

Economic Development Authority of the City of Portsmouth

May 30, 2017

6th Floor Conference Room, City Hall
801 Crawford Street, Portsmouth, VA

The Chairman called the meeting to order at 8:02 a.m.

COMMISSIONERS PRESENT: Dean A. Thomasson — Chairman
Aaron J. Kelley — Treasurer
Anthony W. Hinds
Miriam J. Jiggetts
Cathy Revell
Don L. Scott (arrived at 8:11)

ALSO PRESENT: Mallory C. Butler — Secretary
Solomon H. Ashby, Jr. — City Attorney
Jeffrey S. Miller — Assistant City Attorney
Dr. L. Pettis Patton — City Manager
Alice Kelly — CFO
Lisa Blackford — Finance Department
Robert D. Moore — Business Development Manager

ABSENT: Junius L. Thompson — Vice Chairman

GUESTS: Rev. Megan Saucier — Monumental UMC
John Epperson — Monumental UMC
Ned Barham — Monumental UMC
David Bickford - Divaris
Levi Thomson — Divaris

The minutes from the April 18, 2017 meeting were reviewed.

ACTION: On a motion by Mr. Hinds and seconded by Ms. Revell, the Commissioners approved the minutes from the April 18, 2017 meeting as presented. Roll Call Vote: Mr. Hinds — yes; Ms. Jiggetts — yes; Mr. Kelley — abstained, he did not attend the April meeting; Ms. Revell — yes; Mr. Scott — absent; Mr. Thomasson — yes; Mr. Thompson — absent.

Ms. Blackford reviewed the April 2017 Financial Statements.

ACTION: On a motion by Mr. Kelley and seconded by Mr. Hinds, the Commissioners approved the April 2017 Financial Statements as presented. Roll Call Vote: Mr. Hinds — yes; Ms. Jiggetts — yes; Mr. Kelley — yes; Ms. Revell — yes; Mr. Scott — abstained, as he had just arrived to the meeting; Mr. Thomasson — yes; Mr. Thompson — absent.

Mr. Thomasson reminded the Commissioners that the first joint EDA meeting with City Council will be held on Monday, June 12, 2017 at 6:00 p.m. in the 6th Floor Conference Room. He encouraged all the Commissioners to make an effort to attend. Staff will prepare a short Power Point presentation of introduction.

Mr. Ashby reported that on June 19, 2017 retired judge Lowe, from Newport News, will hear motions regarding the Victory Crossing legal matter.

Ms. Butler indicated that each Commissioner had an invitation to attend the Harbor Vista Grand Opening on June 14, 2017 at 4:00 p.m.

Mr. Hinds gave a brief overview of the Virginia Industrial Development Authorities Institute (VIDA) Conference that he, Ms. Revell, and Mr. Scott attended May 16 — 17, 2017 in Charlottesville. Mr. Hinds reported that especially for new commissioners, a lot of extremely helpful information was provided.

Mr. Scott agreed with Mr. Hinds that the conference was very helpful to him as he is relatively new to the EDA. He was impressed with how other cities and municipalities classify their properties held for resale and hopes that Portsmouth can move toward doing the same thing. Dr. Patton agreed that the City, the EDA and PRHA should work collaboratively to include all city properties.

Ms. Revell also found the Conference full of great, helpful information and was glad that she had the opportunity to attend.

Mr. Kelley highlighted a few of the increased line items in the proposed FY18 budget.

ACTION: On a motion by Ms. Jiggetts and seconded by Mr. Kelley, the Commissioners approved the Proposed FY2018 Budget as presented. Roll Call Vote: Mr. Hinds — yes; Ms. Jiggetts — yes; Mr. Kelley — yes; Ms. Revell — yes; Mr. Scott — yes; Mr. Thomasson — yes; Mr. Thompson — absent.

Mr. Moore presented a Facade Improvement Grant (FIG) Application submitted by Monumental United Methodist Church, for property located at 450 Dinwiddie Street. Ms. Jiggetts indicated that the EDA needed a copy of the minutes from the church in which the church board approved the application. Mr. Hinds voiced his opinion that the entire LIP program should be re-addressed.

ACTION: On a motion by Mr. Hinds and seconded by Mr. Kelley, the Commissioners approved the FIG Application in the amount of \$21,470.00 for property located at 450 Dinwiddie Street once minutes from the church are received indicating approval of the application. Roll Call Vote: Mr. Hinds — yes; Ms. Jiggetts — yes; Mr. Kelley — yes; Ms. Revell — yes; Mr. Scott — yes; Mr. Thomasson — yes; Mr. Thompson — absent.

