

AGENDA
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
June 28, 2016
6:30 PM

A. CALL TO ORDER

B. ROLL CALL

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

E. PUBLIC COMMENT - Until 7 p.m.

F. PRESENTATIONS

1. Communications Department - Jody Puckett
2. Veteran's Association - Bob Truax

G. CONSENT CALENDAR

1. Resolution of Appointment to Hampton Roads Transportation Accountability Commission
2. Staff Appointment to Colonial Community Criminal Justice Board
3. Contract Award – BMP Renovations for Various Locations in the Berkeley, Jamestown, and Powhatan Districts – \$113,195
4. Contract Award – Jolly Pond Convenience Center Site Improvements – \$263,450 - Powhatan District
5. Resolutions of Appreciation - Dr. J. Blaine Blayton, Abram Frink, Jr. and Joshua C. Palmer, Sr.

H. PUBLIC HEARING(S)

1. ZO-0005-2016. Planned Unit Development Amendments to Allow for the Manufacture of Food, Beverages and Food Products

I. BOARD CONSIDERATION(S)

1. Proposed Departmental and Division Name Changes
2. Z-0004-2016/MP-0001-2016, New Town Proffer and Master Plan Amendment
3. Changes Related to New Residential Rezoning Applications
4. Modification of Amended and Restated Revenue Bond (CNU Project), Series 2001, of Economic Development Authority of James City County, Virginia
5. 800-MHz Radio System Upgrade

J. BOARD REQUESTS AND DIRECTIVES

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

L. PUBLIC COMMENT

M. CLOSED SESSION

1. Appointments to Colonial Behavioral Health Board
2. Social Services Advisory Board Appointments

N. ADJOURNMENT

1. Adjourn until 6:30 pm on July 12, 2016 for the Regular Meeting

ITEM SUMMARY

DATE: 6/28/2016
TO: The Board of Supervisors
FROM: Jody Puckett, Communications Director
SUBJECT: Video Awards

Video production awards received by the Communications Department for Outdoor Adventure and the FY 2015 Annual Report.

REVIEWERS:

Department	Reviewer	Action	Date
Communications	Puckett, Jody	Approved	5/5/2016 - 1:25 PM
Publication Management	Burcham, Nan	Approved	5/5/2016 - 1:38 PM
Legal Review	Kinsman, Adam	Approved	5/5/2016 - 4:41 PM
Board Secretary	Fellows, Teresa	Approved	5/6/2016 - 12:02 PM
Board Secretary	Purse, Jason	Approved	6/3/2016 - 8:46 AM
Board Secretary	Fellows, Teresa	Approved	6/3/2016 - 9:48 AM

ITEM SUMMARY

DATE: 6/28/2016
TO: The Board of Supervisors
FROM: Bryan J. Hill, County Administrator
SUBJECT: Veteran's Association - Bob Truax

Park name change consideration.

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	6/20/2016 - 11:09 AM

ITEM SUMMARY

DATE: 6/28/2016

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Resolution Appointing Michael J. Hipple to the Hampton Roads Transportation Accountability Commission

ATTACHMENTS:

	Description	Type
▣	Memo	Cover Memo
▣	resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	6/6/2016 - 11:10 AM
Publication Management	Boles, Amy	Approved	6/6/2016 - 11:36 AM
Legal Review	Kinsman, Adam	Approved	6/7/2016 - 12:01 PM
Board Secretary	Fellows, Teresa	Approved	6/14/2016 - 4:59 PM
Board Secretary	Purse, Jason	Approved	6/21/2016 - 12:57 PM
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 1:09 PM

M E M O R A N D U M

DATE: June 28, 2016

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Resolution of Appointment, Hampton Roads Transportation Accountability Commission

At its 2016 session, the General Assembly amended certain sections of the Code of Virginia that relate to the Hampton Roads Transportation Accountability Commission (HRTAC). Previously, the Chairperson for each of the four Counties that are included in the HRTAC was automatically designated as that locality's HRTAC Representative. This proved to put counties at a competitive disadvantage with cities on the HRTAC, as City Mayors generally serve longer terms than do County Chairpersons. The new law eliminates that disadvantage by allowing Counties to choose their Representative by resolution.

Attached for the Board's consideration is a resolution appointing Michael J. Hipple as James City County's Representative on the HRTAC. Mr. Hipple is in his second year of service on the HRTAC and is under consideration by the HRTAC Nominating Committee to be the Vice-Chairman for 2016-2017. The resolution appoints Mr. Hipple until such time as his term of service on the Board of Supervisors is complete or until the Board appoints another Representative by resolution, whichever comes first.

I recommend adoption of the attached resolution.

ARK/ab
ResAppHRTAC-mem

Attachment

RESOLUTION

APPOINTMENT OF MICHAEL J. HIPPLE TO THE

HAMPTON ROADS TRANSPORTATION ACCOUNTABILITY COMMISSION

- WHEREAS, James City County is a member of the Hampton Roads Transportation Accountability Commission (HRTAC); and
- WHEREAS, upon formation of the HRTAC, the Code of Virginia automatically designated the County's Chairperson as its Representative to the HRTAC; and
- WHEREAS, because Mayors of the 10 cities included in the HRTAC generally serve longer terms of office than do County Chairpersons, the four County members of the HRTAC were at a competitive disadvantage; and
- WHEREAS, at its 2016 Session, the General Assembly amended Section 33.2-2602 of the Code of Virginia to allow County members of the HRTAC to appoint their Representatives by resolution, thereby eliminating the competitive advantage enjoyed by cities; and
- WHEREAS, designating a consistent member to the HRTAC will improve James City County's ability to secure HRTAC funding for road projects that directly benefit the County; and
- WHEREAS, Michael J. Hipple is a current elected official of James City County, serves on the County's governing body and has served as James City County's Representative to the HRTAC since 2015.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby in accordance with Section 33.2-2602 of the Code of Virginia, 1950, as amended, appoints Michael J. Hipple to serve as James City County's member on the HRTAC until such time as Michael J. Hipple's term of office on the James City County Board of Supervisors is complete or the Board of Supervisors adopts a resolution appointing a different member, whichever comes first.

Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
LARSON	_____	_____	_____
ONIZUK	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June, 2016.

ResAppHRTAC-res

ITEM SUMMARY

DATE: 6/28/2016
TO: The Board of Supervisors
FROM: Teresa J. Fellows, Administrative Coordinator
SUBJECT: Staff Appointment to Colonial Community Criminal Justice Board

ATTACHMENTS:

	Description	Type
▣	Memorandum	Cover Memo
▣	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	6/7/2016 - 10:56 AM
Board Secretary	Purse, Jason	Approved	6/7/2016 - 10:57 AM
Board Secretary	Fellows, Teresa	Approved	6/7/2016 - 10:58 AM
Publication Management	Boles, Amy	Approved	6/7/2016 - 11:00 AM
Legal Review	Kinsman, Adam	Approved	6/7/2016 - 12:01 PM
Board Secretary	Fellows, Teresa	Approved	6/14/2016 - 5:00 PM
Board Secretary	Purse, Jason	Approved	6/21/2016 - 12:57 PM
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 1:09 PM

MEMORANDUM

DATE: June 28, 2016
TO: The Board of Supervisors
FROM: Teresa J. Fellows, Administrative Coordinator
SUBJECT: Reappointment to Colonial Community Criminal Justice Board

On August 11, 2015, Mr. Adam Kinsman was appointed to fill the balance of an unexpired term which ended February 28, 2016. The Colonial Community Criminal Justice Board requests that Mr. Kinsman be appointed to his first full term which would be effective immediately and expire on February 28, 2019.

Mr. Kinsman has expressed his willingness to continue serving on the Board.

TJF/ab
ReappCCCJB-mem

RESOLUTION

STAFF APPOINTMENT TO

COLONIAL COMMUNITY CRIMINAL JUSTICE BOARD

WHEREAS, on August 11, 2015, Mr. Adam Kinsman was appointed by the Board to fill the balance of an unexpired term on the Colonial Community Criminal Justice Board; and

WHEREAS, Mr. Kinsman's term expired on February 28, 2016; and

WHEREAS, the Colonial Community Criminal Justice Board requests that Mr. Kinsman be appointed to his first full term which would expire on February 28, 2019; and

WHEREAS, Mr. Kinsman has expressed his willingness to continue serving on the Board.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby appoints Mr. Adam Kinsman to a full term on the Colonial Community Criminal Justice Board which will expire on February 28, 2019.

Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCLENNON	_____	_____	_____
LARSON	_____	_____	_____
ONIZUK	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June, 2016.

ApptCCCJB-res

ITEM SUMMARY

DATE: 6/28/2016

TO: The Board of Supervisors

FROM: Steve Miller, Capital Projects Coordinator

SUBJECT: Contract Award – BMP Renovations for Various Locations in the Berkeley, Jamestown, and Powhatan Districts – \$113,195

Projects and Locations

1. JR-057 - located at Fire Station No. 5, 3201 Monticello Avenue, Williamsburg, VA 23188 (Berkeley District)
2. PC-204 - located at Warhill High School, 4615 Opportunity Way, Williamsburg, VA 23188 (Powhatan District)
3. MC-045 - located at 3310 Venture Lane, Williamsburg, VA 23188 (Jamestown District)
4. MC-021 - located adjacent to 4053 Bradshaw Drive, Williamsburg, VA 23188 (Jamestown District)

ATTACHMENTS:

	Description	Type
□	mem	Cover Memo
□	res	Resolution
□	Attachment	Backup Material
□	Attachment	Backup Material
□	Attachment	Backup Material
□	Attachment	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
General Services	Horne, John	Approved	6/10/2016 - 2:10 PM
Publication Management	Burcham, Nan	Approved	6/10/2016 - 3:11 PM
Legal Review	Kinsman, Adam	Approved	6/20/2016 - 3:45 PM
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 8:21 AM
Board Secretary	Purse, Jason	Approved	6/21/2016 - 12:55 PM
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 1:07 PM

MEMORANDUM

DATE: June 28, 2016
TO: The Board of Supervisors
FROM: Steven W. Miller, PE, Capital Projects Coordinator
SUBJECT: Contract Award - Best Management Practice Renovations for Various Locations - \$113,195

The Work under this Project consists of renovations to four County owned Best Management Practice (BMP) facilities as listed below:

1. JR-057 - located at Fire Station No. 5, 3201 Monticello Avenue, Williamsburg, VA 23188
2. PC-204 - located at Warhill High School, 4615 Opportunity Way, Williamsburg, VA 23188
3. MC-045 - located at 3310 Venture Lane, Williamsburg, VA 23188
4. MC-021 - located adjacent to 4053 Bradshaw Drive, Williamsburg, VA 23188

The renovations vary from location to location, but generally consist of the removal of excessive vegetation and trash, removal of excess sediment, repairs of sinkholes, installation of trash racks and installation of new riprap as well as the repair of a concrete spillway at one location.

An Invitation for Bids was publically advertised. Eight bid forms were received and all were determined to be qualified after evaluation. The following firms submitted bids and were considered for contract award:

<u>Firm</u>	<u>Amount</u>
Caroline Marine Structures	\$315,600
David A. Nice Builders, Inc.	\$273,500
Walter Via	\$213,867
Early Marine	\$170,200
Henry S. Branscome, LLC	\$159,712
ECO Group	\$137,720
Longhill Excavating	\$114,710
Gilley Construction	\$113,195

Gilley Construction has performed satisfactory work for James City County in the past and was determined to be the lowest qualified, responsive and responsible bidder. The bid amount of \$113,195 is consistent with the project estimate and previously authorized Stormwater Maintenance Program budget funds are available to fund this project.

Staff recommends approval of the attached resolution authorizing contract award to Gilley Construction for completion of the BMP Renovations for Various Locations.

SWM/nb
CA-BMPRenovVariousLoc-mem

Attachments

RESOLUTION

CONTRACT AWARD - BEST MANAGEMENT PRACTICE RENOVATIONS

FOR VARIOUS LOCATIONS - \$113,195

WHEREAS, this project encompasses Best Management Practice (BMP) renovations at the following locations: (1) JR-057, located at Fire Station No. 5, 3201 Monticello Avenue; (2) PC-204, located at Warhill High School, 4615 Opportunity Way; (3) MC-045, located at 3310 Venture Lane; (4) MC-201, located adjacent to 4053 Bradshaw Drive; and

WHEREAS, this project supports the County's Chesapeake Bay Total Maximum Daily Load action plan; and

WHEREAS, eight bids were considered for award and Gilley Construction was the lowest qualified, responsive and responsible bidder; and

WHEREAS, previously authorized Stormwater Maintenance Program budget funds are available to fund this project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the contract award in the amount of \$113,195 with Gilley Construction, Inc. for the Best Management Practice Renovations for the Various Locations Project.

Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:		VOTES		
		<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
	_____	MCGLENNON	_____	_____
	Bryan J. Hill	LARSON	_____	_____
	Clerk to the Board	ONIZUK	_____	_____
		SADLER	_____	_____
	HIPPLE	_____	_____	

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June, 2016.

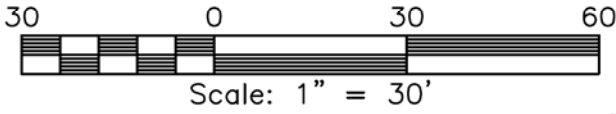
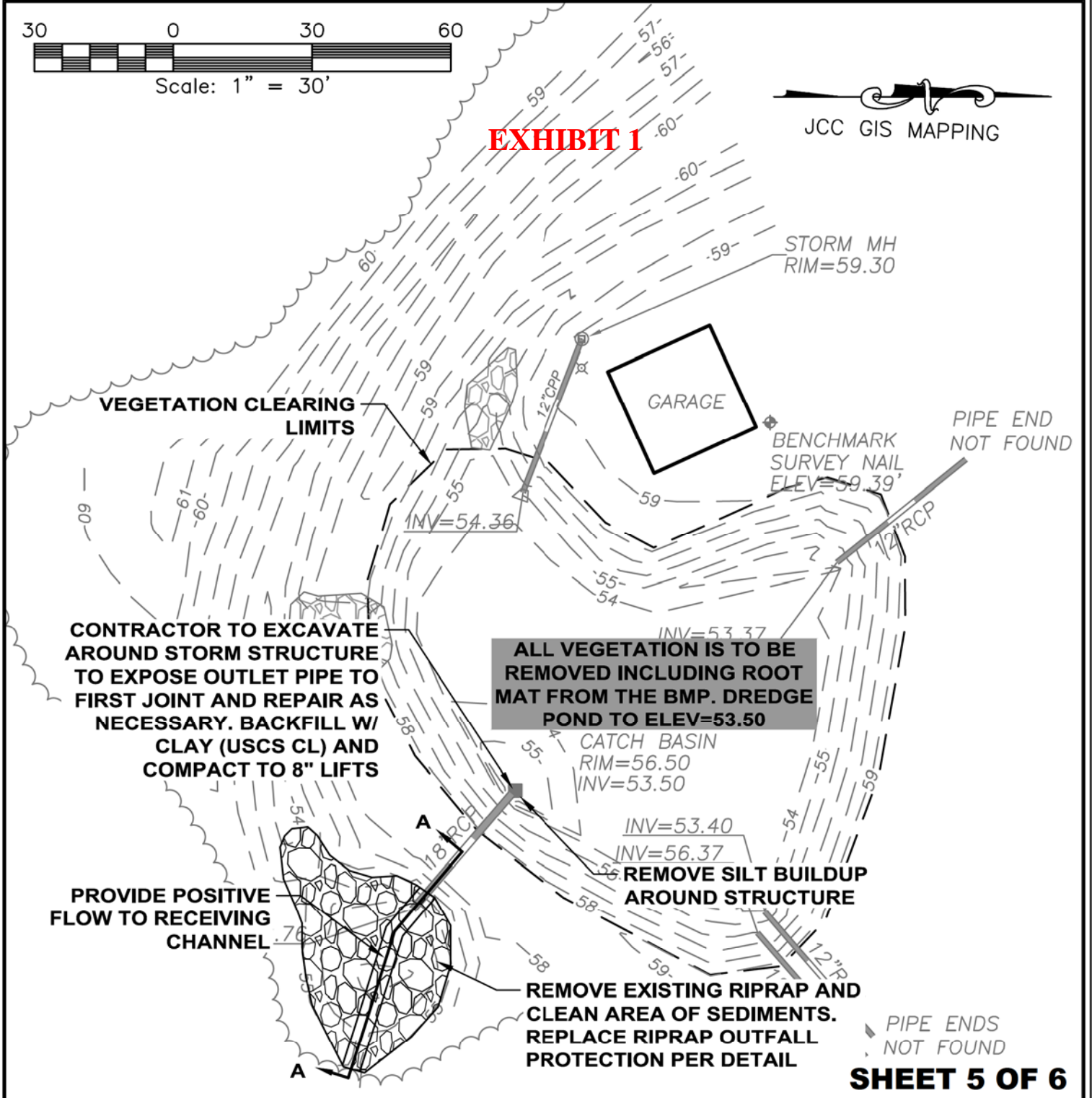


EXHIBIT 1



**POND MAINTENANCE PLANS OF
JR-057 LOCATED AT FIRE STATION NO. 5
FOR
JCC STORMWATER DIVISION
PROPOSED IMPROVEMENTS**

JAMES CITY COUNTY VIRGINIA

DATE: 05/05/16
SCALE: 1"=30'
JOB# 16-151
CAD File
16-151 - Design.dwg

LandTech Resources, Inc.
ENGINEERING & SURVEYING CONSULTANTS
3925 Midlands Road, Williamsburg, Virginia 23188
Telephone: 757-565-1677 Fax: 757-565-0782
Web: landtechresources.com

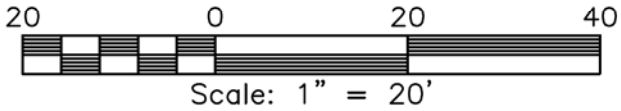
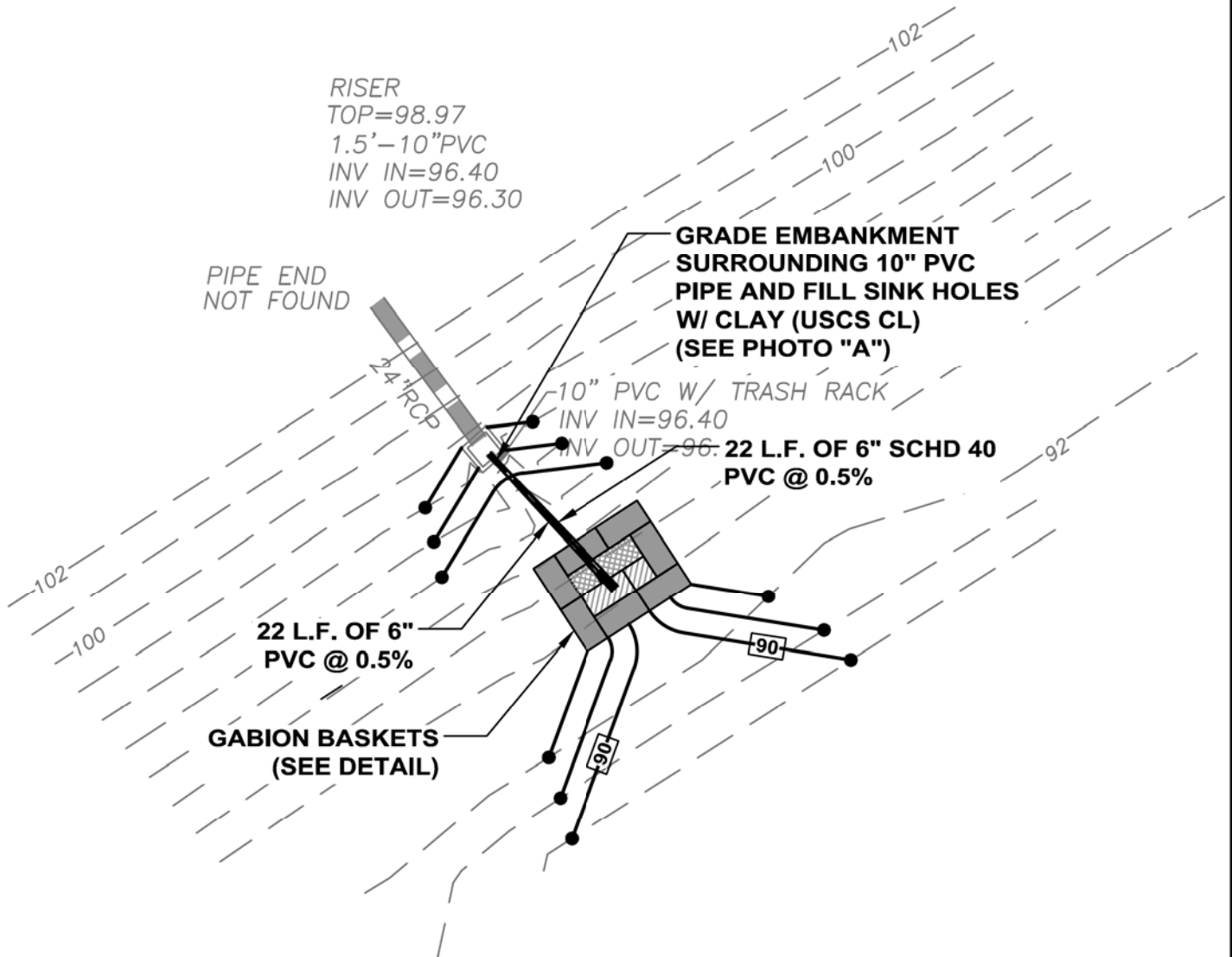
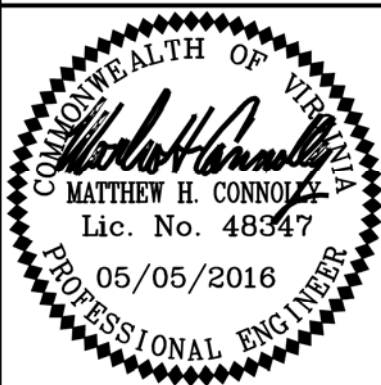


