

Economic Development Authority of the City of Portsmouth

July 18, 2017

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

The Chairman called the meeting to order at 8:00 a.m.

COMMISSIONERS PRESENT: Dean A. Thomasson – Chairman
Anthony W. Hinds
Miriam J. Jiggetts
Cathy Revell
Don L. Scott

ALSO PRESENT: Solomon H. Ashby, Jr. – City Attorney
Jeffrey S. Miller – Assistant City Attorney
Dr. L. Pettis Patton – City Manager
Vincent E. Jones – Deputy City Manager
& Interim Economic Development Director
Alice Kelly – CFO
Robert D. Moore – Assistant Secretary
Alisa Winston - PRHA
Paige D. Cherry – Vice Mayor
Elizabeth M. Psimas – City Councilwoman

ABSENT: Junius L. Thompson – Vice Chairman
Aaron J. Kelley – Treasurer

GUESTS: David Bickford – Divaris Commercial Real Estate
Levi Thomson – Divaris Commercial Real Estate
Shepelle Watkins-White

The minutes from the June 20, 2017 meeting were reviewed.

ACTION: On a motion by Mr. Hinds and seconded by Mr. Scott, the Commissioners approved the minutes from the June 20, 2017. **Roll Call Vote:** Mr. Hinds – yes; Ms. Jiggetts – yes; Mr. Kelley – absent; Ms. Revell – yes; Mr. Scott – yes; Mr. Thomasson – yes; Mr. Thompson – absent.

Ms. Kelly reviewed the June 2017 Financial Statements.

ACTION: On a motion by Mr. Hinds and seconded by Ms. Jiggetts, the Commissioners approved the June 2017 Financial Statements as presented. **Roll Call Vote:** Mr. Hinds – yes; Ms. Jiggetts – yes; Mr. Kelley – absent; Ms. Revell – yes; Mr. Scott – yes; Mr. Thomasson – yes; Mr. Thompson – absent.

Mr. Bickford and Mr. Thomson, agents with Divaris Commercial Real Estate, updated the Board on the activity concerning the EDA-owned properties that they have listed for sale.

Ms. Jiggetts questioned whether an updated wetlands delineation has been ordered on the property at 3125 Victory Boulevard, as was discussed two or three meetings ago. Staff will inquire and report back.

Mr. Jones reported that the City will execute a grounds maintenance contract with JAB's Services, the only company to respond to Procurement's Request for Bid, for EDA-owned properties.

Mr. Moore reviewed the Purchase and Sale Agreement for EDA-owned property located at 710 Lincoln Street. M. J. Roberts, Inc. has agreed on a purchase price of \$50,000.00 for the property.

ACTION: On a motion by Mr. Hinds and seconded by Ms. Jiggetts, the Commissioners approved the following resolution:

WHEREAS, M. J. Roberts, Inc. ("Developer") has offered to purchase 710 Lincoln Street (Tax Parcel 0033-0012) (the "Property"), which consists of approximately 0.784 acres, for the purpose of developing a Feather 'n' Fin restaurant; and

WHEREAS, EDA has negotiated a Purchase and Sale Agreement with Developer providing for a purchase price of \$50,000 for the Property (the "Agreement"); and

WHEREAS, conveyance and development of the Property will increase Portsmouth's tax base and retail development along the Effingham corridor between I-264 and the Naval Shipyard;

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. **Roll Call Vote:** Mr. Hinds – yes; Ms. Jiggetts – yes; Mr. Kelley – absent; Ms. Revell – yes; Mr. Scott – yes; Mr. Thomasson – yes; Mr. Thompson – absent.

Mr. Moore reviewed the Purchase and Sale Agreement for EDA-owned property located at 3215 Academy Avenue. AA&G Group Home, LLC has agreed on a purchase price of \$100,000.00 for the property and to add not less than \$350,000.00 in improvements to the facility.

ACTION: On a motion by Mr. Hinds and seconded by Ms. Revell, the Commissioners approved the following resolution:

WHEREAS, AA&G Group Home, LLC (“Developer”) has offered to purchase 3215 Academy Avenue (Tax Parcel 0818-0040) (the “Property”), which consists of approximately 0.535 acres, for the purpose of rehabilitating the existing building and operating an office/training facility; and

WHEREAS, EDA has negotiated a Purchase and Sale Agreement with Developer providing for a purchase price of \$100,000 for the Property and requiring the Developer to perform not less than \$350,000 in improvements (the “Agreement”); and

WHEREAS, by Resolution R-17-18 adopted on June 27, 2017, Portsmouth City Council authorized the conveyance of the Property to EDA for this purpose and the execution of a Cooperation Agreement between EDA and the City (the “Cooperation Agreement”); and

WHEREAS, conveyance and development of the Property will increase Portsmouth’s tax base, avoid the need to spend public funds for maintenance of the Property, and result in the revitalization of a building which could otherwise become a blighting influence;

NOW, THEREFORE, it is hereby RESOLVED that:

1. The Chair is authorized to execute the Agreement and the Cooperation 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. **Roll Call Vote:** Mr. Hinds – yes; Ms. Jiggetts – yes; Mr. Kelley – absent; Ms. Revell – yes; Mr. Scott – yes; Mr. Thomasson – yes; Mr. Thompson – absent.

ACTION: At 8:45 a.m., on a motion by Ms. Jiggetts and seconded by Mr. Hinds, the Authority entered into a Closed Meeting, WHEREAS, the Board of Commissioners of the EDA desires to enter into a closed meeting; and 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 Virginia Code 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 consultation with legal counsel pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body (The Commons at Portsmouth Center) (7). **Roll Call Vote:** Mr. Hinds – yes; Ms. Jiggetts – yes; Mr. Kelley – absent; Ms. Revell – yes; Mr. Scott – yes; Mr. Thomasson – yes; Mr. Thompson – absent.

ACTION: At 9:20 a.m., on motion by Ms. Jiggetts 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 – absent; Ms. Revell – yes; Mr. Scott – yes; Mr. Thomasson – yes; Mr. Thompson – absent.

With no other business before the Board the meeting was adjourned at 9:22 a.m.

Respectfully submitted,



Robert D. Moore
Assistant Secretary