File #: RES. 2021-R034, **Version:** 1

To select RVA Entertainment Holdings, LLC, as the City's preferred casino gaming operator to operate a casino gaming establishment located at 2001 Walmsley Boulevard and 4700 Trenton Avenue and to provide for the requisite referendum thereon pursuant to Va. Code § 58.1-4123. (8th District)

WHEREAS, on December 28, 2020, the City issued a Request for Qualifications/Proposals for the development and operation of a resort casino within the city of Richmond pursuant to authority granted to the City by Title 58.1, Chapter 41 of the Code of Virginia (1950), as amended, to select one preferred casino gaming operator; and

WHEREAS, an evaluation panel of City officers and employees considered and gave substantial weight to the criteria set forth in section 58.1-4107 of the Code of Virginia (1950), as amended, when reviewing the six proposals received pursuant to the Request for Qualifications/Proposals, including a proposal from RVA Entertainment Holdings, LLC; and

WHEREAS, based on the evaluation panel's review, the Mayor of the City of Richmond has recommended that the City select RVA Entertainment Holdings, LLC, as the City's preferred casino gaming operator to develop and operate a resort casino located within the city of Richmond on the property known as 2001 Walmsley Boulevard and 4700 Trenton Avenue; and

WHEREAS, the Council believes that it is in the best interests of the city of Richmond that the City select the preferred casino gaming operator recommended by the Mayor and that, upon certification of approval by the independent agency responsible for the administration of the Virginia Lottery for the City to proceed to a referendum and upon execution of a Host Casino Agreement with the City's selected preferred casino gaming operator, the Council petition the Circuit Court of the City of Richmond to order the referendum required by section 58.1-4123 of the Code of Virginia (1950), as amended, as a prerequisite for the grant by the independent agency responsible for the administration of the Virginia Lottery of any initial license to operate a gaming operation in the city of Richmond;

NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

That:

1. Pursuant to and in accordance with section 58.1-4107 of the Code of Virginia (1950), as amended, the City selects RVA Entertainment Holdings, LLC, as the City's preferred casino gaming operator to operate a casino gaming establishment located in the city at 2001 Walmsley Boulevard, with Tax Parcel No. S009-0310/019 in the 2021 records of the City Assessor, and 4700 Trenton Avenue, with Tax Parcel No. S009-0387/001 in the 2021 records of the City Assessor. The Chief Administrative Officer is authorized and requested to promptly submit the City's preferred casino gaming operator to the independent agency responsible for the administration of the Virginia Lottery as required by section 58.1-4107 of the Code of Virginia (1950), as amended, for preliminary review and certification of approval by such agency for the City to proceed to the referendum required by section 58.1-4123 of the Code of Virginia (1950), as amended.

2. The Council supports the proposed minimum business terms and conditions set forth in the document entitled "Term Sheet, Resort Casino Host Community Agreement, City of Richmond & RVA Entertainment Holdings, LLC," a copy of which is attached to this resolution. The Chief Administrative Officer and the City Attorney are authorized and requested to prepare and negotiate, for the Council's consideration and approval by ordinance, a Host Community Agreement between the City and RVA Entertainment Holdings, LLC, consistent with those proposed minimum business terms and conditions.

3. By its adoption of this resolution, the Council both resolves to petition, pursuant to and in accordance with section 58.1-4123 of the Code of Virginia (1950), as amended, the Circuit Court of the City of Richmond asking that a referendum be held on the question of whether casino gaming should be permitted at a casino gaming establishment in the city of Richmond, Virginia, on the property located at 2001 Walmsley Boulevard and 4700 Trenton Avenue as may be approved by the Virginia Lottery Board and authorizes and directs the City Attorney, on behalf of the City and of the Council, to promptly file such petition in such court only at such time as (i) the City has received certification of approval pursuant to section 58.1-4107 of the Code of Virginia (1950), as amended, by the independent agency responsible for the

administration of the Virginia Lottery for the City to proceed to the referendum required by section 58.1-4123 of the Code of Virginia (1950), as amended, with the City's preferred casino gaming operator and (ii) the City and RVA Entertainment Holdings, LLC, have executed a Host Community Agreement, the City's execution of which the Council has authorized by ordinance, consistent with the proposed minimum business terms and conditions set forth in the aforementioned document entitled "Term Sheet, Resort Casino Host Community Agreement, City of Richmond & RVA Entertainment Holdings, LLC."

4. It is the intent of this resolution that the officers identified above and all other officers and employees of the City be authorized and empowered to take all actions necessary to effectuate the provisions of this resolution within the parameters set by this resolution as soon as practicable after the adoption of this resolution and that no further action by this Council other than as set forth in paragraph 3 of this resolution be necessary or required therefor.

5. This resolution shall be in force and effect upon adoption.