EXHIBIT 2



SHEET 5 OF 8



**POND MAINTENANCE PLANS OF
PC-204 LOCATED AT WARHILL HIGH SCHOOL
FOR
JCC STORMWATER DIVISION
PROPOSED IMPROVEMENTS**

JAMES CITY COUNTY

VIRGINIA

DATE: 05/05/16
SCALE: 1"=20'
JOB# 16-151
CAD File
16-151 - Design.dwg

LandTech Resources, Inc.
ENGINEERING & SURVEYING CONSULTANTS
3925 Midlands Road, Williamsburg, Virginia 23188
Telephone: 757-565-1677 Fax: 757-565-0782
Web: landtechresources.com

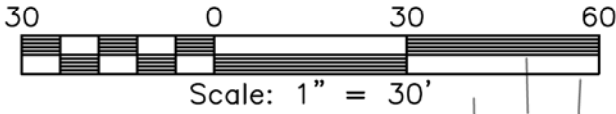
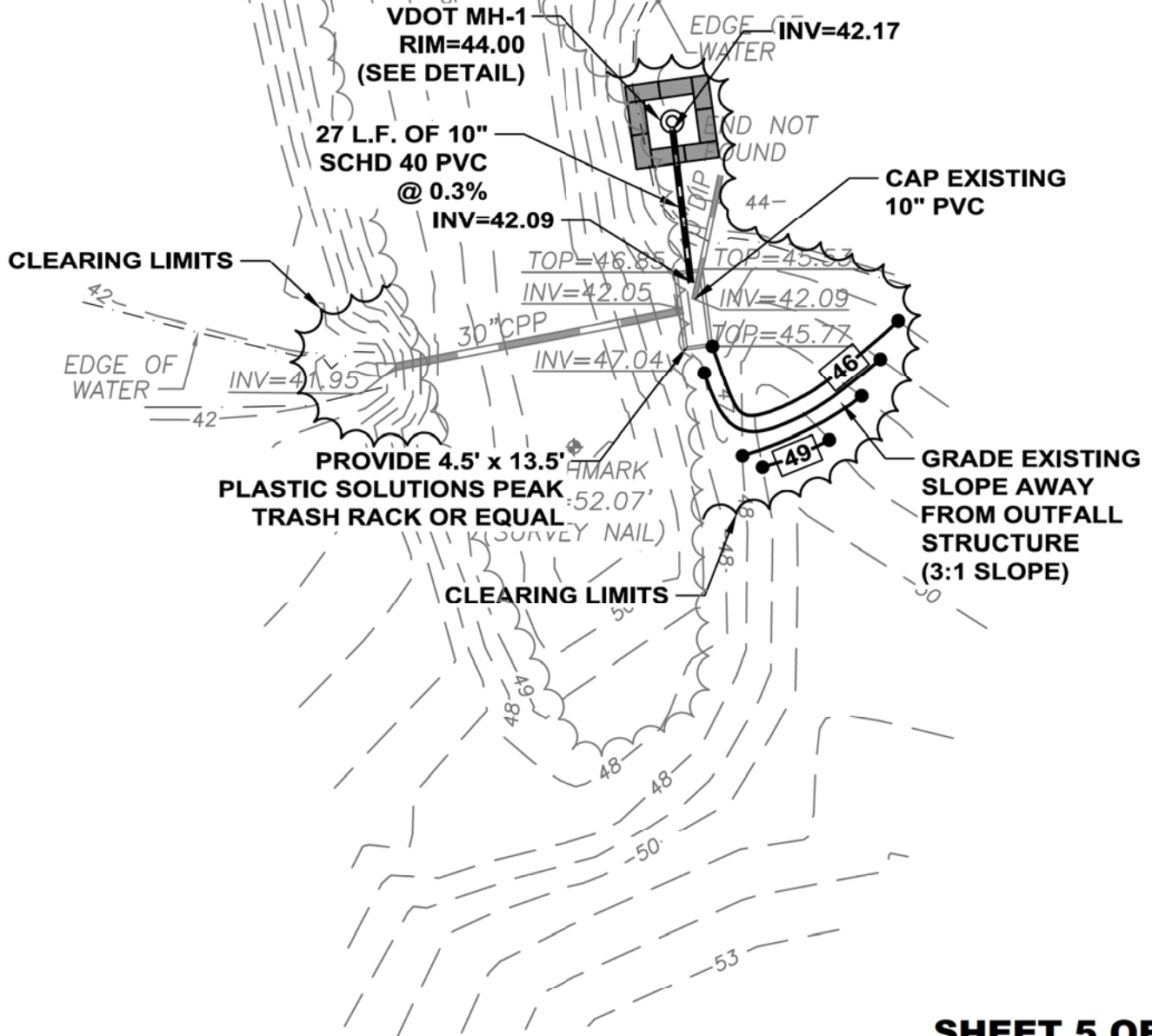


EXHIBIT 3



SHEET 5 OF 6



**POND MAINTENANCE PLANS OF
MC-045 LOCATED AT VENTURE LANE
FOR
JCC STORMWATER DIVISION
PROPOSED IMPROVEMENTS**

JAMES CITY COUNTY VIRGINIA

DATE: 05/05/16
SCALE: 1"=30'
JOB# 16-151
CAD File
16-151 - Design.dwg

LandTech Resources, Inc.
ENGINEERING & SURVEYING CONSULTANTS
3925 Midlands Road, Williamsburg, Virginia 23188
Telephone: 757-565-1677 Fax: 757-565-0782
Web: landtechresources.com

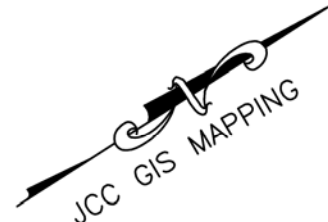
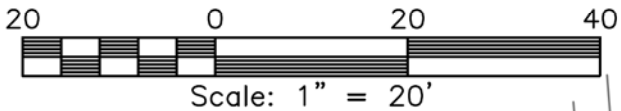
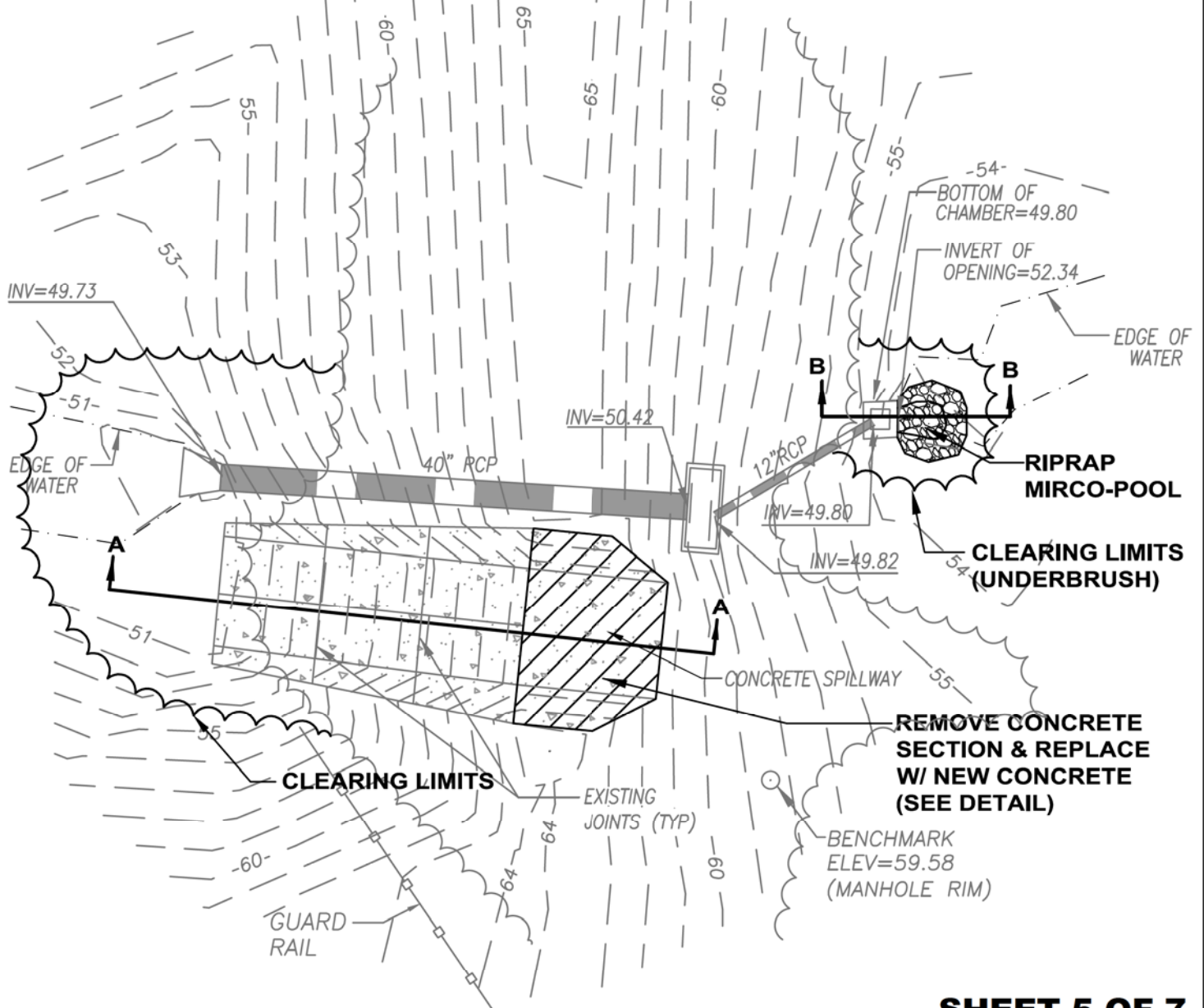


EXHIBIT 4



SHEET 5 OF 7



**POND MAINTENANCE PLANS OF
MC-021 LOCATED AT BRADSHAW DRIVE
FOR
JCC STORMWATER DIVISION
PROPOSED IMPROVEMENTS**

JAMES CITY COUNTY

VIRGINIA

DATE: 05/05/16
SCALE: 1"=20'
JOB# 16-151
CAD File
16-151 - Design.dwg

LandTech Resources, Inc.
ENGINEERING & SURVEYING CONSULTANTS
3925 Midlands Road, Williamsburg, Virginia 23188
Telephone: 757-565-1677 Fax: 757-565-0782
Web: landtechresources.com

ITEM SUMMARY

DATE: 6/28/2016

TO: The Board of Supervisors

FROM: Steve Miller, Capital Projects Coordinator

SUBJECT: Contract Award – Jolly Pond Convenience Center Site Improvements – \$263,450 - Powhatan District

ATTACHMENTS:

	Description	Type
☐	mem	Cover Memo
☐	res	Resolution
☐	Attachment	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
General Services	Horne, John	Approved	6/10/2016 - 2:10 PM
Publication Management	Burcham, Nan	Approved	6/10/2016 - 3:14 PM
Legal Review	Kinsman, Adam	Approved	6/10/2016 - 3:32 PM
Board Secretary	Fellows, Teresa	Approved	6/14/2016 - 4:58 PM
Board Secretary	Purse, Jason	Approved	6/21/2016 - 12:55 PM
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 1:08 PM

MEMORANDUM

DATE: June 28, 2016
TO: The Board of Supervisors
FROM: Steven W. Miller, PE, Capital Projects Coordinator
SUBJECT: Contract Award – Jolly Pond Convenience Center Site Improvements – \$263,450

The Work under this Project consists of a number of site improvements to the Jolly Pond Convenience Center (CC). The site improvements include correcting drainage issues in the current vegetative debris drop-off area, as it is prone to flooding. In addition, landscaping along the Center’s road frontage will be installed for screening.

The existing chain link fence along the road frontage will be extended, preventing unauthorized access and illegal dumping. The existing oil, antifreeze and battery storage area will be relocated adjacent to the transfer station access drive. A retaining wall will be constructed for an overflow vegetative debris area, permitting customers to drop off debris directly into metal containers. Portions of the upgrades and creation of a Best Management Practice (BMP) downstream utilizing existing site features have already been completed under a previous construction phase to comply with new Virginia Department of Environmental Quality (DEQ) stormwater pollutant reduction mandates. These improvements will provide water quality benefits and contribute to meeting the County’s permit obligations for the Chesapeake Bay Total Maximum Daily Loads. The County was awarded a DEQ matching grant, Stormwater Local Assistance Fund to assist with the project funding for the former BMP improvements.

An Invitation for Bids was publically advertised. Six bid forms were received and all were determined to be qualified after evaluation. The following firms submitted bids and were considered for contract award:

<u>Firm</u>	<u>Amount</u>
Henry S. Branscome, LLC	\$383,815
CT Redd Construction, Inc.	\$328,065
Precision Services, Inc.	\$297,785
American Eastern, Inc.	\$292,714
David A. Nice Builders, Inc.	\$283,500
Toano Contractors, Inc.	\$263,450

Toano Contractors, Inc. has performed satisfactory work for James City County in the past and was determined to be the lowest qualified, responsive and responsible bidder. The bid amount of \$263,450 is consistent with the project estimate, and previously authorized General Services and Stormwater Capital Improvement Program funds are available to fund this project.

Staff recommends approval of the attached resolution authorizing contract award to Toano Contractors, Inc. for completion of the Jolly Pond Convenience Center site improvements.

SWM/nb
CA-BMPRenovVariousLoc-mem

Attachments

RESOLUTION

CONTRACT AWARD – JOLLY POND CONVENIENCE CENTER

SITE IMPROVEMENTS – \$ 263,450

WHEREAS, this project supports the County’s Chesapeake Bay Total Maximum Daily Load action plan; and

WHEREAS, six bids were considered for award and Toano Contractors, Inc. was the lowest qualified, responsive and responsible bidder; and

WHEREAS, previously authorized General Services and Stormwater Capital Improvements Program budget funds are available to fund this project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the contract award in the amount of \$263,450 with Toano Contractors, Inc. for the Jolly Pond Convenience Center Site Improvement Project.

Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:

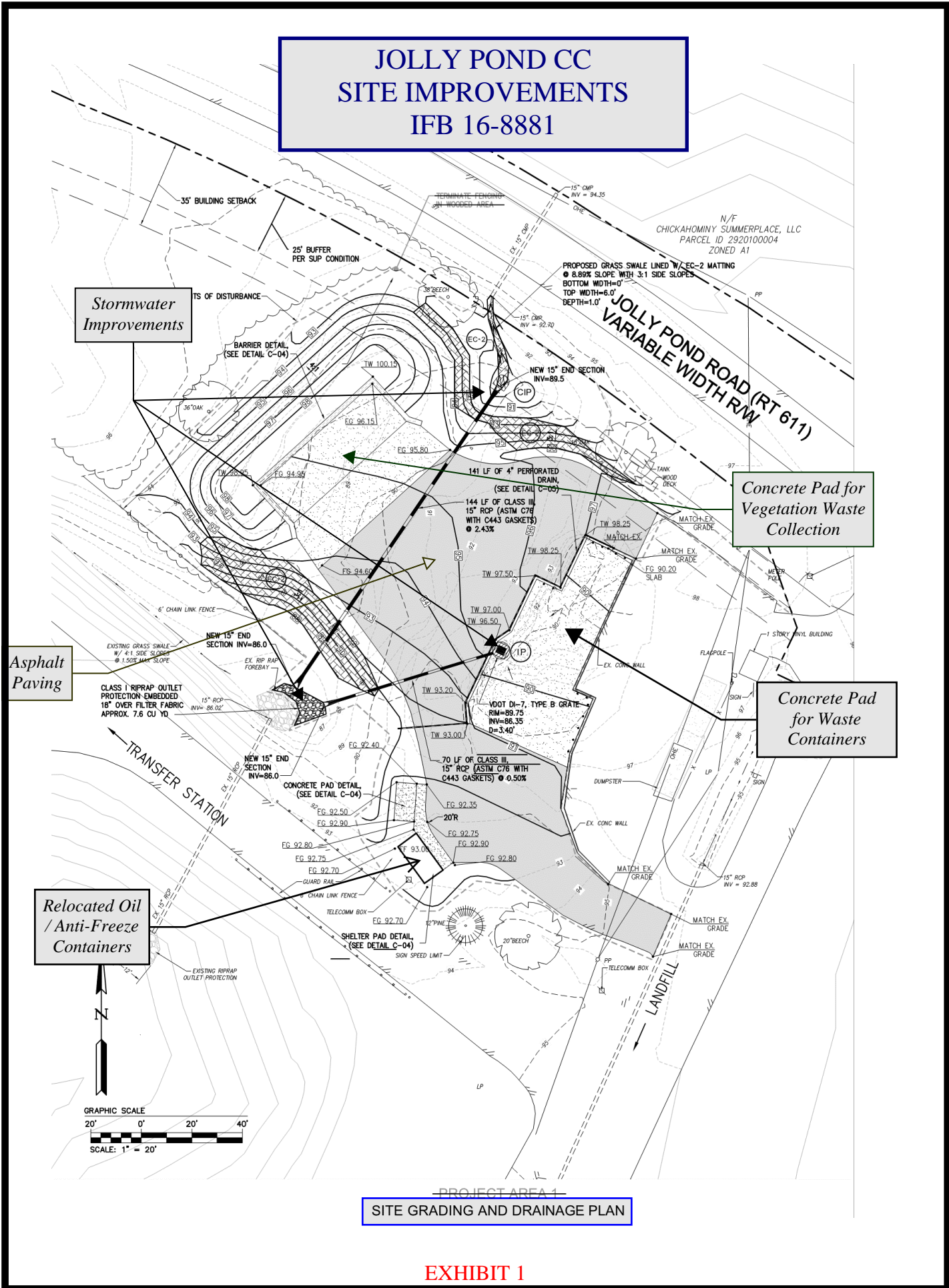
Bryan J. Hill
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCLENNON	_____	_____	_____
LARSON	_____	_____	_____
ONIZUK	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June, 2016.

CA-JollyPondImprov-res

JOLLY POND CC SITE IMPROVEMENTS IFB 16-8881



Stormwater Improvements

Concrete Pad for Vegetation Waste Collection

Asphalt Paving

Concrete Pad for Waste Containers

Relocated Oil / Anti-Freeze Containers

PROJECT AREA 1
SITE GRADING AND DRAINAGE PLAN

ITEM SUMMARY

DATE: 6/28/2016

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Administrative Coordinator

SUBJECT: Resolutions of Appreciation - Dr. J. Blaine Blayton, Abram Frink, Jr. and Joshua C. Palmer, Sr.

The Friends and Family (Framily) Bash, in Grove, is in its third year of reuniting the community. The Bash is held on the property that was owned by Dr. Blayton, and is planned for the weekend of July 16. The families requested Resolutions of Appreciation honoring the legacy of these great men of the Grove community.

ATTACHMENTS:

	Description	Type
☐	ROA - Dr. Blayton	Resolution
☐	ROA - Mr. Palmer	Resolution
☐	ROA - Mr. Frink	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 8:20 AM

RESOLUTION OF APPRECIATION

DR. J. BLAINE BLAYTON

WHEREAS, J. Blaine Blayton was born in Oklahoma in 1905, where he attended school in a two-room schoolhouse and then went on to earn his undergraduate and medical degrees from Howard University in Washington D.C.; and

WHEREAS, Dr. Blayton came to Williamsburg in 1931, where he set up a practice to serve the African-Americans of the community and practiced for 50 years; and

WHEREAS, in 1952, Dr. Blayton opened a 14-bed hospital with an emergency room and a sandwich shop to serve those shut out of other facilities due to segregation; and

WHEREAS, Dr. Blayton’s Medical Center Clinic was the main healthcare facility for the Williamsburg area’s African-American citizens until 1961 when the fully integrated Williamsburg Community Hospital opened, which Dr. Blayton helped raise money to build; and

WHEREAS, outside of his medical duties, Dr. Blayton was an advocate for education and recreation in the community, served as the first African-American member of the James City County School Board and was the Director of Health and Safety for the Peninsula Boy Scouts for 25 years; and

WHEREAS, in 1999, Dr. Blayton was honored by the Williamsburg Community Health Foundation as one of the first three recipients of its Healthcare Heroes Recognition Award.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby celebrates the life of

DR. J. BLAINE BLAYTON

and expresses its appreciation for the legacy he has left with the community.

Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:

VOTES

AYE NAY ABSTAIN

MCGLENNON	_____	_____	_____
LARSON	_____	_____	_____
ONIZUK	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____

Bryan J. Hill
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June, 2016.

RESOLUTION OF APPRECIATION

MR. JOSHUA C. PALMER, SR.

WHEREAS, Joshua C. Palmer, Sr. was born on January 5, 1925 in Camp Perry, Virginia, and was a member of the James City County Boarding School Class of 1942; and

WHEREAS, after briefly serving in the US Army and working for the Williamsburg Lodge, Mr. Palmer opened his own business in 1948, Suburban Disposal Company, Inc.; and

WHEREAS, Suburban Disposal Company has serviced the community for 68 years, and has employed more than 25 employees; and

WHEREAS, outside of his business, Mr. Palmer was very active in the community as a Mason, a member of the Elks Lodge, a founding member of the Long Horn Hunting Club, sponsored the Grove Recreation Association, sponsored the Grove Stars Baseball Team, sponsored the local band, Black Earth, supported the Peninsula Boy Scouts and was a member of Mount Gilead Baptist Church; and

WHEREAS, Mr. Palmer was an avid gardener, hunter and fisherman, and would often feed the Grove community with his livestock, fish and vegetables; and

WHEREAS, Mr. Palmer was a father figure to several youth in the community and generously gave of his time and resources to those in need.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby celebrates the life of

JOSHUA C. PALMER, SR.

and expresses its appreciation for the legacy he has left with the community.

Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

	<u>VOTES</u>		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
LARSON	_____	_____	_____
ONIZUK	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June, 2016.

RESOLUTION OF APPRECIATION

MR. ABRAM FRINK, JR.

WHEREAS, Abram Frink, Jr. has tirelessly served James City County citizens with dedication in many ways during his lifetime; and

WHEREAS, Mr. Frink served on the James City County Planning Commission from 1967-69 and served on the Parks & Recreation Advisory Commission in 1988; and

WHEREAS, Mr. Frink was appointed to represent the newly created Roberts District on the Board of Supervisors in 1969; and

WHEREAS, Mr. Frink was elected to the Board of Supervisors in 1971 for a four-year term and ultimately represented the Roberts District for 14 years; and

WHEREAS, Mr. Frink served as Chairman of the Board of Supervisors for four terms of one year; and

WHEREAS, Mr. Frink was the first African-American man to serve as the Chairman of a governing body in the Commonwealth of Virginia; and

WHEREAS, Mr. Frink was active in the community serving as Superintendent of Sunday School in his church for over 20 years, serving on the Trustee Board and the Usher Board of his church, serving as the Cubmaster of the Pack 80 Boy Scout Troop, is the Past Master of Masonic Lodge 124 and is a member of the Williamsburg Men’s Club.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby celebrates the life of

ABRAM FRINK, JR.

and expresses its appreciation for his legacy of leadership and service.

Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
LARSON	_____	_____	_____
ONIZUK	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June 2016.

ITEM SUMMARY

DATE: 6/28/2016

TO: The Board of Supervisors

FROM: Roberta Sulouff, Planner

SUBJECT: ZO-0005-2016. Planned Unit Development Amendments to Allow for the Manufacture of Food, Beverages and Food Products

ATTACHMENTS:

	Description	Type
▣	Staff Report	Staff Report
▣	Ordinance	Ordinance
▣	Unapproved minutes from the June 1 PC meeting	Minutes
▣	Letter of Support from the Office of Economic Development	Backup Material
▣	Letter of Support from the Economic Development Authority	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	6/10/2016 - 1:08 PM
Development Management	Holt, Paul	Approved	6/10/2016 - 1:08 PM
Publication Management	Burcham, Nan	Approved	6/10/2016 - 1:12 PM
Legal Review	Kinsman, Adam	Approved	6/14/2016 - 4:57 PM
Board Secretary	Fellows, Teresa	Approved	6/14/2016 - 5:00 PM
Board Secretary	Purse, Jason	Approved	6/21/2016 - 12:58 PM
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 1:10 PM

MEMORANDUM

DATE: June 28, 2016

TO: The Board of Supervisors

FROM: Roberta Sulouff, Planner

SUBJECT: Case No. ZO-0005-2016. Planned Unit Development Amendments to Allow for the Manufacture of Food, Beverages and Food Products

Recently, staff from both the Planning Division and the Office of Economic Development have received inquiries from companies interested in the manufacture of food or food products in areas zoned Planned Unit Development-Commercial (PUD-C). This use is currently permitted in the M-1, Limited Business/Industrial and the M-2, General Industrial Districts and while several industrial uses are permitted in PUD-C, the manufacture/processing of food, beverages and food products is not listed as either permitted or a specially permitted under the PUD-C use list. Although staff recognizes that commercial areas within PUD developments were intended to be less intense in use than other industrial or commercial areas, staff finds that this use complements other light industrial uses currently permitted in the PUD District. Additionally, staff believes that such revisions would reflect an ongoing effort to “encourage a balanced mixture of commercial, industrial and residential land uses that support the County’s overall quality of life, fiscal health and environmental quality,” a stated strategy found in the Economic Development section of the 2035 Comprehensive Plan.

Proposed Revisions

In consideration of how these uses are already permitted in the M-1 and M-2 Districts, staff is proposing the following additions to the PUD-C industrial use list:

- Adding as a permitted use “manufacture, compounding, processing or packaging of beverages or food and food products, but not slaughter of animals, where all activities are conducted in a fully enclosed building, with no dust, noise, odor or other objectionable effect.”
- Adding as a specially permitted use “manufacture, compounding, processing or packaging of beverages or food and food products, but not slaughter of animals.”

Recommendation

On June 1, 2016, the Planning Commission voted to recommend approval of the proposed amendments by a vote of 7-0. Staff recommends that the Board of Supervisors approve the attached ordinance.

RS/nb
ZO-05-16PlanUDevAmd-mem

Attachments:

1. Ordinance
2. Unapproved minutes from the June 1, 2016 Planning Commission meeting
3. Letter of Support from the Office of Economic Development, dated March 21, 2016
4. Letter of Support from the JCC Economic Development Authority, dated March 21, 2016

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE V, DISTRICTS; DIVISION 14, PLANNED UNIT DEVELOPMENT DISTRICTS, PUD, SECTION 24-493, USE LIST.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article V, Districts; Division 14, Planned Unit Development District, PUD, Section 24-493, Use list.

Chapter 24

ARTICLE V. DISTRICTS

DIVISION 14. PLANNED UNIT DEVELOPMENT DISTRICTS, PUD

Sec. 24-493. Use list.

(b) In the planned unit development district, commercial (PUD-C), all structures to be erected or land to be used shall be for one or more of the following uses:

<i>Use Category</i>	<i>Use List</i>	<i>Permitted Uses</i>	<i>Specially Permitted Uses</i>
Residential Uses	Apartments	P	
	Group homes or residential facilities for eight or fewer adults.	P	
	Group homes or residential facilities for nine or more adults.		SUP
	Home occupations, as defined.	P	
	Independent living facilities.	P	
	Multi-family dwellings.	P	
	Commercial Uses	Commercial uses: Same as subsection (a) above.	
	Assisted living facilities.	P	
	Continuing care retirement facilities.	P	
	Skilled nursing facilities (nursing home).	P	
	Golf courses.	P	
	Theme parks.	P	
Civic Uses	Civic uses as listed in (a) above.		
Utility Uses	Utility uses as listed in (a) above.		
	Camouflaged wireless communication facilities that comply with division 6, Wireless Communication Facilities, only in areas with a designation other than residential on a board adopted master plan.	P	

	Tower mounted wireless communication facilities in accordance with division 6, Wireless Communications Facilities.		SUP
	Water facilities (public) and sewer facilities (public), including but not limited to, treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment such as pumps to be owned and operated by political jurisdictions. However, the following are permitted generally and shall not require a special use permit.		SUP
	a. Private connections to existing mains, that are intended to serve an individual customer and are accessory to existing or proposed development, with no additional connections to be made to the line.		
	b. Distribution lines and local facilities within a development; including pump stations.		
Industrial Uses	<i>Manufacture, compounding, processing or packaging of beverages or food and food products, but not slaughter of animals, where all activities are conducted in a fully enclosed building, with no dust, noise or odor effects.</i>	P	
	<i>Manufacture, compounding, processing or packaging of beverages or food and food products, but not slaughter of animals.</i>		SUP
	Printing and publishing.	P	
	Private streets within "qualifying industrial parks" in accordance with section 24-62.	P	
	Processing, assembly and manufacture of light industrial products or components, with all storage, processing, assembly and manufacture conducted in a fully enclosed building, with no dust, noise, odor or other objectionable effect.	P	
	Research, design and development facilities or laboratories.	P	
	Wholesale and warehousing, with storage in a fully enclosed building.	P	

Michael J. Hipple
Chairman, Board of Directors

ATTEST:

Bryan J. Hill
Secretary to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	___	___	___
LARSON	___	___	___
ONIZUK	___	___	___
SADLER	___	___	___
HIPPLE	___	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June, 2016.

ZO-05-16PlanUDevAmd-ord

Unapproved Minutes of the June 1, 2016 Planning Commission Meeting

ZO-0005-2016, PUD, Planned Unit Development, Zoning Ordinance Amendments, Article V, Section 24-493, Use List

Ms. Roberta Sulouff presented a report to the Commission on the proposed amendments to the Planned Unit Development-Commercial, PUD-C, District to allow for the manufacture of food or food products as either a by-right use where the activities were conducted in a fully enclosed building with no external impacts or as a specially permitted use where that criteria was not met. Ms. Sulouff further noted that the revisions reflect an effort to encourage a balanced mixture of commercial, industrial and residential land uses that support strategies for economic development recommended in the 2035 Comprehensive Plan.

Mr. O'Connor opened the public hearing.

As no one wished to speak, Mr. O'Connor closed the public hearing.

Mr. O'Connor opened the floor for discussion by the Commission.

Mr. Basic noted that there had been discussion from the Board of Supervisors about opening up this opportunity in several districts. Mr. Krapf inquired if the Policy Committee had considered adding this use to other districts.

Mr. Krapf clarified that this amendment was not related to mobile food vendors. Mr. O'Connor further stated that the matter of food trucks is still being considered and that this amendment is strictly related to the manufacture of food and food products in the PUD-C District.

Mr. Schmidt noted that one of the concerns considered was the impact of odors on adjacent properties; however, it was determined that if there were concerns about odors or other external impacts, a special use permit would be required.

Mr. Richardson moved to recommend approval of the ordinance amendment.

On a roll call vote the Commission voted to recommend approval of ZO-0005-2016, PUD, Planned Unit Development, Zoning Ordinance Amendments, Article V, Section 24-493, Use List (7-0).



Economic Development
101-D Mounts Bay Road
PO Box 8784
Williamsburg, VA 23187
P: 757-253-6607

yesjamescitycountyva.com

March 21, 2016

Paul Holt, Director of Planning
James City County
101-A Mounts Bay Road
Williamsburg, VA 23185

According to the Virginia Economic Development Partnership, the Food Processing Industry is one of Virginia's largest manufacturing sectors and is included as one of the Partnership's Key Industries. Locally, during the past 18 months, James City County has seen an increase in interest from companies tied to the food processing industry. Additionally, there are a number of existing businesses within James City County that are also a part of this industry segment. Based upon past and current indications, this appears to be a growing industry segment.

While the manufacture and processing of food is included in both the M1 and M2 zoning classifications (with an SUP), this use is currently not permitted in PUD-C. PUD-C does allow for the processing, assembly and manufacture of light industrial products, by-right, provided that it is conducted in a "fully enclosed building with no dust, noise, odor or other objectionable effect."

With the increased interest in this industry segment and understanding that PUD-C covers one of the few remaining business centers in the County (Stonehouse Commerce Park), OED has been working with Development Management to have food processing added as a permitted use in PUD-C. The new proposal would allow food processing to be included as a by-right use, subject to the same provisions as manufacturing. Additionally, an SUP would be added to allow both those food-related and industrial uses not meeting the current requirements, the opportunity to locate in PUD-C through mitigation.

During their March 10th meeting, the EDA voted in support of this proposed Zoning Ordinance change and I would like to add the support of the Office of Economic Development.

Sincerely,

Russell Seymour, Director
James City County Economic Development



Economic Development Authority
101-D Mounts Bay Road
PO Box 8784
Williamsburg, VA 23187
P: 757-253-6607

yesjamescitycountyva.com

March 21, 2016

Mr. Paul Holt
Planning Director
James City County
101-A Mounts Bay Road
Williamsburg, Virginia 23185

Dear Mr. Holt,

As Chairman of the Economic Development Authority, I am aware of the collaboration between the Planning Division and the Office of Economic Development on many matters. In recent years I am especially aware of research and assistance provided by planning staff when prospects have been identified and are visiting potential sites in the County.

There has been much interest in the County from companies tied to the food processing industry. In the last 2-3 years, the EDA and County staff have worked with nearly a dozen different food-related companies looking to establish operations in the Williamsburg area, giving serious consideration to James City County. Some of these projects are still active, with a final decision not yet made. Others have selected sites outside the County or outside Virginia. Each circumstance brings unique factors, but the EDA and OED staff make every effort to identify compatible potential employers for the County and compatible sites for those employers in the County.

These recent prospects have highlighted the fact that food processing, or "manufacture, compounding, processing or packaging of food and food products, but not the slaughter of animals" is specially permitted in M1 and M2, not permitted by-right in any zoning district in the County, and not permitted at all in PUD-C. Given the potential for growth in this sector, the EDA supports staff efforts to better accommodate food processing and food-related operations.

I thank you for your on-going discussions with OED staff to consider the issue from multiple perspectives and identify a solution. On behalf of the Economic Development Authority, I fully support your efforts.

Sincerely,

Thomas G. Tingle, Chairman
James City County Economic Development Authority

ITEM SUMMARY

DATE: 6/28/2016
TO: The Board of Supervisors
FROM: Jason Purse, Assistant County Administrator
SUBJECT: Proposed Departmental and Division Name Changes

ATTACHMENTS:

	Description	Type
▣	Staff Report	Staff Report
▣	Resolution	Resolution
▣	Community Services Org Chart	Backup Material
▣	Housing Community Dev Org Chart	Backup Material
▣	Current Social Services Org Chart	Backup Material
▣	Proposed Social Services Org Chart	Backup Material
▣	Current Development Mangement Org Chart	Backup Material
▣	Proposed Community Development Org Chart	Backup Material
▣	County Org Chart	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Development Management	Holt, Paul	Approved	6/10/2016 - 1:15 PM
Publication Management	Burcham, Nan	Approved	6/10/2016 - 1:17 PM
Legal Review	Kinsman, Adam	Approved	6/20/2016 - 1:32 PM
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 8:21 AM
Board Secretary	Purse, Jason	Approved	6/21/2016 - 12:57 PM
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 1:08 PM

MEMORANDUM

DATE: June 28, 2016
TO: The Board of Supervisors
FROM: Jason Purse, Assistant County Administrator
SUBJECT: Proposed Departmental and Division Name Changes

In a continuation of the recent theme of improving County operations and better aligning resources with needs, the names of two departments are proposed to be changed. In addition, one division will be split and renamed and one division will be absorbed into its parent department.

1. Renaming Development Management to Community Development; renaming a portion of the Office of Housing and Community Development to Neighborhood Development.
2. Renaming Community Services to Social Services (absorbing the Division of Social Services); renaming a portion of the Office of Housing and Community Development to the Housing Unit.

Development Management to Community Development

On June 1, 2016, several initiatives currently undertaken by the Office of Housing and Community Development (OHCD) were assigned to the Department of Development Management. These work areas include Community Development Block Grants and program delivery (i.e., oversight of related programs), Housing Policy Development and implementation of housing related Goals, Strategies and Action items as contained within the adopted Comprehensive Plan.

Reassigning these initiatives and projects allows for increased synergies to occur and combine more holistically with existing efforts already underway in Development Management, including drafting of Land Use and Development Policies, researching and understanding the demographics of the County, implementation of the adopted Housing Opportunities Policy, Comprehensive Plan development and implementation, coordination with transportation planning efforts, as well as being able to leverage Development Management's experience working with the development community. Combining these efforts with existing resources in Development Management will also help to enhance efforts aimed at addressing needs and identifying solutions to the findings contained within the recent Housing Conditions Study.

To further underscore our current efforts and reinforce our ongoing commitment to quality of life and sense of place (as detailed in both the Comprehensive and Strategic Plans), as well as in support of the County's Mission Statement of working in partnership with all citizens to achieve a quality community, staff recommends the Board of Supervisors rename the Department of Development Management to the Department of Community Development and establish a division within the department – to be called the Division of Neighborhood Development – to provide a further focus on the reassignment of the housing initiatives referenced above. These name changes can be accomplished using existing staff and resources (i.e., the existing Housing Administrator, Assistant Housing Administrator and part-time Administration Assistant positions) and no changes to the adopted FY 17 budget are proposed or necessary to implement the change.

Community Services to Social Services

On June 1, 2016, in conjunction with the above referenced changes that occurred with Development Management, programs that offer housing assistance services to low- and moderate-income County residents, including the Housing Choice Voucher Program, the Home Improvement Programs (i.e., Emergency Home Repair, Indoor Plumbing Rehabilitation, Energy Loss Prevention), the First-time Homebuyers Program and programs aimed at those who are homeless/precariously housed, remain within the OHCD.

However, due to the reassignment of initiatives and projects that address “community development” to the renamed Community Development department, staff proposes that OHCD be renamed the Housing Unit (and no longer remain a division).

Since its inception, the Department of Community Services’ mission has been one of promoting self-reliance, prevention, promoting healthy lifestyles and meeting basic needs. It has worked toward accomplishing this mission by providing coordination and oversight to the various “human services” functions of the County, including OHCD, Social Services and Satellite Services.

Effective July 1, 2016, oversight of Satellite Services will move to Financial and Management Services (FMS). Satellite Services provides assistance to County residents in the form of financial transactions for various County functions, as well as certain Department of Motor Vehicles’ transactions. Moving under FMS will further assist in performing ongoing fiscal and management analysis of these transactions to ensure they remain helpful to citizens and cost-effective to the County.

The mission of the Division of Social Services is to work to help individuals help themselves by temporarily meeting basic needs, protecting vulnerable children and adults and promoting self-sufficiency. With the move of Satellite Services to FMS and the reassignment of community development initiatives and projects to the renamed Community Development department, staff proposes that the Department of Community Services be renamed to Department of Social Services. This will bring clarity to the day-to-day work of staff and programs aimed at meeting the needs of our vulnerable and low-income residents.

These name changes can be accomplished using existing staff and resources and no changes to the adopted FY 17 budget are proposed or necessary to implement the change.

Other Related Process Enhancements

Effective June 1, 2016, a Business Ombudsman has been established. Using existing resources and existing personnel (i.e., no new position in the budget was created), this role will provide a primary point of contact to work in partnership with the business community to help resolve issues and identify improvements to County administrative processes related to development and existing business activity.

Reporting to County Administration, the role of the Business Ombudsman will be to:

- Lead an interdepartmental team to assist small businesses and tenants in navigating the administrative/legislative permitting process and opening their doors for business.
- Coordinate the work of the Business Climate Task Force; improve customer service and communication; increase efficiency and effectiveness of the permitting process; and process and implement those improvement efforts across multiple departments to improve customer service.

Proposed Departmental and Division Name Changes

June 28, 2016

Page 3

- Act as a facilitator for Board of Supervisors direction to amend policies and ordinances to continue to make the County administrative processes more business friendly.
- Coordinate development projects for those plans that qualify for Expedited Plan Review.

