

Economic Development Authority of the City of Portsmouth

July 20, 2021

COMMISSIONERS PRESENT:

Ray A. Smith, Sr. – Chairman
Malcom Mitchell -Vice Chairman
Neal J. Barber
Theresa J. Saunders-Smith
Bette "Cathy" Drewry
Anthony Brown
Barbara B. Smith

ALSO PRESENT:

Robert D. Moore - Secretary
Brian Donahue - Assistant Secretary
Kelsey Swieringa - Assistant City Attorney
Paul Battle - City Councilman
Patti Phillips- Finance Consultant
Lavoris Pace – Deputy City Manager
Alisa Winston – PRHA

ABSENT:

Jeff Miller – Deputy City Attorney

The Chairman called the meeting to order at 9:00 a.m.

The minutes from the June 15, 2021, meeting were reviewed.

ACTION: On a motion by Ms. Saunders-Smith and seconded by Mr. Barber, the Commissioners approved the minutes from the June 15, 2021, meeting as presented. **Roll Call Vote:** Mr. Barber - yes; Ms. Drewry - yes; Mr. Mitchell - yes; Ms. Saunders-Smith - yes; Ms. Smith - yes; Mr. Smith - yes; Mr. Brown - yes.

A Resolution for the Ratification of the Minutes held electronically during the Covid-19 Pandemic prepared by Jeff Miller, Deputy City Attorney was presented to the Board for consideration.

ACTION: On a motion by Mr. Barber and seconded by Ms. Drewry, the Commissioners approved the Resolution for the Ratification of the Minutes, as presented. **Roll Call Vote:** Mr. Barber - yes; Ms. Drewry - yes; Mr. Mitchell - yes; Ms. Saunders-Smith - yes; Ms. Smith - yes; Mr. Smith - yes; Mr. Brown - yes.

A RESOLUTION RATIFYING THE MINUTES OF THE MEETINGS OF THE ECONOMIC DEVELOPMENT AUTHORITY HELD ELECTRONICALLY PURSUANT TO THE EMERGENCY PROCEDURES ESTABLISHED BY CITY COUNCIL TO ENSURE THE CONTINUITY OF LOCAL GOVERNMENT DURING THE COVID-19 PANDEMIC.

WHEREAS, due to the emergency conditions created by the COVID-19 Pandemic, City Council adopted Ordinance 2020-21 (as extended, modified and terminated by subsequent City Council ordinances, the "Emergency Ordinance"); and

WHEREAS, the Emergency Ordinance authorized Boards and Commissions to conduct meetings electronically without a quorum physically present between April 2020 and the end of June 2021 (the "Electronic Meetings"); and

WHEREAS, pursuant to City Council Ordinance 2021-42 adopted on June 8, 2021, the authorizations and procedures established by the Emergency Ordinance expired effective June 30, 2021; and


WHEREAS, the Emergency Ordinance provides that, upon returning to in-person meetings, each Board or Commission should publicly ratify all of the approved minutes of the Electronic Meetings; and

WHEREAS, the purpose of ratifying the approved minutes is to confirm for the record the validity of the electronic meeting format adopted through the Emergency Ordinance and implemented by the applicable Board or Commission;

NOW, THEREFORE, BE IT RESOLVED by the **ECONOMIC DEVELOPMENT AUTHORITY** *that*, for the purposes set forth in this Resolution, it hereby ratifies the minutes of the following meetings: May 19, 2020; June 16, 2020; July 21, 2020; August 18, 2020; September 15, 2020; October 20, 2020; November 17, 2020; December 15, 2020; January 19, 2021; February 16, 2021; March 16, 2021; April 20, 2021; May 18, 2021; June 15, 2021.

ADOPTED at a meeting held on July 20, 2021.

Teste:



Secretary

Ms. Phillips reviewed the May 2021 and June 2021 financial statements. It was agreed that May 2021 and June 2021 statements would be filed for audit.

Mr. Donahue gave an LIP update.