Mr. Moore presented a Façade Improvement Grant (FIG) Application submitted by Mr. Mike Simko, owner of Café Europa, for property located at 319 High Street.

Ms. Jiggetts indicated that a copy of Cafe Europa's Articles of Incorporation should be obtained indicating who can sign the grant application and grant agreement.

ACTION: On a motion by Mr. Kelley and seconded by Ms. Jiggetts, the Commissioners approved the FIG Application in the amount of \$1,926.25 for property located at 319 High Street once the Articles of Incorporation are received indicating who can sign the application and grant agreement. **Roll Call Vote:** Mr. Hinds — yes; Ms. Jiggetts — yes; Mr. Kelley — yes; Ms. Revell — yes; Mr. Scott — yes; Mr. Thomasson — yes; Mr. Thompson — absent.

ACTION: At 8:56 a.m., on a motion by Mr. Kelley and seconded by Mr. Hinds, the Authority entered into a Closed Meeting, WHEREAS, in compliance with the requirements of the Virginia Freedom of Information Act the topics to be discussed are set forth below, and the sub-paragraphs of Paragraph 2.2-3711(A) of the Code of Virginia authorizing discussion of the topics in closed session are set forth in parentheses after each topic; Now, therefore, be it resolved that the Board of Commissioners shall meet in Closed Meeting for the purpose of discussing disposition of publicly held real property interests where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body (3336 Victory Boulevard, 710 Lincoln Street, and 3215 Academy Avenue) (3). **Roll Call Vote:** Mr. Hinds — yes; Ms. Jiggetts — yes; Mr. Kelley — yes; Ms. Revell — yes; Mr. Scott yes; Mr. Thomasson — yes; Mr. Thompson — absent.

ACTION: At 9:35 a.m., on motion by Mr. Kelley and seconded by Mr. Hinds, the Authority approved a resolution directing, the Virginia Freedom of Information Act certification required by section 2.2-3712.D of the 1950 Code of Virginia, as amended, WHEREAS, the Authority has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; Now, therefore, be it hereby resolved that the minutes shall reflect that each Commissioner, unless her/his prior contrary statement is in the minutes of this meeting, hereby certifies that to the best of her/his knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter, and (ii) only such public business matters as were identified in the motion by which closed meeting was convened were heard, discussed or considered in the closed meeting by the Commissioners, **Roll Call Vote:** Mr. Hinds — yes; Ms. Jiggetts — yes; Mr. Kelley — yes; Ms. Revell — yes; Mr. Scott — yes; Mr. Thomasson — yes; Mr. Thompson — absent.

Ms. Butler read the following resolution: Resolution, Verdad Real Estate, Inc. — 3336 Victory Boulevard, Real Estate Purchase Agreement whereas, Verdad Real Estate, Inc. ("Developer") has offered to purchase 3336 Victory Boulevard (Tax Parcel 0498-0360) (the "Property"), which consists of approximately 0.74 acres, for the purpose of constructing a fast food restaurant; and whereas, EDA has negotiated a Purchase and Sale Agreement with Developer providing for a purchase price of \$275,000 for the Property (the "Agreement");

and Whereas, conveyance and development of the Property will increase Portsmouth's tax base and add another retail user to the growing Victory Boulevard corridor; now, therefore, it is hereby resolved that:

(1) The Chair is authorized to execute the Agreement on behalf of EDA. (2) The Chair, Vice Chair, Secretary and Assistant Secretary of the EDA and their designees are each hereby authorized to take such further actions and execute such further applications, documents and instruments (including without limitation a Deed conveying the Property and related closing documents) as may be necessary or desirable in furtherance of the conveyance and development of the Property in accordance with the Agreement, as the same may be amended from time to time; provided however, that any subsequent amendment to the Agreement shall be subject to the prior authorization of the Board of Commissioners. (3) This Resolution shall be effective immediately upon its adoption.

ACTION: On a motion by Mr. Hinds and seconded by Mr. Scott, the Commissioners approved the sale of property located at 3336 Victory Boulevard (Tax Parcel 0498-0360) to Verdad Real Estate, Inc. for a purchase price of \$275,000.00. **Roll Call Vote:** Mr. Hinds — yes; Ms. Jiggetts — no; Mr. Kelley — yes; Ms. Revell — yes; Mr. Scott — yes; Mr. Thomasson — yes; Mr. Thompson — absent.

With no other business before the Board the meeting was adjourned at 9:41 a.m.

Respectfully submitted,



Mallory C. Butler
Secretary