BJH/ab

PropNameChanges-mem

Attachments:

1. Resolution Approving Departmental and Division Name Changes
2. Existing and Proposed Organizational Chart for Social Services
3. Existing and Proposed Organizational Chart for Development Management

RESOLUTION

2016 DEPARTMENTAL AND DIVISION NAME CHANGES

- WHEREAS, in a continuation of the recent theme of improving County operations and better aligning resources with needs, the names of two Departments are proposed to be changed. In addition, one division will be split and renamed and one division will be absorbed into its parent Department; and
- WHEREAS, on June 1, 2016, several initiatives currently undertaken by the Office of Housing and Community Development (OHCD) were assigned to the Department of Development Management; and
- WHEREAS, reassigning these initiatives and projects allows for increased synergies to occur and combine more holistically with existing efforts already underway in Development Management; and
- WHEREAS, to further underscore current efforts and reinforce the Board's ongoing commitment to quality of life and sense of place (as detailed in both the Comprehensive and Strategic Plans), as well as in support of the County's Mission Statement of working in partnership with all citizens to achieve a quality community, the Board of Supervisors desires to rename the Department of Development Management to the Department of Community Development and establish a division within the Department – to be called the Division of Neighborhood Development; and
- WHEREAS, on June 1, 2016, in conjunction with the above referenced changes that occurred with Development Management, programs that offer housing assistance services to low- and moderate-income County residents remain within the OHCD; and
- WHEREAS, due to the reassignment of initiatives and projects that address “community development” to the Development Management, the Board of Supervisors desires to rename OHCD to the Housing Unit (and no longer remain a division); and
- WHEREAS, on June 1, 2016, oversight of Satellite Services was assigned to the Department of Financial and Management Services; and
- WHEREAS, since its inception, the Department of Community Services' mission has been one of promoting self-reliance, prevention, promoting healthy lifestyles and meeting basic needs. It has worked toward accomplishing this mission by providing coordination and oversight to the various “human services” functions of the County; and
- WHEREAS, with the move of Satellite Services to Financial and Management Services and the reassignment of community development initiatives and projects to the renamed Community Development Department, the Board of Supervisors desires to rename the Department of Community Services to the Department of Social Services; and

WHEREAS, all the above changes can be accomplished using existing staff and resources and no changes to the Adopted FY 17 Budget are proposed or necessary to implement the changes; and

WHEREAS, Section 6.1 of the James City County Charter states that the Board of Supervisors may create new departments or divisions, or combine or abolish existing departments or offices and distribute the functions thereof, or establish temporary departments for special work.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby desire to implement the aforementioned departmental and divisional changes and directs the County Attorney to prepare and bring forth all necessary ordinances and resolutions for adoption.

Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:

VOTES
AYE NAY ABSTAIN

MCLENNON	_____	_____	_____
LARSON	_____	_____	_____
ONIZUK	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____

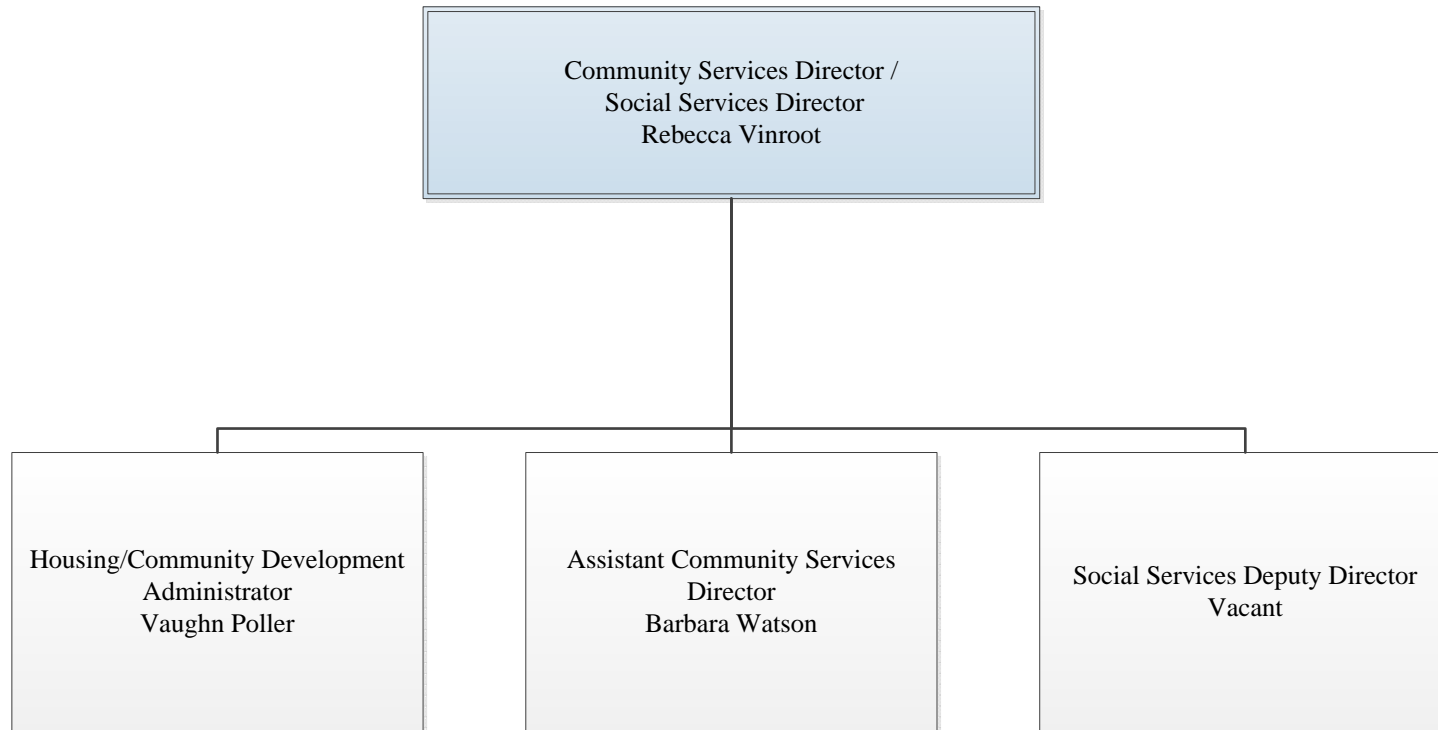
Bryan J. Hill
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June, 2016.

DeptDivNameCh16-res

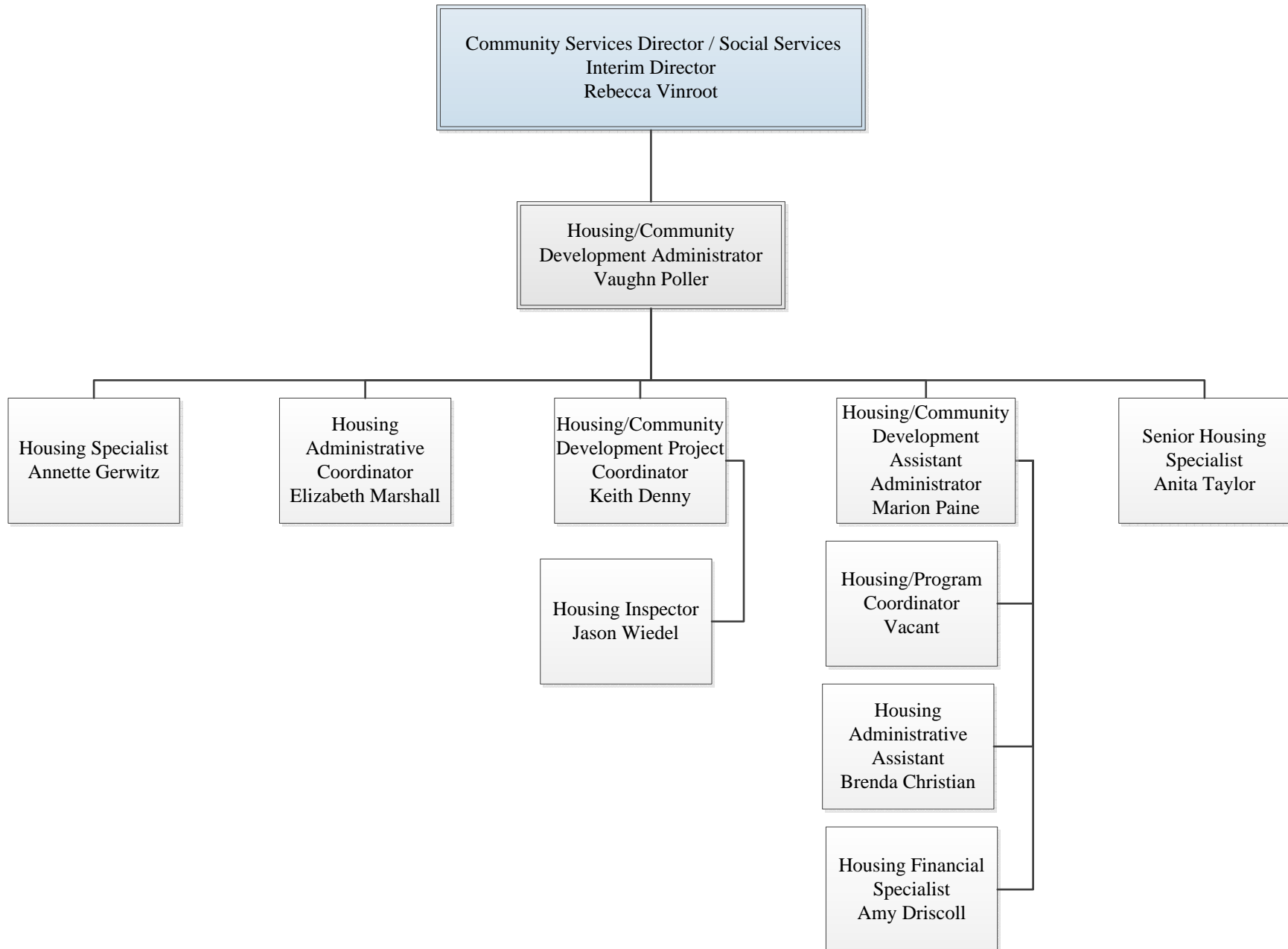
Community Services Organization Chart

Effective 04/01/16



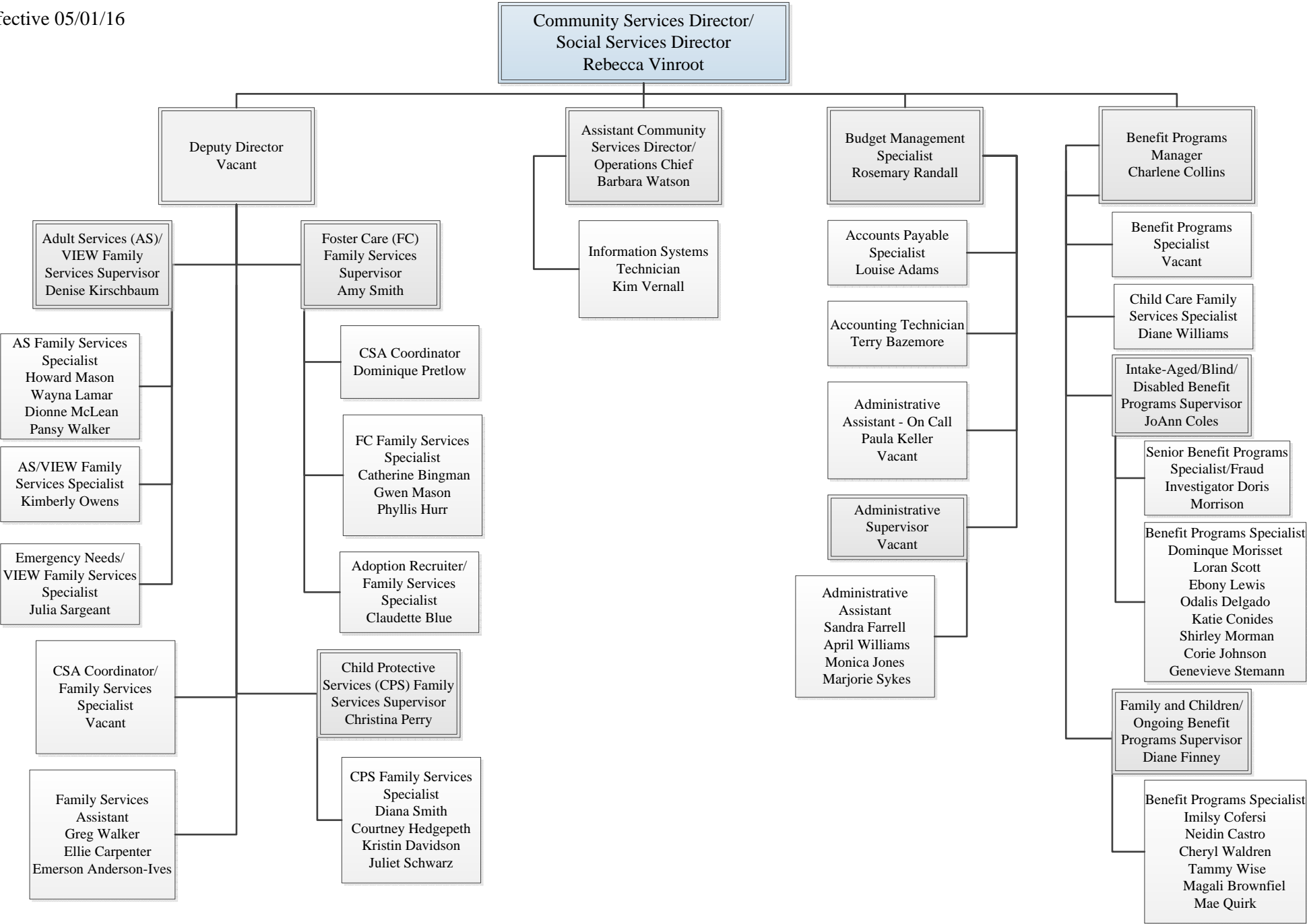
Housing/Community Development Organization Chart

