the County sewer system by replacing deteriorated equipment at the pump stations.

The work will begin in July 2021 and will be completed by October 2023. Funding for the contract will be provided by the Water and Sewer Revenue Fund.

Five bids were received on March 30, 2021, in response to IFB #21-2116-2JOK and Addenda Nos. 1, 2 and 3:

<u>Bidders</u>	<u>Bid Amounts</u>
Crowder Construction Company Apex, NC	\$2,441,700.00
MEB General Contractors, Inc. Chesapeake, VA	\$2,977,000.00
Kiewit Infrastructure South Co. Glen Allen, VA	\$2,980,642.50
T.A. Loving Company Goldsboro, NC	\$3,320,200.00
Waco, Inc. Sandston, VA	\$3,521,722.00

Based upon a review of the bids, Crowder Construction Company is the lowest responsive and responsible bidder.

This Board paper awards the contract to Crowder Construction Company and grants signatory authority to the County Manager to execute the contract. 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.

The Director of Public Utilities and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.