Mr. Barber and Mr. Mitchell gave an update on the LIP Ad-Hoc Committee. Mr. Brown was added to the committee.

Mr. Moore and Mr. Smith presented a new date for the EDA – PPIC Joint Retreat, and with a consensus of the board the date was changed to September 21, 2021.

Mr. Moore provided project updates.

ACTION: At 10:20 a.m. on a motion by Mr. Mitchell and second by Mr. Barber, the Authority entered a closed meeting pursuant to Virginia Code subsection 2.2-3711 A.3 for the purpose of discussing the disposition of real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically regarding 409 McLean Street and 219 Pavilion Drive.

Roll Call Vote: Mr. Barber - yes; Ms. Drewry – yes; Mr. Mitchell - yes; Ms. Saunders-Smith - yes; Ms. Smith - yes; Mr. Smith – yes; Mr. Brown - yes.

ACTION: At 10:37 a.m. on a motion by Mr. Mitchell- and seconded by Mr. Barber, the Authority entered an open meeting whereby only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the closed meeting just concluded. **Roll Call Vote:** Mr. Barber - yes; Ms. Drewry – yes; Mr. Mitchell - yes; Ms. Saunders-Smith - yes; Ms. Smith - yes; Mr. Smith – yes; Mr. Brown - yes.

ACTION: On motion by Ms. Saunders-Smith and seconded by Mr. Brown, the Board approved the following Resolution 409 McLean Extension of Feasibility Period **Roll Call Vote:** Mr. Barber - yes; Ms. Drewry – yes; Mr. Mitchell - yes; Ms. Saunders-Smith - yes; Ms. Smith - yes; Mr. Smith – yes; Mr. Brown - yes.

RESOLUTION
(409 McLean)
(Extension of Feasibility Period)

WHEREAS, pursuant to a resolution adopted on May 19, 2018, the EDA entered into a Purchase and Sale Agreement with The Miller Group of Virginia, Inc. (the “Developer”) for the residential development of 409 McLean Street (as amended, the “Agreement”); and

WHEREAS, the Feasibility Period under the Agreement expires on July 23, 2021; and

EDA Meeting
July 20, 2021

WHEREAS, Developer has been diligent in pursuing the development, including obtaining zoning and major subdivision plat approvals, and has made several site plan submissions; and

WHEREAS, to allow time for completion of the due diligence and permitting process it is in the interest of all parties to extend the Feasibility Period through the end of the calendar year; and

WHEREAS, it is further anticipated that the Developer will close on acquisition of 409 McLean Street by December 31, 2021

NOW, THEREFORE, it is hereby RESOLVED that:

1. The amendment of the Agreement to extend the Feasibility Period through December 31, 2021, is hereby approved.
2. The amendment of the Agreement to provide for closing on conveyance of 409 McLean Street by December 31, 2021, or such other expedited date as may be deemed appropriate by the Chair and Vice Chair in their sole discretion, is hereby approved.
3. The Chair and Vice Chair are each authorized to execute an amendment to the Agreement in accordance with the intent of this Resolution.
3. This Resolution shall be effective immediately upon its adoption.

There was a consensus of the board to add a Financial Services Ad-Hoc Committee consisting of the Treasurer, Ms. Drewry and Mr Brown.

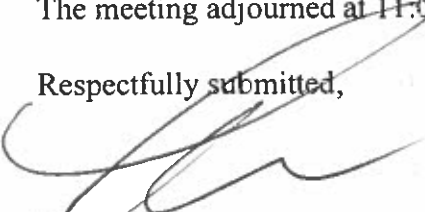
Items submitted by Commissioners:

Report Backs:

1. Ms. Drewry inquired on the status of 700 Crawford – this property is on hold.
2. Mr. Mitchell asked if vacant properties could be used for community purposes - to be discussed at Retreat September 21, 2021.
3. The clearing of vacant overgrown properties was discussed – staff will investigate the cost to clean up.

The meeting adjourned at ~~11:09~~ 11:09 a.m.

Respectfully submitted,



Robert D. Moore, Secretary