Effective 03/25/16



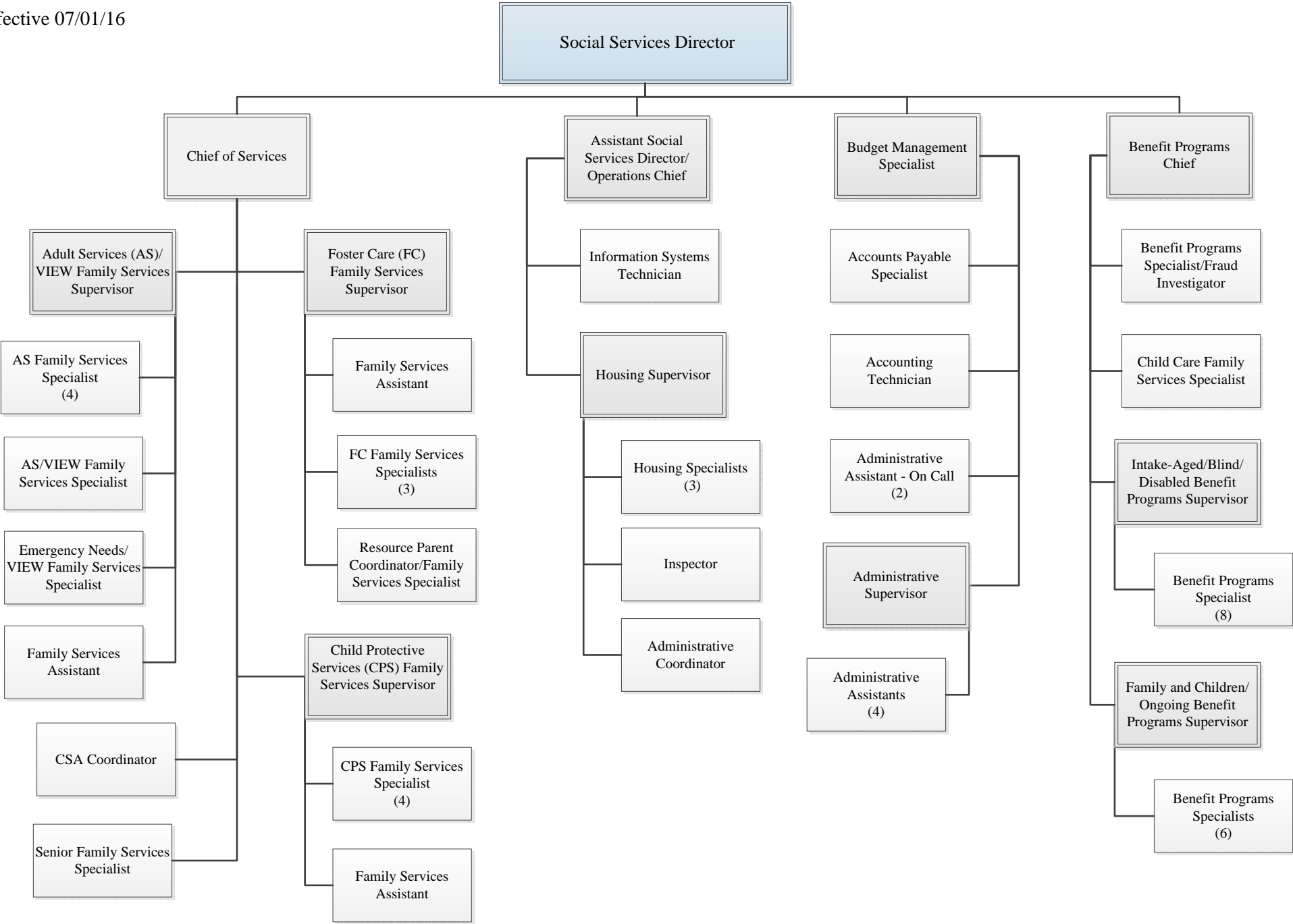
Social Services Organization Chart

Effective 05/01/16



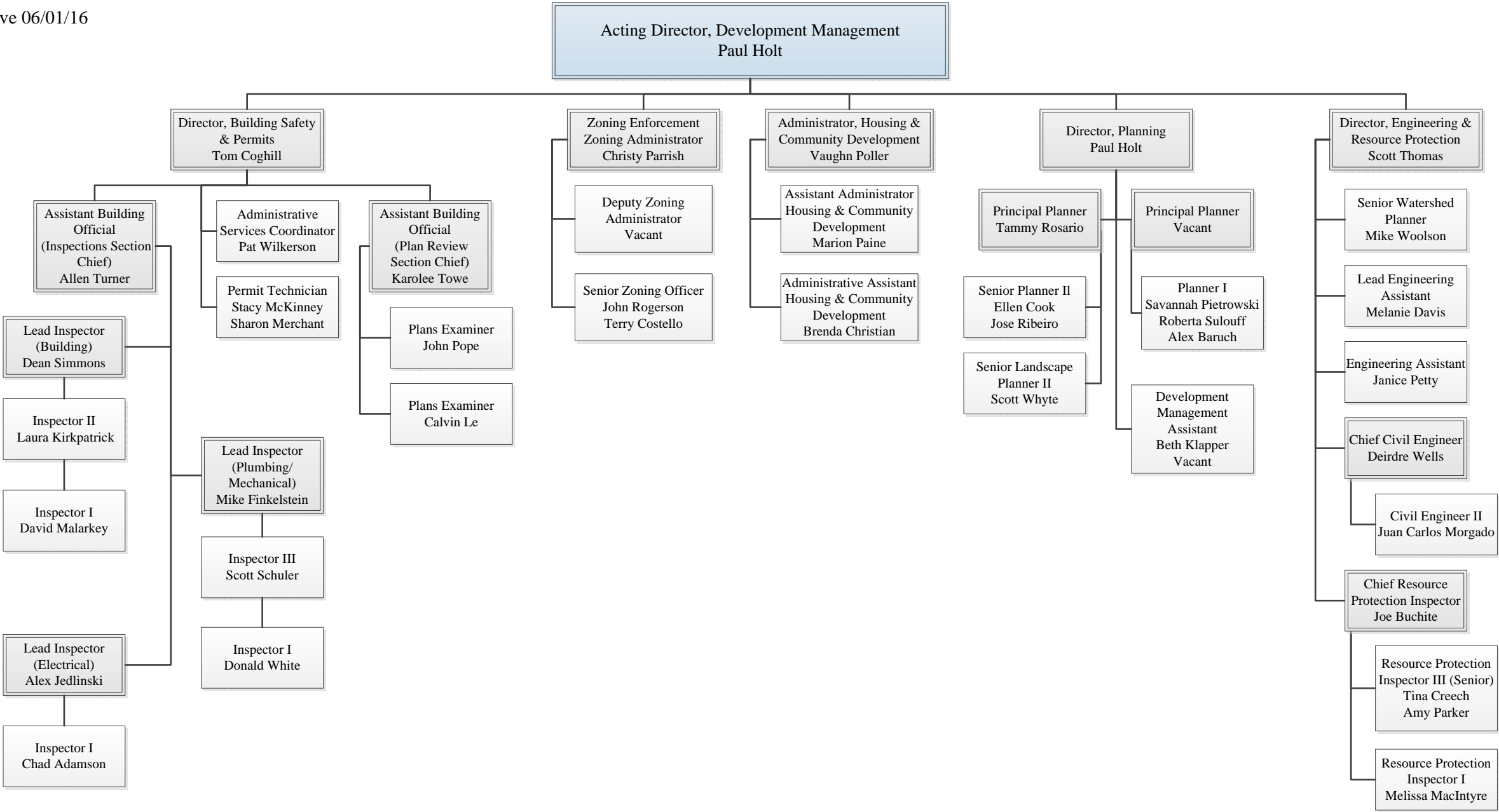
Social Services Organization Chart

Effective 07/01/16



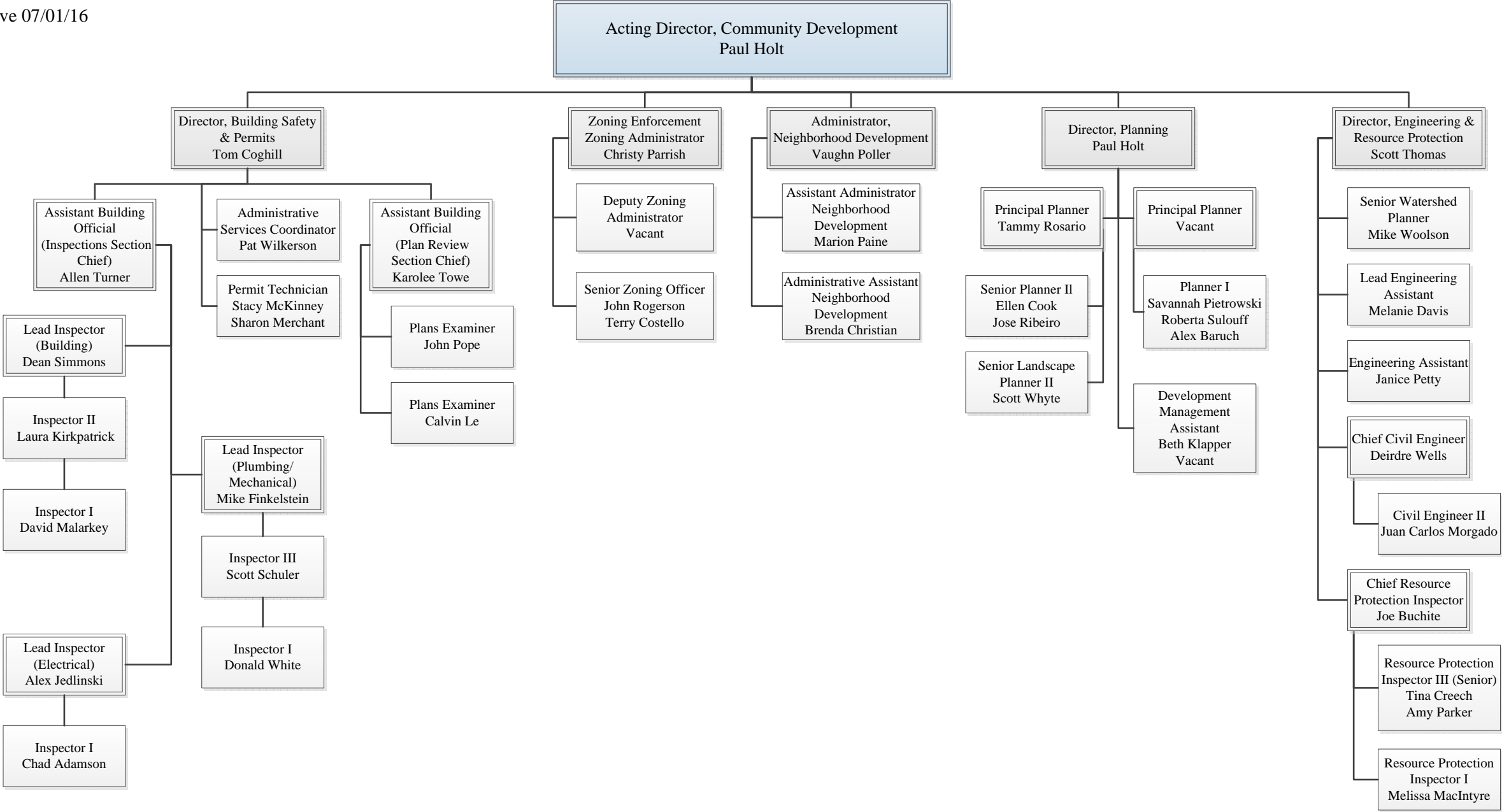
Development Management Organization Chart

Effective 06/01/16



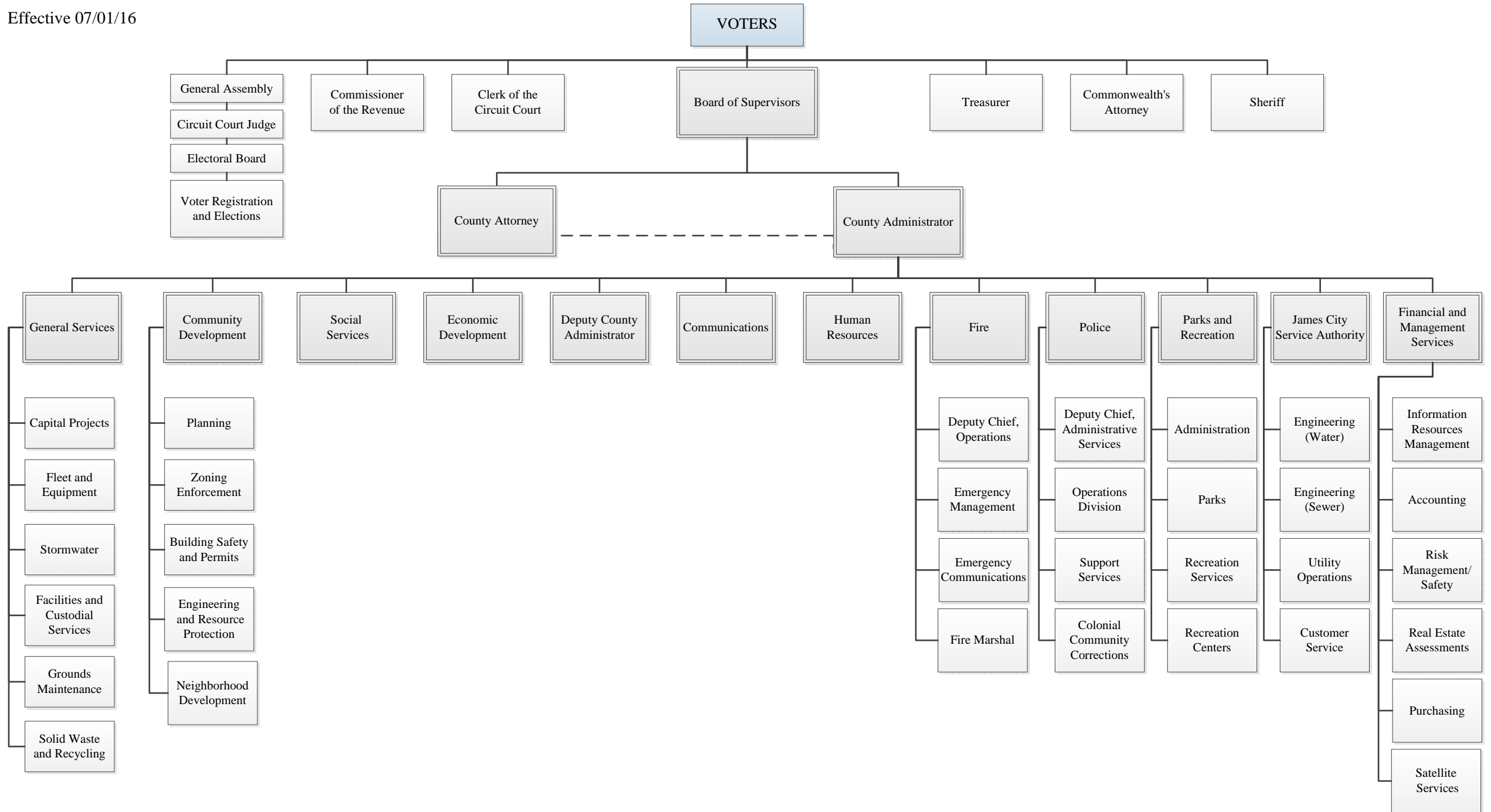
Community Development Organization Chart

Effective 07/01/16



James City County Organization Chart

Effective 07/01/16



ITEM SUMMARY

DATE: 6/28/2016
TO: The Board of Supervisors
FROM: Roberta Sulouff, Planner
SUBJECT: Z-0004-2016/MP-0001-2016, New Town Proffer and Master Plan Amendment

ATTACHMENTS:

	Description	Type
▣	Staff Report	Cover Memo
▣	Resolution	Resolution
▣	Playground Location Exhibit	Exhibit
▣	Draft 2 and 4 Proffers	Backup Material
▣	Signed 3 and 6 Proffers	Backup Material
▣	Letter of Support	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	6/17/2016 - 4:04 PM
Development Management	Holt, Paul	Approved	6/17/2016 - 4:04 PM
Publication Management	Burcham, Nan	Approved	6/17/2016 - 4:08 PM
Legal Review	Kinsman, Adam	Approved	6/21/2016 - 1:56 PM
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 4:06 PM
Board Secretary	Purse, Jason	Approved	6/21/2016 - 4:07 PM
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 4:13 PM

REZONING-0004-2016, MASTER PLAN-0001-2016. New Town Proffer and Master Plan Amendment

Staff Report for the June 28, 2016, Board of Supervisors Public Hearing

SUMMARY FACTS

Applicant: Mr. Gregory Davis, Kaufman & Canoles

Land Owner: New Town Associates, LLC

Proposal: To amend proffers for Sections 2&4 and 3&6 to provide cash-in-lieu amounts for previously proffered transit infrastructure. The proposal would also amend the current proffer language to reflect proffers satisfied by earlier rezonings and site plans, and finalize the timing for the installation of a previously proffered traffic signal. The proposal also includes changes to the Master Plan to reflect changes to trail amenities in Sections 3&6 and 7&8, and to show existing playgrounds and bus pull-offs. The intent of the proposal is to simplify any remaining obligations, as these sections are approaching full build-out.

Location: Sections 2&4, 3&6 and 7&8 of New Town, generally bounded by Ironbound Road to the east, Monticello Avenue to the south, Eastern State Hospital property to the north and Route 199 to the west. This application does not include the area known as Settler’s Market, nor any property located on Tawning Road.

Project Acreage: ±266.3 acres

Zoning: MU, Mixed Use, with proffers

Proposed Zoning: MU, Mixed Use, with amended proffers

Comprehensive Plan: Mixed Use

Primary Service Area: Inside

PUBLIC HEARING DATES

Planning Commission: April 6, 2016, 7:00 p.m.

Board of Supervisors: May 10, 2016, 6:30 p.m. (Applicant requested deferral)

June 14, 2016, 6:30 p.m. (Deferred by the Board of Supervisors

June 28, 2016, 6:30 p.m.

Staff Contact: Roberta Sulouff, Planner I

FACTORS FAVORABLE

1. With the proposed amended proffers, the proposal is not expected to impact surrounding development.
2. The proposal is consistent with the recommendations of the 2035 Comprehensive Plan.
3. Does not propose any change in commercial or residential density.
4. Simplifies proffer tracking and clarifies current proffer statuses.
5. Provides a clear timeline for the installation of outstanding proffered bus pull-offs and a traffic signal. Provides the alternative of current cash-in-lieu amounts for items, such as bus shelters, which may otherwise take some time to fulfill, due to circumstances outside of the applicant’s control (such as changing bus routes).

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

REZONING-0004-2016, MASTER PLAN-0001-2016. New Town Proffer and Master Plan Amendment

Staff Report for the June 28, 2016, Board of Supervisors Public Hearing

- 6. Leaves flexibility for the development of the three remaining, undeveloped parcels in Sections 2&4 and 3&6.
- 7. Provides a more substantial and accessible trail connection between Sections 7&8 which complements the walkable development environment, considering the existing network of trails and sidewalks of New Town as a whole.

FACTORS UNFAVORABLE

- 1. These proffers were originally approved and accepted by the Board of Supervisors in 2004, and they were drafted to meet the proffer guidelines in place at that time. The Parks & Recreation proffer policy was subsequently amended to require fewer linear feet of walking trails per dwelling unit. While this plan does propose a reduction in the total number of linear feet of trails provided, it is consistent with the current Parks & Recreation proffer policy. In fact, the linear footage of existing trails exceeds specified trail lengths under current Parks & Recreation Proffer Guidelines.
- 2. Staff has received correspondence from residents of New Town who have objections to this proposal.

SUMMARY STAFF RECOMMENDATION

Approval of the proposed Master Plan amendment and rezoning, and acceptance of the voluntary proffers.

PLANNING COMMISSION RECOMMENDATION

At its April 12, 2016 meeting, the Planning Commission recommended approval of this master plan and proffer amendment

application and acceptance of the voluntary proffers by a vote of 2-1-2 (Commissioners Bledsoe and Wright abstaining, Commissioners Schmidt and Basic absent).

CHANGES MADE FOLLOWING THE PLANNING COMMISSION MEETING

In response to concerns expressed by residents prior to and at the April 6, 2016, Planning Commission meeting, the applicant has revised the proffers and master plan to re-include a trail connection between Sections 6 & 7. The subject trail connects Discovery Park Boulevard with an existing trail which runs behind homes on the east side of Rollison Drive.

PROPOSED CHANGES MADE SINCE THE JUNE 14, 2016, BOARD OF SUPERVISORS MEETING

Revised proffer language does not change the two playground requirement currently binding upon New Town Associates for Sections 2 and 4. Instead, the revised language provides that the requirements may be changed in the future through a joint approval process including the New Town Residential Association Residential Advisory Board (“RAB”) and the New Town Design Review Board (“DRB”)

PLANNING AND ZONING HISTORY

The ±547-acre area, known then as the Casey Tract, was initially rezoned from R-8 to R-8 with proffers in 1997. This rezoning bound development to the original overall New Town Master Plan and density caps, and included proffers which required each section to be individually rezoned to MU, Mixed Use prior to any further development. This approach allowed maximum development flexibility given the long duration of time over which the project has

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

REZONING-0004-2016, MASTER PLAN-0001-2016. New Town Proffer and Master Plan Amendment

Staff Report for the June 28, 2016, Board of Supervisors Public Hearing

unfurled. As each section was rezoned it was given its own master plan, design guidelines and set of proffers.

Sections 2&4. Originally rezoned together in 2001 under James City County Case No. Z-0003-2001/MP-0005-2001. The proffers were modified in 2003 (Z-06-03).

- Provisions for three bus pull-off areas and three bus stop shelters. *Currently, one pull-off area is complete with no shelters built to date.*
- Requires two playgrounds per Parks & Recreation Proffer Guidelines in effect at that time. *One playground has been built.*

Sections 3&6. Originally rezoned together in 2004 under James City County Case No. Z-0005-2004/MP-0005-2004. Traffic proffers associated with this case were amended in 2006 (Z-07-06).

- Provisions for two bus pull-off areas and two bus shelters. *One bus shelter and pull-off currently built.*
- Requires turn lanes north- and southbound on Ironbound Road and for a traffic signal at the Watford Lane/Ironbound Road intersection. *The turn lanes are installed. Per the Virginia Department of Transportation (VDOT) analysis of review of the signal warrant analysis submitted with this application, the signal is now warranted and will be installed by the applicant.*

Sections 7&8. Originally rezoned together in 2007 under James City County Case No. Z-0005-2006/MP-0007-2006.

- Master Plan shows two pedestrian crossings/nature trails between Sections 7&8.

- Proffers require one pool, one playground and archaeological interpretive park and two urban parks. *All but one urban park has been installed. The outstanding park is planned for Section 8, which has not fully developed. The playground adjacent to the pool was built “oversized” according to guidance from Parks & Recreation staff.*

PROJECT DESCRIPTION

- Re-states and amends proffers applicable to Sections 2&4 and 3&6.
- Proposed Changes to Sections 2&4 Proffers:
 - Adds language to satisfy the original requirement of two playgrounds, on the basis that one is already built and that the applicant intentionally “overbuilt” the playground adjacent to the Section 7 pool. Also adds language to satisfy previously proffered trail provisions.
 - Provides locations for the two outstanding bus pull-offs, as well as cash-in-lieu amounts for the pull-offs should Williamsburg Area Transportation Authority (WATA), VDOT and Planning not approve facilities at the proposed locations within six months of the submittal of a conceptual plan.
 - Provides a cash-in-lieu amount for the three outstanding bus shelters, to be paid in escrow within 90 days of Board approval of the proposed proffer amendment. These funds are to be used for transit related improvements within the New Town development.
- Proposed Changes to Sections 3&6 Proffers:

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

REZONING-0004-2016, MASTER PLAN-0001-2016. New Town Proffer and Master Plan Amendment

Staff Report for the June 28, 2016, Board of Supervisors Public Hearing

- Provides a cash-in-lieu amount for the outstanding bus pull-off and shelter, should WATA, VDOT and Planning not approve facilities at the proposed location within six months of the submittal of a conceptual plan.
 - Provides a clear timeline for the installation of the outstanding traffic signal at Watford Lane.
 - Clarifies the status of affordable housing units in Sections 3&6. All housing in Sections 3&6 are rental and as no homes were sold, the affordable housing proffer does not apply to these units. The affordable sale units have been transferred, per an earlier agreement, to Sections 7&8.
 - Adds language to satisfy original walking trail requirements.
- Proposed Changes to the Master Plan:
- Removes one of two smaller pedestrian connections between Sections 7&8. This removal was proposed in an earlier conceptual plan/master plan consistency review (C-46-14). At that time, it was proposed that the smaller path would be removed from the plan should the applicant agree to widen and pave the other path shown on the Master Plan. The conceptual plan proposal was deemed consistent with the Master Plan as provided for in Sec. 24-23(a)(2) of the Zoning Ordinance. This will result in an 8-foot-wide hard surface path, rather than a smaller soft surface trail.
 - While this application does not propose a change in density or in the sliding scales used for Sections 2&4 and 3&6, staff notes that some cosmetic changes have been made to the layout of density tables shown on Sheet No. 1. Again, these

changes are cosmetic in nature and only intended to simplify the reading experience. No changes have been made to density caps in any section of New Town.

SURROUNDING ZONING AND DEVELOPMENT

- Surrounding Zoning Designations Include:

- MU, Mixed Use to the east, west and south (Settler’s Market, New Town West, Courthouse, Ironbound Square subdivision).
- M-1, Limited Business/Industrial to the south (Courthouse Commons).
- PL, Public Land to the north (Eastern State Hospital).
- The City of Williamsburg to the south and east.

COMPREHENSIVE PLAN

- Surrounding Comprehensive Plan Designations Include:

- Mixed Use (New Town), Low Density Residential (Ironbound Square) and federal/state/County land (Eastern State).

- Designated Mixed Use on the 2035 Comprehensive Plan.

- The 2035 Comprehensive Plan Includes Specific Development Standards For New Town Areas Designated Mixed Use:

- New development or redevelopment in this area should follow the appropriate, governing master plan and design guidelines and strive to integrate uses as appropriate.
- Principal suggested uses include a mixture of commercial,

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

REZONING-0004-2016, MASTER PLAN-0001-2016. New Town Proffer and Master Plan Amendment

Staff Report for the June 28, 2016, Board of Supervisors Public Hearing

office and limited industrial with some residential as a secondary use.

PUBLIC IMPACTS

1. Anticipated Impact on Public Facilities and Services:

- a. Transportation: The applicant submitted a signal warrant analysis with this application. This analysis indicated that the signal is in fact warranted now. VDOT has reviewed the study and concurs with its findings. The applicant has agreed to install the signal, following the applicable VDOT processes.
- b. Schools: This application does not propose any additional residential dwelling units, therefore staff finds that it does not create any additional impacts in this area.
- c. Utilities: The James City Service Authority has reviewed the Master Plan and proffers, and concurs with the proposal.
- d. Parks & Recreation:
 - Parks & Recreation staff have reviewed the proposed changes and generally support the changes to playground proffers in Section 2&4.
 - This rezoning and its proffers was originally approved in 2004. Proffers were drafted to meet Parks & Recreation guidelines in place at that time. The Parks & Recreation Proffer Guidelines have subsequently been revised to require fewer linear feet of trails per residential unit. The applicant is proposing a revision to the proffers to cap the linear feet of trail to what is already built or bonded

at this time, with the addition of one trail connection between Sections 6&7. Staff notes that the linear footage of existing trails exceeds the specification of current Parks & Recreation Proffer Guidelines.

2. Anticipated Impact on Environmental, Cultural and Historic Resources:

Staff finds that the proposed proffer and Master Plan amendments do not create any such additional impacts beyond those assessed at earlier rezonings.

3. Anticipated impact on nearby and surrounding properties:

Staff finds that the proposed proffer and Master Plan amendments do not create any such additional impacts beyond those assessed at earlier rezonings.

PROPOSED PROFFERS

Signed proffers have been submitted in accordance with the County’s Proffer Policy and are provided as Attachment Nos. 3&4. Please see “Project Description” above, for more information regarding specific changes. These changes are in addition to proffers that have been restated from earlier rezoning’s of Sections 2&4 and 3&6.

STAFF RECOMMENDATION

Staff finds the proposal to be compatible with surrounding development and consistent with the 2035 Comprehensive Plan and the Zoning Ordinance. Staff recommends that the Board of Supervisors approve these applications and accept the amended voluntary proffers.

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

REZONING-0004-2016, MASTER PLAN-0001-2016. New Town Proffer and Master Plan Amendment

Staff Report for the June 28, 2016, Board of Supervisors Public Hearing

RS/nb

RZ04-16MP01-16NTownProf

Attachments:

1. Rezoning and Master Plan Resolution
2. Playground Location Exhibit
3. Draft Proffers (Sections 2&4)
4. Draft Proffers (Sections 3&6)
5. Letter of Support from the New Town Residential Advisory Board dated June 20, 2016.

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

RESOLUTION

CASE NOS. Z-0004-2016/MP-0001-2016. NEW TOWN PROFFER AND

MASTER PLAN AMENDMENT

- WHEREAS, New Town Associates, LLC applied to rezone and amend proffered conditions on its properties located at 4270 and 4400 Casey Boulevard; 5220 and 5401 Center Street; 5380, 5404, 5625 and 5725 Discovery Park Boulevard; 4201 Ironbound Road; 4127, 4362 and 4385 New Town Avenue, further identified as James City County Real Estate Tax Map Parcel Nos. 3822400001A, 3820100014, 3822400016, 3820100011, 3822400020, 3823900001A, 3824300021A, 3910100157A, 3910100157, 3842400001A, 3842400001B, 3911500003 and 3911500012, respectively (collectively referred to as, the “Property”), and to amend the existing master plans related to the Property; and
- WHEREAS, in accordance with § 15.2-2204 of the Code of Virginia and Section 24-13 of the James City County Zoning Ordinance, a public hearing was advertised, adjacent property owners notified, and a hearing scheduled for Case No. Z-0004-2016/MP-0001-2016 for rezoning the Property from MU, Mixed Use with proffers to MU, Mixed Use with amended proffers and amending the existing master plans for New Town Sections 2&4, Sections 3&6 and Sections 7&8; and
- WHEREAS, New Town Associates, LLC has constructed one playground in New Town, Section 7, that exceeds the basic design requirements found in the adopted Parks & Recreation Proffer Guidelines; and
- WHEREAS, the Planning Commission of James City County, following its public hearing on April 6, 2016, recommended approval of the rezoning and master plan amendment, by a vote of 2 to 1; and
- WHEREAS, the Board of Supervisors of James City County, Virginia, finds Case Nos. Z-0004-2016/MP-0001-2016 to be required by public necessity, convenience, general welfare and good zoning practice.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Case Nos. Z-0004-2016/MP-0001-2016 as described herein and accepts the voluntary proffers.

Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCLENNON	___	___	___
LARSON	___	___	___
ONIZUK	___	___	___
SADLER	___	___	___
HIPPLE	___	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June, 2016.

RZ0-16MP01-16NTownProf-res

Z-0004-2016/MP-0001-2016

New Town Proffer and Master Plan Amendment Playground Exhibit



NEW TOWN – PROFFER AMENDMENT

SECTIONS 2 AND 4

THIS PROFFER AMENDMENT is made as of this ___ day of June, 2016, by NEW TOWN ASSOCIATES, LLC, a Virginia limited liability company (together with its successors and assigns, “Associates”) (to be indexed as Grantor) and the COUNTY OF JAMES CITY, VIRGINIA, a political subdivision of the Commonwealth of Virginia (the “County”) (to be indexed as Grantee.)

RECITALS

R-1. Associates is the developer of New Town, a mixed use development, located in James City County, Virginia, occupying in part certain real property more particularly described on **Exhibit A** attached hereto and made a part hereof (the “Property”).

R-2. The Property was originally subject to the New Town Proffers dated December 9, 1997, of record in the Office of the Clerk of the Circuit Court for the City of Williamsburg and County of James City, Virginia (“Clerk’s Office”) as document number 980001284. Upon previous rezonings, Sections 2 and 4 of New Town became subject to (i) proffers (the “New Town-Sections 2 and 4 Proffers”) dated November 1, 2001 of record in the Clerk’s Office as document number 010023715, and (ii) Supplemental Proffers, dated October 3, 2003 of record in the Clerk’s Office as document number 030032005. The foregoing proffers are referred to below collectively as the “Existing Proffers.”

R-3. The Existing Proffers provide for development of the Property in conformity with a master plan (the “New Town Master Plan”) and certain design guidelines (the “New Town Design Guidelines”). A design review board (the “DRB”) has been established by the Existing

Proffers to administer the New Town Design Guidelines and oversee development of the Property.

R-4. The New Town Master Plan is supplemented by a master plan specific to Sections 2 and 4 of New Town, likewise described in the Existing Proffers (the “Sections 2 and 4 Master Plan”.)

R-5. The development of the Property is nearing completion. As development has progressed, topography, environmental considerations, amenities usage by residents of New Town and evolving policies and laws affecting real estate development have led Associates to seek amendments to the Existing Proffers and the Sections 2 and 4 Master Plan, which said proffer amendments are described below.

NOW, THEREFORE, for and in consideration of the approval by the County Board of Supervisors of certain amendments to the Sections 2 and 4 Master Plan and the proffer amendments described below, and pursuant to Sections 15.2-2302 and 2303 of the Code of Virginia, Section 24-16 of the James City County Code, and the Existing Proffers, Associates hereby amends the Existing Proffers as applicable to the Property as follows:

PROFFER AMENDMENTS

1. **Development of Conformity with Master Plan.** The Property shall be developed generally in accordance with (i) the Existing Proffers as amended hereby and (ii) the Sections 2 and 4 Master Plan as amended pursuant to approval of James City County case no. MP-0001-2016.

2. **Playgrounds.** The requirements for installation and placement of playgrounds, playground equipment or acceptable alternative equipment, neighborhood recreation or urban park area(s) contained within paragraph 11 of the Existing Proffers shall be modified as follows:

Associates has constructed one playground that meets the design requirements set forth in the Existing Proffers (the “Existing Playground”) and is required to construct, in addition to the Existing Playground, one playground or alternative neighborhood recreation or urban park area with playground or acceptable alternate equipment (the “Additional Playground”). Upon joint approval of the DRB and the Residential Advisory Board of the New Town Residential Association, Inc., construction of the Additional Playground may be modified or omitted. Associates shall submit written evidence of the joint approval of both the DRB and the Residential Advisory Board to the Director of Planning. Upon receipt and verification of such joint approval, the Director of Planning shall consider the requirements of this amendment and paragraph 11 of the Existing Proffers satisfied, and acknowledge such in writing. The playground, neighborhood recreation, and/or urban park requirements of this amendment shall be completed on or before the date of transition of the New Town Residential Association, Inc. from developer control to property owner control (“Transition Date”). The Transition Date shall be defined as the date on which the Class B membership is terminated in accordance with Article III of the Amended and Restated Master Declaration of Protective Covenants and Restrictions, New Town Residential, which is of record in the Clerk’s Office as document number 050014430. Associates shall notify the County Director of Planning upon occurrence of the Transition Date.

3. **Bus/Transit Facilities**. This section amends, supersedes, and replaces paragraph 10 of the New Town Sections 2 and 4 Proffers.

A. One (1) bus stop total shall be constructed within Sections 2 and 4 of New Town. Such facility has been completed, located at Legacy Hall, and includes a pull-off and signage.

B. Associates shall establish bus pull off areas on both sides of Casey Boulevard at or near the Roper archeological site, subject to the approval of design and location by the County, the DRB, VDOT and the Williamsburg Area Transit Authority. In the event that the approvals described in the proceeding sentence have not been received within six (6) months of the submittal to the County of a plan, exhibit, or conceptual plan for approval of a bus pull off area, Associates may satisfy this proffer at any time thereafter by paying to the County the sum of Three Thousand and 00/100 Dollars (\$3,000.00.)

C. In lieu of the bus stop shelters and any other bus facilities originally proffered for New Town Sections 2 and 4, Associates makes the following cash proffer:

i. Associates shall pay to the County in escrow the sum of Thirty-Seven Thousand Two Hundred Fifty and 00/100 Dollars (\$37,250.00) within ninety (90) days of the date of approval of this Proffer Amendment by the County Board of Supervisors.

ii. The escrow funds described above shall be utilized by the County for transportation improvements benefitting the Property, as determined by the Director of Planning. Such transportation improvements may include but shall not be limited to bus stop or bus shelter infrastructure supporting the Williamsburg Area Transit Authority.

iii. In the event that the escrow funds paid to the County pursuant to this Proffer have not been utilized by application as described above within ten (10) years of the date of approval of this Proffer Amendment by the County Board of Supervisors, such sum (without interest) shall be distributed one-half (1/2) to the New Town Commercial Association Inc. and one-half (1/2) to the New Town Residential Association Inc. (the two (2) property owners' associations created pursuant to the terms of the Existing Proffers) or their successors.

4. **Recreation Facilities: Trails.** No additional trails (biking, jogging, walking or otherwise) which are not constructed as of the date hereof shall be required on the Property. This change shall be applicable regardless of the New Town Master Plan, the provisions of the Existing Proffers, and the County Comprehensive Parks and Recreation Plan Proffer guidelines in effect now or at the time of acceptance of the Existing Proffers.

5. **Interpretation.** Except as expressly modified hereby, the terms of the Existing Proffers shall remain unchanged.

6. **Defined Terms.** Terms capitalized in this document shall have the same meaning ascribed to such terms in the Existing Proffers.

7. **Headings.** All section or paragraph headings contained within this document are for convenience only and shall not be deemed a part of the Proffer Amendment.

{Signature & Notary Clause of New Town Proffer Amendment – Section 2 & 4 on the following page}

WITNESS the following signatures and seals:

NEW TOWN ASSOCIATES, LLC

By: _____
Lawrence A. Salzman

Title: President

APPROVED AS TO FORM:

County Attorney

COMMONWEALTH OF VIRGINIA

AT LARGE, to-wit:

The foregoing instrument was subscribed and sworn before me this ___ day of June, 2016, by Lawrence A. Salzman, President of New Town Associates, LLC, who is personally known to me or who has produced satisfactory evidence of identity.

My Commission expires: _____
Notary Registration no.: _____

Notary Public [Affix Notarial Stamp]

EXHIBIT A-1

DESCRIPTION OF PROPERTY – NEW TOWN SECTIONS 2 & 4

Those certain pieces or parcels of land shown and set out as Sections 2 and 4 on the Master Land Use Plan entitled “NEW TOWN PLAN”, prepared by Cooper, Robertson & Partners and AES Consulting Engineers, dated July 23, 1997, last revised December 8, 1997, and in addition;

Those certain pieces or parcels of land shown and set out as “AREA ADDED TO SECTION 4” on the NEW TOWN Sections 2 and 4 AMENDED MASTER PLAN prepared by Cooper, Robertson & Partners and AES Consulting Engineers, dated June, 2001 and last amended June 23, 2003.

All as more particularly described as the New Town Sections 2 and 4 Amended Master Plan made by AES Consulting Engineers, last revised February 2016, which has been submitted to James City County as part of Case No. MP-0001-2016.

NEW TOWN – PROFFER AMENDMENT

SECTIONS 3 AND 6

THIS PROFFER AMENDMENT is made as of this 21st day of April, 2016, by NEW TOWN ASSOCIATES, LLC, a Virginia limited liability company (together with its successors and assigns, “Associates”) (to be indexed as Grantor) and the COUNTY OF JAMES CITY, VIRGINIA, a political subdivision of the Commonwealth of Virginia (the “County”) (to be indexed as Grantee).

RECITALS

R-1. Associates is the developer of New Town, a mixed use development located in James City County, Virginia, occupying in part certain real property more particularly described on **Exhibit A** attached hereto and made a part hereof (the “Property”).

R-2. The Property was originally subject to the New Town Proffers dated December 9, 1997, of record in the Office of the Clerk of the Circuit Court for the City of Williamsburg and County of James City, Virginia (“Clerk’s Office”) as document number 980001284. Upon previous rezonings, Sections 3 and 6 of New Town became subject to (i) proffers (“the New Town Sections 3 and 6 Proffers”) dated October 25, 2004 of record in the Clerk’s Office as document number 040027471, and (ii) Supplemental Proffers dated December 21, 2006 of record in the Clerk’s Office as document number 070005135. The foregoing proffers are referred to below collectively as the “Existing Proffers.”

R-3. The Existing Proffers provide for development of the Property in conformity with a master plan (the “New Town Master Plan”) and certain design guidelines (the “New Town Design Guidelines”). A design review board (the “DRB”) has been established by the Existing

Proffers to administer the New Town Design Guidelines and oversee development of the Property.

R-4. The New Town Master Plan is supplemented by a master plan specific to Sections 3 and 6 of New Town, likewise described in the Existing Proffers (the “Sections 3 and 6 Master Plan”.)

R-5. The development of the Property is nearing completion. As development has progressed, topography, environmental considerations, amenities usage by residents of New Town and evolving policies and laws affecting real estate development have led Associates to seek amendments to the Existing Proffers and the Sections 3 and 6 Master Plan, which said proffer amendments are described below.

NOW, THEREFORE, for and in consideration of the approval by the County Board of Supervisors of certain amendments to the Sections 3 and 6 Master Plan and the proffer amendments described below, and pursuant to Sections 15.2-2302 and 2303 of the Code of Virginia, Section 24-16 of the James City County Code, and the Existing Proffers, Associates hereby amends the Existing Proffers as applicable to the Property as follows:

PROFFER AMENDMENTS

1. **Bus/Transit Facilities.**
 - A. Two (2) bus stops with shelters shall be provided on the Property.
 - B. One (1) of such bus stops with pull off and shelter exists on New Town Avenue, south of the intersection with Watford Lane.
 - C. The other bus stop with shelter is proposed for the northeast side of Discovery Park Boulevard between Ironbound Road and New Town Avenue, subject to the approval of the bus stop design and location by the County, the DRB, VDOT, and the

Williamsburg Area Transit Authority. In the event that the approvals described in the proceeding sentence have not been received within six (6) months of the submittal to the County of a plan, exhibit, or conceptual plan for approval of a bus stop and/or bus shelter, Associates may satisfy this proffer at any time thereafter by paying to the County in escrow the sum of Eleven Thousand and 00/100 Dollars (\$11,000.00.)

i. The escrow funds described above shall be utilized by the County for transportation improvements benefitting New Town, as determined by the Director of Planning. Such transportation improvements may include but shall not be limited to bus stop or bus shelter infrastructure supporting the Williamsburg Area Transit Authority.

ii. In the event that the escrow funds paid to James City County pursuant to this Proffer have not been utilized by application as described above within ten (10) years of the date of approval of this Proffer Amendment by the County Board of Supervisors, such sum (without interest) shall be distributed one-half (1/2) to the New Town Commercial Association Inc. and one-half to the New Town Residential Association Inc. (the two (2) property owners' associations created pursuant to the terms of the Existing Proffers) or their successors.

D. This provisions superseded Paragraph 10 of the New town Sections 3 and 6 Proffers.

2. **Mix of Housing Types.** Paragraph Number 5 of the New Town Sections 3 and 6 Proffers is deemed satisfied based upon transfer of the obligation to provide housing as described in such paragraph to the New Town residential areas known as New Town Sections 7 and 8.

3. **Recreation Facilities: Trails.**

A. A trail shall be constructed connecting Discovery Park Boulevard in Section 6 of New Town to the existing trail in Section 7 of New Town near Rollison Drive, as shown on the Master Plan as amended pursuant to approval of James City County case no. MP-0001-2016. This section of trail connecting Sections 6 and 7 shall be subject to regulation and/or closure by the New Town Residential Association or its delegee the New Town Amenities Management Committee in order to address, inter alia, safety issues, special events, seasonal or weather considerations, or negative impacts associated with the trail section.

B. No additional trails (biking, jogging, walking or otherwise) which are not either described above or constructed as of the date hereof shall be required on the Property. This change shall be applicable regardless of the New Town Master Plan, the provisions of the Existing Proffers, and the County Comprehensive Parks and Recreation Plan Proffer guidelines in effect now or at the time of acceptance of the Existing Proffers.

4. **Development of Conformity with Master Plan.** The Property shall be developed generally in accordance with (i) the Existing Proffers as amended hereby and (ii) the Sections 3 and 6 Master Plan as amended pursuant to approval of James City County case no. MP-0001-2016.

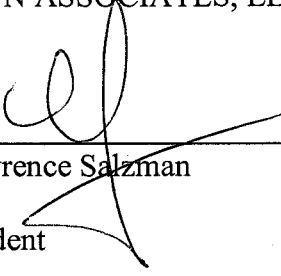
5. **Interpretation.** Except as expressly modified hereby, the terms of the Existing Proffers shall remain unchanged.

6. **Defined Terms.** Terms capitalized in this document shall have the same meaning ascribed to such terms in the Existing Proffers.

7. **Headings.** All section or paragraph headings contained within this document are for convenience only and shall not be deemed a part of the Proffer Amendment.

WITNESS the following signatures and seals:

NEW TOWN ASSOCIATES, LLC

By: 
Lawrence Salzman

Title: President

APPROVED AS TO FORM:

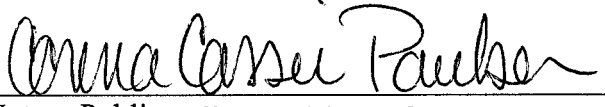
County Attorney

COMMONWEALTH OF VIRGINIA

AT LARGE, to-wit:

The foregoing instrument was subscribed and sworn before me this 21st day of April, 2016, by Lawrence Salzman, President of New town Associates, LLC, who is personally known to me or who has produced satisfactory evidence of identity.

My Commission expires: 7-31-2016
Notary Registration no.: 7199694


Notary Public [Affix Notarial Stamp]

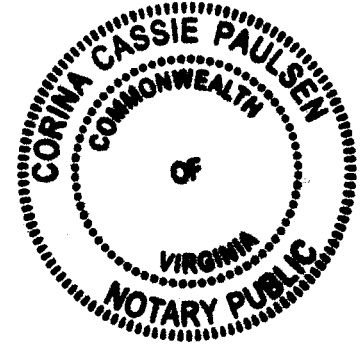


EXHIBIT A

All those certain pieces, parcels, or tracts of land shown as “Section 3” and “Section 6” on that certain plan entitled “NEW TOWN SECTIONS 3 & 6 MASTER PLAN BERKELEY DISTRICT JAMES CITY COUNTY, VIRGINIA”, dated April 26, 2004, prepared by AES Consulting Engineers, last revised February 2016, which has been submitted to James City County as part of Case No. MP-0001-2016.

**NEW TOWN RESIDENTIAL ASSOCIATION, INC.
RESIDENTIAL ADVISORY BOARD**

June 20, 2016

Members of the James City
County Board of Supervisors
101 Mounts Bay Road
Williamsburg, VA 23185

**Re: New Town Proffer Amendment
Case No.: Z-0004-2016**

Dear Members of the James City County Board of Supervisors:

The New Town Residential Advisory Board consists of seven members who provide advice to the Board of Directors of the New Town Residential Association (“NTRA”) on matters relating to maintenance, architecture, questions of interest to New Town residents, and the development of New Town. Often referred to as the “RAB”, the committee was formally chartered in 2010 under specific authority of Article V of the NTRA by-laws. All RAB members are owner-occupants of homes in the NTRA. The RAB meets monthly, publishes the meeting time, location, and agenda in advance, and welcomes NTRA owners to attend and speak on any matter of their concern. The most recent charter of the RAB is attached for your ease of reference, and provides for election of the RAB members by NTRA property owners.

The RAB is independent of New Town Associates and the Board of Directors of the NTRA which is controlled by the developer of New Town. Planning Commissioner John Wright was one of the first elected members of the RAB but is not currently a member.

The RAB has monitored carefully the application by New Town Associates to modify the proffers and master plan applicable to Sections 2 and 4 of New Town. The chairman of the RAB moderated a residents’ meeting held to discuss changes to the proffers and master plan. Mr. Onizuk attended that meeting.

Members of the RAB have communicated with numerous residents of New Town about the proffer changes, including those who spoke at the Board of Supervisors’ public hearing held on June 14, 2016. Further, the RAB is aware of the petition you received, circulated within New Town by certain residents. The RAB has become concerned that an informal ad hoc group of New Town residents is speaking on behalf of many New Town owners and residents in place of the members of the RAB. The RAB endorses a process that maintains flexibility in conversation with the Design Review Board and the developer about playgrounds for the best of all of New Town. Thus the RAB felt it appropriate to correspond with you and advise you of its position.

New Town Associates has proposed revised proffers in advance of the June 28 Board of Supervisors meeting to consider the fate of the requested proffer amendments. Proffer Amendment 2 in the New Town-Proffer Amendment for Sections 2 and 4 is now proposed to provide that the

Members of the James City
County Board of Supervisors
June 20, 2016
Page 2

New Town Design Review Board in conjunction with the RAB may approve changes to the 2001 proffers related to installation of playgrounds, playground equipment, and neighborhood recreation areas. The RAB supports this proffer, which provides flexibility in the development process and places a duly elected and chartered group of representatives of New Town residents in a decision-making role.

Based upon the proffer above, the RAB supports the requested rezoning, and we therefore urge you to vote for approval of the application at your June 28, 2016, meeting.

New Town Residential Advisory Board

By: 
John Marston, Chair

Residential Advisory Board Members:

Chuck Stetler
Stefanie Evans
David Burket
Bill Voliva
Lisa Kravitz
Rick Fisher

cc: Susan B. Tarley, Esq.
Counsel to New Town Residential Association, Inc.

New Town Residential Association, Inc.
Residential Advisory Board Charter
March 10, 2016

1. Establishment. A residential advisory committee to be known as the "Residential Advisory Board" (the "RAB") is created by the Board of Directors (the "Board"), in its sole authority, under ARTICLE V, Section 5.2 of the Amended Bylaws of the Association effective as of the date of the accompanying adopting resolution.
2. Duties to the Board and Authority. The RAB's duties are to (i) advise the Board on a proposed budget for maintenance and operation of Association Common Areas and providing other services to the Neighborhoods of the Association, (ii) review and make recommendations on any applications from Association Members ("Members") which the Architectural Review Committee in its discretion may refer to the RAB for review and forwarding to the Board, (iii) advise the Board on matters of significant concern to Members, (iv) provide oversight of Association committees, (v) with the Managing Agent, participate in the Annual Budget process, (vi) Monitor Association spending against Budget and (vii) give advice on other matters and perform such other duties as may be requested by the Board from time to time. The RAB shall not have the authority to create Committees of the Association and may not delegate its duties and/or authority to any committee or create any subcommittees. Ad Hoc group creation does not require the approval of the Board. The Board will be advised of the Ad Hoc group created and its purpose.
3. Operations. The RAB and any committees, subcommittees and/or ad hoc groups shall operate in accordance with the terms of this Charter, the terms of the resolution adopted by the Board establishing and designating the RAB, and with rules adopted by the Board from time to time, all of which may be amended by the Board at its sole discretion. The provisions of the Residential Association Bylaws which govern meetings, action without meetings, notice and waiver of notice, quorum and voting requirements of the Board shall apply to the RAB and to all subcommittees.
4. Membership.
 - 4.1. Number and Election. The RAB shall consist of not more than seven (7) members and not less than five (5). The members will be elected by a vote of the Membership at a duly called meeting held in accordance with the Association's Articles, Bylaws, and Declaration; provided, however, that the Board may remove any member of the RAB if it believes in good faith such action to be in the best interest of the Association. All members of the RAB shall be considered at-large.
 - 4.2. Service and Terms. RAB Members shall serve three year terms. Any interim vacancies on the RAB shall be filled by a Board appointment. Recommendations on the filling of such vacancies will be made by the remaining members of the RAB. To serve on the RAB a Member must be qualified in accordance with Article V, Section 5.3 of the Association's Bylaws. Members of the Board shall not be eligible to serve on the RAB.
 - 4.3. Member Emeritus. From time to time, the RAB may appoint a retiring RAB member, subject to the approval of the Board, who will be designated "Member Emeritus." The Member Emeritus will act as a non-voting ex-officio Member of the RAB to provide continuity and expertise in matters being considered by the RAB. His/her term shall not exceed three years.

5. Meetings and Conduct. The RAB shall elect a Chair, Vice Chair, and Treasurer/Secretary. Each meeting will be conducted in accordance with procedures set forth in the Bylaws of the Association. The Board and its Managing Agent shall be given at least 24 hours advance notice of all meetings held by the RAB and all meetings shall be attended by a member of the Board and/or a representative of the Managing Agent unless such attendance is declined by the Board or the Managing Agent.
 - 5.1. The RAB may hold Town Hall Meetings from time to time, at which matters of concern are discussed with Members. The RAB shall also hold Monthly Meetings to hear Committee reports and take actions suggested by the Board and the Managing Agent. All Residents shall be advised in advance of the time and location of such meetings.
 - 5.2. The Chair, or other designated member, shall attend each regularly scheduled Board meeting to provide input to the Board on all matters of importance to the Members and to receive direction from the Board.
 - 5.3. The place of RAB meetings shall be the principal office of the Association or other agreed to suitable place.
 - 5.4. Meetings of all authorized Committees shall be regular and, when requested, attendance shall include a member of the RAB. Meetings will be conducted under the Rules of the Association and records kept, including actions taken and/or recommended.
 - 5.5. Minutes of all RAB and committee meetings shall be promptly made available to the Managing Agent and the Association.
 - 5.6. RAB and Committee members are not Agents of the Association or the Board and have no authority to represent or bind either. RAB members are Member advisors to the Board and all action of the RAB is in the nature of a recommendations to the Board unless otherwise established by the Board.
 - 5.7. Any publication of materials or correspondence with Members shall be approved in advance by the Board or its Managing Agent in writing.
 - 5.8. The RAB, as needed, may establish Ad Hoc Group(s) to address specific processes, Member concerns and/or other Association issues. An Ad Hoc Group(s) will exist for a specified time frame. Group members will consist of association members/experts. An RAB member will be designated to lead the Group.
- 5.9 Four Committees will report directly to the RAB: Communications Committee, Activities Committee, Emergency Preparedness Committee and Landscape Advisory Committee. The Emergency Preparedness Committee is a joint Community Committee with members from both the Residential and Commercial Associations.
6. Transition and Dissolution. The RAB exists at the pleasure of the Association's Board and shall be discontinued by Resolution of the Board or at such time as Class B membership in the Association terminates.

Adopted by action of the New Town Residential Association Board of Directors meeting March 10, 2016. Previous charter(s) of the Residential Advisory Board are null and void. The following RAB committees are hereby disbanded and their charters rescinded: asset advisory committee, financial committee, pool committee.

ITEM SUMMARY

DATE: 6/28/2016

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: A Resolution to take action in response to Chapter 322 of the 2016 Virginia Acts of Assembly relating to conditional zoning for new applications for residential rezonings.

ATTACHMENTS:

	Description	Type
▣	resolution	Resolution
▣	mem	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	6/20/2016 - 3:44 PM
Publication Management	Burcham, Nan	Approved	6/20/2016 - 3:59 PM
Legal Review	Kinsman, Adam	Approved	6/20/2016 - 4:10 PM
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 8:21 AM
Board Secretary	Purse, Jason	Approved	6/21/2016 - 12:55 PM
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 1:07 PM

RESOLUTION

A RESOLUTION TO TAKE ACTION IN RESPONSE TO CHAPTER 322 OF THE

2016 VIRGINIA ACTS OF ASSEMBLY RELATING TO CONDITIONAL ZONING

FOR RESIDENTIAL REZONINGS AND PROFFER AMENDMENTS

- WHEREAS, James City County, Virginia (the “County”) currently allows applicants to voluntarily proffer reasonable conditions for all rezonings and zoning map amendments pursuant to Section 15.2-2303 of the Code of Virginia and Section 24-16 of the County Code; and
- WHEREAS, SB 549, which was passed by the General Assembly, approved by the Governor, and incorporated as Chapter 322 of the 2016 Virginia Acts of Assembly (“Chapter 322”), added Section 15.2-2303.4 to the Code of Virginia which fundamentally changes the conditional zoning law in the Commonwealth; and
- WHEREAS, the Board of Supervisors (the “Board”) strongly opposed SB 549 (and its companion bill HB 770) due to its significant negative impacts on the County and other localities; and
- WHEREAS, Chapter 322 becomes effective on July 1, 2016, is prospective only and will only apply to any residential rezoning and proffer amendment applications filed on or after July 1, 2016; and
- WHEREAS, Chapter 322 imposes significant liabilities upon localities that continue to accept voluntarily-proffered conditions associated with residential rezonings, including a new cause of action against localities for requiring, requesting, accepting or even *suggesting* an “unreasonable proffer” as defined by Chapter 322; and
- WHEREAS, the Board has adopted various policies and guidelines to assist developers with the creation of voluntary proffers, including: the Route 5 Road Improvement Proffer Policy, adopted on May 28, 1996, to provide guidance for rezonings in the Route 5 corridor; the Natural Resources Policy adopted on July 27, 1999, to provide a guideline for protecting habitats for rare species and natural communities in special use permit and rezoning cases; the Cash Proffer Policy for Schools adopted on July 24, 2007, to provide guidelines for proportionate contributions to reduce impacts to schools; the Residential Redevelopment Policy adopted on November 27, 2012, to provide guidelines for the proffer of conditions for residential redevelopment projects and the Housing Opportunities Policy adopted on November 27, 2012, to provide guidelines for the creation of affordable and workforce housing in rezoning cases; and
- WHEREAS, all of the above-mentioned policies and guidelines, in whole or in part, could now be determined to be inconsistent with Section 15.2-2303.4 of the Virginia Code; and

WHEREAS, in order to reduce potential liability to the County, the Board desires to cease its acceptance of all proffered conditions associated with new rezoning and zoning map applications dealing with residential uses filed after July 1, 2016; and

WHEREAS, in accordance with Chapter 322, the County will treat all applications for amendments to previously-approved residential rezonings pursuant to the laws in existence prior to July 1, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, hereby will no longer accept any voluntarily proffered conditions pursuant to Virginia Code Section 15.2-2303 as part of any residential rezoning or zoning map amendment, or any residential component of a multi-use district rezoning or zoning map amendment.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby repeals the following policies as they apply to applications for residential rezonings filed on or after July 1, 2016: the Route 5 Road Improvement Proffer Policy adopted on May 28, 1996; the Natural Resources Policy; adopted on July 27, 1999; the Cash Proffer Policy for Schools adopted on July 24, 2007; the Residential Redevelopment Policy adopted on November 27, 2012; the Housing Opportunities Policy adopted on November 27, 2012 and the Outstanding Specimen Tree Option Guidelines adopted on November 22, 2011.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby initiates amendments to Section 24-16 of the County Code to explicitly state that the County will only accept voluntarily proffered conditions associated with non-residential rezonings and zoning map amendments, and further directs staff to have such amendments brought before the Planning Commission at its first meeting in July, to be forwarded to the Board of Supervisors for adoption at its second meeting in July.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby directs staff to study the ability to incorporate the following policies into the James City County Code and bring back recommendations for the Board's consideration at a work session in September: the Archaeological Policy adopted on September 22, 1998; the Community Character Corridor Buffer Treatment Guidelines adopted on November 22, 2011; the Design Guidelines for the Toano Community Character Area adopted on February 14, 2006; the Economic Opportunity District Construction Phasing Guidelines adopted on September 13, 2011; the Environmental Constraints Analysis for Legislative Cases adopted on June 12, 2012; the Multiple Use Districts and Mixed Use Construction Phasing Policy adopted on September 11, 2012; the Outstanding Specimen Tree Option Guidelines adopted on November 22, 2011.

Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCLENNON	___	___	___
LARSON	___	___	___
ONIZUK	___	___	___
SADLER	___	___	___
HIPPLE	___	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June, 2016.

SB549ProfferChngs-res

MEMORANDUM

DATE: June 28, 2016

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Changes in Response to Senate Bill 549, Conditional Zoning

At its 2016 Session, the Virginia General Assembly approved Senate Bill 549, which was signed into law by the Governor as Chapter 322. Chapter 322 created new Section 15.2-2303.4 to the *Code of Virginia*, 1950, as amended (the “Virginia Code”) which fundamentally changes the conditional zoning system in the Commonwealth of Virginia. Consequently, James City County must also make immediate changes to a number of policies, procedures and Code sections relating to proffers and conditional zoning.

History

Conditional zoning was first approved by the General Assembly in 1978. In its declaration of legislative policy, the General Assembly stated that “more flexible and adaptable zoning methods are needed to permit differing land uses and at the same time to recognize effects of change. It is the purpose of [conditional zoning] to provide a more flexible and adaptable zoning method to cope with situations found in such zones through conditional zoning, whereby a zoning reclassification may be allowed subject to certain conditions proffered by the zoning applicant for the protection of the community that are not generally applicable to land similarly zoned.” Chapter 320, 1978 Acts of Assembly.

Localities are not required to accept proffers and many, including James City County, may even choose the section of the Virginia Code under which they accept proffers. Currently, the County accepts proffers pursuant to § 15.2-2303 of the Virginia Code, which is the enabling authority for rezoning property in high growth localities like James City County.

The first recorded proffers in James City County occurred on November 16, 1983, with the Board’s approval of Olde Towne Farms, Inc.’s application for a 239-unit development along Olde Towne Road, now known as Chisel Run. There were two proffers offered to and accepted by the Board - one limiting the development to “single family dwellings, duplexes, triplexes and townhouses” and one limiting the development to 239 total units. Following the Olde Towne Farms case, developers have offered increasing numbers of proffers with each development, including school cash proffers, school sites, workforce housing, stream restoration, turf management and others. Since 1983, the County has accepted and recorded more than 190 proffer documents.

Chapter 322 of the 2016 Acts of Assembly

Chapter 322 adds new § 15.2-2303.4 to the Virginia Code, which creates a myriad of prohibitions upon and penalties against, localities who continue to accept residential proffers. Specifically, this section prohibits localities from requiring, requesting, accepting or even *suggesting* an “unreasonable proffer” associated with an application for new residential development.

Restrictions

There are a number of new restrictions contained in Chapter 322. In summary, they greatly reduce the ability of developers to offer “outside the box” proffers or those that are not accompanied by extensive data that proves their need. All proffers designed to address on-site issues are automatically deemed “unreasonable” unless they address an impact that is “specifically attributable” to a proposed new residential development or other new residential use. In the past, on-site proffers proposed by developers include signage and aesthetic improvements to the development; whether those are “specifically attributable” impacts caused by the development is questionable.

All proffers designed to address offsite issues, including all cash proffers, are deemed “unreasonable” unless they: 1) address an impact to an offsite public facility (now limited to a public transportation facility, public safety facility, public school facility or a public park) such that the new residential development creates a need, or identifiable portion of a need, for one or more public facility improvements in excess of existing capacity at the time of rezoning or proffer condition amendment; and 2) each new residential development receives a direct and material benefit from a proffer made with respect to a public facility improvement. This new language requires that the developer and the County staff engage in a series of tests, including the “specifically attributable” test, existing capacity analyses and a determination of “direct and attributable” benefit to the development, among others. Each of these tests, and the results therefrom, are subject to a court challenge after the rezoning.

Penalties

The new Code section also set up a new penalty system that appears impossible to avoid. If the County has required, requested, accepted or even suggested an “unreasonable proffer” and the proposed rezoning is not approved, the denial may be challenged in court. In that challenge, the court is required to presume that the refusal or failure to submit the “unreasonable proffer” was the basis for the denial. The court may then award attorney’s fees and costs to the applicant and the matter will be remanded back to the County with an order to approve the application.

Most concerning is that there is neither a definition of a “suggested proffer” in this new section of the Virginia Code, nor any explanation of who from the County has authority to make a “suggestion” to the applicant. It is the County’s current procedure to work with applicants to improve proposed developments from the pre-application stage up to an including the night of the Board of Supervisors meeting. A “suggestion” may mean that anything said during one of those meetings by a member of County staff or a Planning Commissioner could be a “suggestion” in violation of the statute. Additionally, all of the Board’s adopted policies on legislative cases outlined above may be considered a “suggested proffer,” which may be considered “unreasonable” in some legislative cases.

Conclusion

When Chapter 322 becomes effective on July 1, 2016, the liabilities associated with accepting voluntary proffers for residential development now outweigh the benefits. This new section now requires that the County navigate a minefield of tests, analyses and concerns about illegal “suggestions” prior to accepting a voluntary proffer whose very purpose was to “provide a more flexible and adaptable zoning method to cope with situations found in such zones through conditional zoning, whereby a zoning reclassification may be allowed subject to certain conditions proffered by the zoning applicant for the protection of the community that are not generally applicable to land similarly zoned.” Chapter 320, 1978 Acts of Assembly. Once accepted, the County must then be concerned with a legal challenge to any portion of the process. If challenged, all presumptions rest with the developer who submitted the proffer and the County is required to not only defend the process by which the development was considered, but also the tests, analyses and spoken words that led to the ultimate disposition of the application.

I recommend that the Board of Supervisors adopt the attached resolution, which states that the Board will no longer accept proffers associated with residential rezonings, initiates revision of those Codes and policies that must be changed to reflect this new position, initiates a staff study to determine which of the existing legislative policies related to residential rezonings may be incorporated into the County Code and sets forth the procedure by which the Board will consider amendments to previously-approved residential proffers.

ITEM SUMMARY

DATE: 6/28/2016

TO: The Board of Supervisors

FROM: Kevin A. White, Bond Counsel for Christopher Newport University (CNU) Foundations

SUBJECT: Modification of Amended and Restated Revenue Bond (CNU Project), Series 2001, of Economic Development Authority of James City County, Virginia

ATTACHMENTS:

	Description	Type
▣	Memorandum	Cover Memo
▣	res	Resolution
▣	Summary of EDA Public Hearing	Exhibit
▣	Fiscal Impact Statement	Exhibit
▣	EDA Adopted Resolution	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	6/20/2016 - 11:09 AM
Board Secretary	Purse, Jason	Approved	6/21/2016 - 12:56 PM
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 1:08 PM
Publication Management	Burcham, Nan	Approved	6/21/2016 - 1:38 PM
Legal Review	Kinsman, Adam	Approved	6/21/2016 - 1:57 PM
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 1:58 PM
Board Secretary	Purse, Jason	Approved	6/21/2016 - 3:39 PM
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 3:44 PM

MEMORANDUM

DATE: June 28, 2016

TO: The Board of Supervisors

FROM: Kaufman & Canoles, Bond Counsel for Christopher Newport University (CNU) Foundations
c/o Kevin A. White, Esp.; 804-771-5770

SUBJECT: Modification of Amended and Restated Revenue Bond (CNU Project), Series 2001, of
Economic Development Authority of James City County, Virginia

On May 18, 2001, the Economic Development Authority of James City County, Virginia (the "Authority"), was the conduit issuer of a tax-exempt Revenue Bond which was sold to Bank of America (the "Bank") and the proceeds of which were loaned to the Christopher Newport University Education Foundation and the Christopher Newport University Real Estate Foundation (together, the "CNU Foundations") to finance certain building projects in Newport News. The Authority was chosen as issuer because in 2001, James City County qualified as a "small issuer" under federal tax law and could issue "bank-qualified bonds." In 2011, the Authority modified the Bond by extending its final maturity for an additional three years. The Bank and the CNU Foundations have now agreed to further extend the transaction through a final maturity date of June 1, 2026 and change the interest rate from a floating rate to a fixed rate of 2.68%. Because this change requires a modification of the Bond issued by the Authority, under federal tax law (TEFRA and the Internal Revenue Code) and the state Industrial Development and Revenue Bond Act (the "IDA Act"), the Authority was required to hold a public hearing and approve the modification, and the Board of Supervisors is required to grant approval to the modification.

Neither the Authority nor the County has or will have any liability on the Bond. The Authority's role is merely as a conduit issuer allowing the Bond to be treated under federal tax law as a tax-exempt qualified 501(c)(3) private activity bond. All principal, interest and other charges are obligations solely of the CNU Foundations. In exchange for serving as conduit issuer, the Authority receives from the CNU Foundations an annual fee of up to 12.5 basis points on the outstanding principal amount of the Bond. There is and will be no impact on the County's credit rating, bond issuing authority or bond referenda.

Bond counsel and the CEO of the CNU Foundations expect to attend the Board of Supervisors meeting on June 28, 2016, to answer any questions that Board members may have about these matters. At such meeting, the Board will be asked to approve the resolution enclosed with this memorandum to allow the modification to proceed. The other enclosures, including the Authority's resolution, a Summary of Public Hearing Statements and a Fiscal Impact Statement are provided as required by the IDA Act.

KAW/nb
CNUBondModification-mem

Attachments

RESOLUTION

RESOLUTION AUTHORIZING THE MODIFICATION AND REISSUANCE BY THE
ECONOMIC DEVELOPMENT AUTHORITY OF JAMES CITY COUNTY, VIRGINIA,
OF ITS \$8,000,000 REVENUE BOND FOR THE BENEFIT OF
CHRISTOPHER NEWPORT UNIVERSITY EDUCATION FOUNDATION

- WHEREAS, on May 18, 2001, the Economic Development Authority of James City County, Virginia (the "Authority"), issued, for the benefit of the Christopher Newport University Education Foundation (the "Foundation"), formerly known as The Christopher Newport University Educational Foundation, Inc., the Authority's \$8,000,000 Revenue Bond (Christopher Newport University Project) Series 2001 (the "Bond"), and pursuant to a Bond Purchase and Financing Agreement dated as of May 1, 2001, among the Authority, the Foundation and Bank of America, N.A. (the "Lender"), the Authority sold the Bond to the Lender and applied the proceeds of the Bond to assist the Foundation in (a) the acquisition of properties for student housing, parking and other facilities associated with Christopher Newport University (the "Project") (the current addresses of such properties are 12304 Warwick Boulevard, 12368 Warwick Boulevard (formerly known as 12346, 12352, 12366 and 12372 Warwick Boulevard), 12386 Warwick Boulevard, 39 Sweetbriar Drive, 411 University Place and 414 University Place), (b) financing the cost of issuing the Bond and (c) financing the costs of furnishings and other costs associated with the development of the properties; and
- WHEREAS, the Authority and the Board of Supervisors of James City County (the "Board") approved the modification and reissuance of the Bond in 2011; and
- WHEREAS, the Board has been advised that the Authority has approved the modification of the Bond to extend its final maturity for an additional period of ten years and to adjust its interest rate from a floating rate to a fixed rate; and
- WHEREAS, the Board has been advised that the Foundation, in its appearance before the Authority, a) described the continued educational and other benefits to the County of James City, Virginia (the "County") and the City of Newport News, Virginia (the "City"), derived from the Project and from the modification of the Bond, and b) requested that the Authority recommend to the Board that it approves the issuance of the Amended and Restated Bond, a form of which has been presented to this meeting (the "Amended Bond"), as required by the Internal Revenue Code of 1986, as amended (the "Code"); and
- WHEREAS, the Board has been advised that a public hearing was held by the Authority with respect to the modification of the Bond, as required by the Section 15.2-4906 of the Virginia Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended (the "Act") and by Section 147(f) of the Code, and that after its hearing the Authority a) found and determined that the modification of the Bond will benefit the

inhabitants of the City and the Commonwealth of Virginia and promote their education, welfare, convenience and prosperity, and b) recommended that the Board approve the issuance of the Amended Bond as required by the Code; and

WHEREAS, a copy of the Authority's resolution, a reasonably detailed summary of the comments expressed at the public hearing held by the Authority with respect to the modification of the Bond, a statement in the form prescribed by Section 15.2-4907 of the Act and a concurring resolution of the City Council of the City of Newport News, Virginia, as required by Section 15.2-4905 of the Act, have been filed with the Board.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that:

1. The Board approves the modification of the Bond and the issuance of the Amended Bond by the Authority to the extent required by the Code and the Act.
2. The approvals herein do not constitute an endorsement to any owner of the Amended Bond of the creditworthiness of the Foundation or any other person, and the Amended Bond shall provide that neither the Commonwealth of Virginia, the County nor the Authority shall be obligated to pay the Amended Bond or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor and neither the faith or credit nor the taxing power of the Commonwealth of Virginia, the County nor the Authority shall be pledged thereto.
3. This resolution shall take effect immediately upon its adoption.

The undersigned hereby certifies that the above resolution was duly adopted by the Board of Supervisors of James City County, Virginia, at a meeting duly called and held on June 28, 2016, and that such resolution is in full force and effect on the date hereof.

Dated: _____, 2016

Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCLENNON	_____	_____	_____
LARSON	_____	_____	_____
ONIZUK	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June, 2016.

SUMMARY OF PUBLIC HEARING

At 8:06 am, on June 9, 2016, the Chairman of the Economic Development Authority of James City County, Virginia (the “Authority”) announced the commencement of a public hearing in the large conference room in the Authority’s offices located at 101-D Mounts Bay Road, Williamsburg, Virginia 23185, on the plan of refinance of the Christopher Newport University Education Foundation, a Virginia nonstock corporation (the “Foundation”), the location and mailing address of which is 1 University Place, Newport News, Virginia 23606, for the amendment of a Revenue Bond (Christopher Newport University Project) Series 2001 (the “Bond”), issued by the Authority in the original principal amount of \$8,000,000 to assist the Foundation in (a) the acquisition of properties for student housing, parking and other facilities associated with Christopher Newport University (the “Project”), (b) financing the cost of issuing the Bond, and (c) financing the costs of furnishings and other costs associated with the development of the properties. The Project, which is owned by the Foundation, consists of certain real estate located adjacent to or in the immediate vicinity of the campus of Christopher Newport University in the City of Newport News, Virginia. The Bond will be amended to extend its maturity for an additional term of ten (10) years and to adjust its interest rate from a floating rate to a fixed rate.

Kevin A. White, Esquire, Bond Counsel, described to the Authority the nature of the plan of refinance and the process for its approval. Mr. Douglas L. Hornsby, Esquire, Chief Executive Officer of the Foundation, described the current status of the Project and the plan of refinance. No other member of the public spoke at the public hearing in support of or opposition to the plan of refinance and the Chairman closed the public hearing at 8:12 am.

FISCAL IMPACT STATEMENT*

Public Hearing Date: June 9, 2016

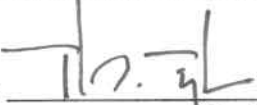
**ECONOMIC DEVELOPMENT AUTHORITY OF
JAMES CITY COUNTY, VIRGINIA**

FINANCING FOR:

Applicant: Christopher Newport University Educational Foundation
Facility: CNU Project- Series 2001

1. Maximum amount of financing sought	\$	2,643,000
2. Estimated taxable value of the facility's real property to be constructed in James City County	\$	N/A
3. Estimated real property tax per year in James City County using present tax rates	\$	N/A
4. Estimated personal property tax per year in James City County using present tax rates	\$	N/A
5. Estimated merchants' capital tax per year in James City County using present tax rates	\$	N/A
6. (a) Estimated dollar value per year of goods that will be purchased from Virginia companies within James City County	\$	N/A
(b) Estimated dollar value per year of goods that will be purchased from non-Virginia companies within James City County	\$	N/A
(c) Estimated dollar value per year of services that will be purchased from Virginia companies within James City County	\$	N/A
(d) Estimated dollar value per year of services that will be purchased from non-Virginia companies within James City County	\$	N/A
7. Estimated number of regular employees on year round basis		N/A
8. Average annual salary per employee	\$	N/A

**ECONOMIC DEVELOPMENT AUTHORITY
OF JAMES CITY COUNTY, VIRGINIA**

By  _____
Chairman

*The information in this Fiscal Impact Statement was supplied to the Authority by the Applicant.

RESOLUTION OF
ECONOMIC DEVELOPMENT AUTHORITY OF
JAMES CITY COUNTY, VIRGINIA

WHEREAS, on May 18, 2001, the Economic Development Authority of James City County, Virginia (the "Authority"), issued, for the benefit of the Christopher Newport University Education Foundation (the "Foundation"), the Authority's \$8,000,000 Revenue Bond (Christopher Newport University Project) Series 2001 (the "Bond"), and pursuant to a Bond Purchase and Financing Agreement dated as of May 1, 2001, among the Authority, the Foundation and Bank of America, N.A. (the "Lender"), the Authority sold the Bond to the Lender and applied the proceeds of the Bond to assist the Foundation in (a) the acquisition of properties for student housing, parking and other facilities associated with Christopher Newport University (the "Project") (the current addresses of such properties are 12304 Warwick Boulevard, 12368 Warwick Boulevard (formerly known as 12346, 12352, 12366 and 12372 Warwick Boulevard), 12386 Warwick Boulevard, 39 Sweetbriar Drive, 411 University Place, and 414 University Place), (b) financing the cost of issuing the Bond and (c) financing the costs of furnishings and other costs associated with the development of the properties;

WHEREAS, the Authority approved the modification and reissuance of the Bond in 2011;

WHEREAS, the entire principal amount of the Bond will come due on the final maturity date of the Bond of June 1, 2016; and

WHEREAS, the Foundation and the Lender desire to extend the final maturity of the Bond for an additional period of ten (10) years and to adjust its interest rate from a floating rate to a fixed rate, and have been informed by bond counsel that such changes to the Bond must be approved by the Authority;

WHEREAS, the Foundation has described to the Authority the continued educational and other benefits to the City of Newport News (the "City") and the County of James City (the "County") derived from the Project and has requested that the Authority agree to approve the extension of the final maturity of the Bond and its adjusted interest rate in accordance with the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended (the "Act"); and

WHEREAS, a public hearing has been held by the Authority with respect to the modification of the Bond, as required by the Act and by Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), on the date hereof; and

WHEREAS, the Foundation has requested that the Authority proceed with the modification of the Bond by the execution and delivery of (a) a Second Modification Agreement (the "Modification Agreement") among the Authority, the Foundation, the Christopher Newport University Real Estate Foundation, as guarantor, and the Lender, and (b) an Amended and Restated

Bond (the "Amended Bond"), forms of which have been prepared by bond counsel and reviewed by counsel to the Authority and have been presented to this meeting.

BE IT RESOLVED BY THE ECONOMIC DEVELOPMENT AUTHORITY OF JAMES CITY COUNTY, VIRGINIA:

1. It is hereby found and determined that the modification of the Bond will benefit the inhabitants of the County and the Commonwealth of Virginia and promote their education, welfare, convenience and prosperity, and the Authority hereby agrees to undertake the modification of the Bond.

2. The Modification Agreement is hereby approved in substantially the form submitted to this meeting, with such changes, insertions or omissions as may be approved by the Chairman or Vice Chairman of the Authority, either of whom may act, upon advice of counsel to the Authority, which approval shall be evidenced conclusively by the execution and delivery of the Modification Agreement.

3. The Chairman or Vice Chairman of the Authority, either of whom may act, is hereby authorized and directed to execute the Amended Bond, and the Secretary or Assistant Secretary of the Authority, either of whom may act, is authorized and directed to affix and attest the seal of the Authority. Such officers of the Authority are further authorized and directed to deliver the Amended Bond to the Lender upon the terms provided in the Modification Agreement; provided, however, that delivery of the Amended Bond shall not occur until the modification of the Bond has been approved by the Board of Supervisors of James City County, Virginia (the "Board"), and until the City Council of the City, by resolution (the "City Resolution"), approves the modification of the Bond in accordance with the Code. All terms of the Amended Bond are by this reference incorporated herein as a part of this resolution. The Chairman or Vice Chairman of the Authority, either of whom may act, is hereby authorized and directed to execute the Modification Agreement.

4. The officers of the Authority are hereby authorized and directed to execute and deliver all such certificates and instruments, including, without limitation, Internal Revenue Service Form 8038, and to take all such further action, as they may consider necessary or desirable in connection with the modification of the Bond as described herein.

5. The Authority hereby ratifies and agrees to the appointment of Kaufman & Canoles, a Professional Corporation, as bond counsel to supervise the proceedings with respect to the modification of the Bond.

6. All costs and expenses incurred in connection with the modification of the Bond, including the fees and expenses of bond counsel, counsel for the Authority and counsel for the Lender, shall be paid by the Foundation. If for any reason the Amended Bond is not issued, it is understood that all such expenses shall be paid by the Foundation and that the Authority shall have no responsibility therefor. The Foundation shall also pay the Authority's fees.

7. The Authority's officers shall perform such other acts and adopt such further resolutions as may be required to implement its undertakings as set forth herein.

8. The Authority hereby recommends that the Board approve the modification of the Bond and hereby directs the Chairman or Vice Chairman to submit to the Board the statement in the form prescribed by Section 15.2-4907 of the Act, a reasonably detailed summary of the comments expressed at the public hearing as required by Section 15.2-4906 of the Act, a copy of this resolution, and a copy of the City Resolution.

9. This resolution shall take effect immediately upon its adoption.

The undersigned hereby certifies that the above resolution was duly adopted by a majority of the directors of the Economic Development Authority of James City County, Virginia, at a meeting duly called and held on June 9, 2016, and that such resolution is in full force and effect on the date hereof.

Dated: June 9, 2016



Secretary, Economic Development Authority of
James City County, Virginia

ITEM SUMMARY

DATE: 6/28/2016
TO: The Board of Supervisors
FROM: Bryan J. Hill, County Administrator
SUBJECT: 800-MHz Radio System Upgrade

ATTACHMENTS:

	Description	Type
▣	memo	Cover Memo
▣	reso	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	6/21/2016 - 9:06 AM
Publication Management	Boles, Amy	Approved	6/21/2016 - 9:10 AM
Legal Review	Kinsman, Adam	Approved	6/21/2016 - 9:10 AM
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 9:16 AM
Board Secretary	Purse, Jason	Approved	6/21/2016 - 12:54 PM
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 1:06 PM

MEMORANDUM

DATE: June 28, 2016
TO: The Board of Supervisors
FROM: Bryan J. Hill, County Administrator
SUBJECT: 800-MHz Radio System Upgrade

As reported in the recent memorandum sent to the James City County, York County and Gloucester County Board of Supervisors by the three county administrators, we have reached a consensus on an optimal plan to begin modernization investments in our shared 800-MHz radio system. The previous memorandum provided the history, context and rationale for proceeding with the four-year lease-purchase strategy with our vendor, Motorola. I am requesting authorization to enter into a Memorandum of Understanding with our partner counties that empowers York County to continue acting as the fiscal agent for purposes of the radio system lease-purchase.

James City County's portion will be \$1,134,000 for fiscal year 2017 (page D-7 County Budget) as a down payment and \$949,658 for each of the following four years. As we have outlined in our financial plan, the FY 17-18 budget has appropriated the needed funding to carry out this plan. Specific funding recommendations for our commitments in future fiscal years will be developed during next year's budget process and I am hopeful we can move these payments to our operating funds since the obligation to the system modernization will be ongoing.

ARK/nb
RadioSystem-mem

Attachment

RESOLUTION

MEMORANDUM OF AGREEMENT – JOINT PUBLIC SAFETY/PUBLIC SERVICE

RADIO COMMUNICATION SYSTEM (800-MEGAHERTZ) BETWEEN

JAMES CITY COUNTY, YORK COUNTY AND GLOUCESTER COUNTY

WHEREAS, James City County has participated in a Joint Public Safety/Public Services Radio Communication System called the 800-megahertz (MHz) system (the “System”), sharing the costs of the System with York County and Gloucester County; and

WHEREAS, the localities wish to begin modernization investments to the System, with the costs of such modernization to be split between the localities according the existing agreement between them; and

WHEREAS, the costs apportioned to James City County will be \$1,134,000 for FY 2017 and \$949,658 for the following four fiscal years, which costs have been appropriated in the FY 2017-2018 budget; and

WHEREAS, pursuant to the existing agreement, York County is the Fiscal Agent for the System; and

WHEREAS, the three partner localities must enter into a new Memorandum of Understanding (MOU) that allows York County to receive payments for the modernization investments on behalf of James City County and Gloucester County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute those documents necessary to enter into an MOU among the counties of James City, Gloucester and York for upgrades to the Joint Public Safety/Public Service Radio Communication System and to allow James City County to submit its portion of payments to York County as fiscal agent for the System.

Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCLENNON	___	___	___
LARSON	___	___	___
ONIZUK	___	___	___
SADLER	___	___	___
HIPPLE	___	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June, 2016.

ITEM SUMMARY

DATE: 6/28/2016
TO: The Board of Supervisors
FROM: Teresa J. Fellows, Administrative Coordinator
SUBJECT: County Administrator's Report

ATTACHMENTS:

	Description	Type
□	CA Report	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 3:27 PM

MEMORANDUM

DATE: June 28, 2016
TO: The Board of Supervisors
FROM: Bryan J. Hill, County Administrator
SUBJECT: County Administrator's Report

The following is a summary of activities that took place June 8, 2016 through June 21, 2016:

June 8, 2016 (Wednesday)

- Radio Show
- Attended Virginia Local Government Management Association Summer Conference with Jason Purse, Assistant County Administrator

June 9, 2016 (Thursday)

- Attended Virginia Local Government Management Association Summer Conference with Jason Purse, Assistant County Administrator

June 10, 2016 (Friday)

- Attended Virginia Local Government Management Association Summer Conference with Jason Purse, Assistant County Administrator
- Attended Clyde Haulman's retirement celebration
- Attended Abram Frink Jr. Community Center Neighborhood Block Party

June 11, 2016 (Saturday)

- Attended WATA public hearing

June 13, 2016 (Monday)

- Met with James City County interns: Laura Andrews, Sarah Paquette and John Hoioos; College of William & Mary students
- Met with Paul Scott, Executive Director at Child Development Resources
- Met with Angie Gilliam, HR Director
- Visited Hornsby Middle School
- Met with John Horne, General Services Director, and Shawn Gordon, Capital Project Coordinator
- Met with John Horne, General Services Director, Shawn Gordon, Capital Project Coordinator and Kitty Hall, Purchasing Director

June 14, 2016 (Tuesday)

- Met with John Carnifax, Parks & Recreation Director
- Met with Clara Byrd Baker Elementary School students, pledge leaders

June 15, 2016 (Wednesday)

- Attended Virginia Peninsula Regional Jail meeting
- Met with John Horne, General Services Director
- Attended Steve Ackert's retirement celebration
- Attended FMS recognition event
- Attended Tara Woodruff's farewell
- Met with Michael Hipple, Board of Supervisors Chair
- Radio Show

June 16, 2016 (Thursday)

- Attended New Employee Orientation
- Speaking Engagement: James River Elementary School 5th-grade students
- Attended CARMA meeting
- Speaking Engagement: Hornsby Middle School graduation

June 17, 2016 (Friday)

- Attended Coffee with the County Administrator, staff event
- Attended Pre-agenda meeting
- Conference Call with Clarion and Jody Puckett, Communications Director
- Met with Scott Thomas, Engineering & Resource Protection Director
- Met with Timothy O. Trant II, Esquire, Kaufman & Canoles and Russell Seymour, Economic Development Director
- Attended Senator Warner: Greater Williamsburg Area Community Leaders, 6:30 – 8:30 p.m.

June 18, 2016 (Saturday)

- Attended Jamestown High School graduation

June 20, 2016 (Monday)

- Attended Historic Triangle Collaborative meeting
- Met with Sue Mellen, FMS Director
- Met with Angie Gilliam, HR Director

June 21, 2016 (Tuesday)

- Met with Jody Puckett, Communications Director, and Latara Branch, Public Outreach Coordinator
- Met with Lucille Wallace, James City County resident
- Met with Scott Thomas, Engineering & Resource Protection Director

ITEM SUMMARY

DATE: 6/28/2016
TO: The Board of Supervisors
FROM: Rebecca Vinroot, Director of Community Services
SUBJECT: Colonial Behavioral Health Board Appointments

ATTACHMENTS:

Description Type

REVIEWERS:

Department	Reviewer	Action	Date
Community Services	Vinroot, Rebecca	Approved	6/9/2016 - 8:43 AM
Publication Management	Burcham, Nan	Approved	6/9/2016 - 8:45 AM
Legal Review	Kinsman, Adam	Approved	6/9/2016 - 8:56 AM
Board Secretary	Fellows, Teresa	Approved	6/14/2016 - 4:58 PM
Board Secretary	Purse, Jason	Approved	6/21/2016 - 12:54 PM
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 1:07 PM

ITEM SUMMARY

DATE: 6/28/2016
TO: The Board of Supervisors
FROM: Rebecca Vinroot, Director of Community Services
SUBJECT: Social Services Advisory Board Appointments

ATTACHMENTS:

Description Type

REVIEWERS:

Department	Reviewer	Action	Date
Social Services	Vinroot, Rebecca	Approved	6/10/2016 - 2:09 PM
Community Services	Vinroot, Rebecca	Approved	6/10/2016 - 2:09 PM
Publication Management	Burcham, Nan	Approved	6/10/2016 - 2:18 PM
Legal Review	Kinsman, Adam	Approved	6/10/2016 - 3:32 PM
Board Secretary	Fellows, Teresa	Approved	6/14/2016 - 5:00 PM
Board Secretary	Purse, Jason	Approved	6/21/2016 - 12:57 PM
Board Secretary	Fellows, Teresa	Approved	6/21/2016 - 1:09 PM

ITEM SUMMARY

DATE: 6/28/2016
TO: The Board of Supervisors
FROM: Teresa J. Fellows, Administrative Coordinator
SUBJECT: Adjourn until 6:30 pm on July 12, 2016 for the Regular Meeting

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	6/17/2016 - 10:03 AM