

**Economic Development Authority of the City of Portsmouth  
December 20, 2022  
9:00 AM**

**COMMISSIONERS PRESENT:** Ray A. Smith, Sr. – Chairman  
Malcom Mitchell -Vice Chairman  
Neal J. Barber  
Anthony Brown  
Cathy Drewry – Treasurer  
Barbara Smith

**ALSO PRESENT:** Brian Donahue - Secretary  
Jeff Miller – Deputy City Attorney  
Kelsey Swieringa - Assistant City Attorney  
Tonya Chapman – City Manager  
Flora Berisha – Finance  
Alisa Winston – PRHA  
Mark Hugel – City Councilman

**ABSENT:** Theresa J. Saunders-Smith

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**Welcome & Call to Order**

- The Chairman called the meeting to order at 9:04 a.m.

**Roll Call**

- Mr. Donahue called the roll. There was a quorum.

**Minutes**

- The minutes from the November 15, 2022, Regular Meeting were presented.

**ACTION:** On a motion by Ms. Drewry and seconded by Mr. Barber, the Commissioners approved the minutes from the November 15, 2022, Regular Meeting as presented.

**Roll Call Vote:** Mr. Barber - yes; Ms. Drewry - yes; Mr. Mitchell - yes; Mrs. Saunders-Smith - absent; Mrs. Smith – yes; Mr. Smith – yes; Mr. Brown - yes. Approved 6-0 vote

### **Financials**

- The draft FY22 Audit was presented by Flora Berisha and CLA Audit Firm. Mr. Greg Bussink and Ms. Aires Coleman from CLA Audit Firm reviewed the draft audit with the Board. There were no adjustments or findings, and the audit was rated as an Unmodified Opinion. Ms. Chapman inquired about the deadline for completion of the Audit process. Ms. Berisha advised that the Audit was scheduled for completion by December 31, 2022 in accordance with financial requirements.

### **Old Business**

- Mr. Donahue provided the Board with an update on the success of the 2022 Business Appreciation Reception, stating that there were over 110 attendees. He expressed his appreciation for the EDA's and PPIC's attendance and sponsorship of the event. Mr. Donahue shared that the Economic Development Department achieved over \$112 million in new capital investment in 2022, making it the fifth consecutive nine-digit year of investment activity in the City of Portsmouth. Mr. Smith expressed his appreciation to the Board for the success of the 2022 Business Appreciation Reception and provided feedback on his experience.
- Mr. Donahue gave an update on the status of the FY22 Grant programs. He stated that there are \$75,000 in funds remaining in the Real Property Investment Grant (RPIG) program to be distributed. The EDA awarded approximately \$218,00 in funding to 15 projects in FY22 through the RPIG. All Smart Start Business Acceleration Grant awards have been disbursed and totaled \$54,000. In addition, the Smart Start Business Development Grant program has been closed out and provided approximately \$60,000 in funding the startups and new businesses.
- Mr. Donahue informed the Board of two extension requests for FY22 Real Property Investment Grants: Toddler Time Child Development Center at 603 Hansen Ave. and Privilege Premier Restaurant at 600 Court St. Both applicants are requesting their second extension. If the extensions are approved they will expire on March 11, 2023. Mr. Epps from Privilege Premier Restaurant was present and shared the reasons for the delay and need for the extension due to pending inspections.

**ACTION:** On a motion by Mr. Barber and seconded by Ms. Smith the Commissioners approved the second extensions for 603 Hansen Ave and 600 Court Street.

**Roll Call Vote:** Mr. Barber - yes; Mr. Mitchell - yes; Mr. Brown - yes; Ms. Drewry - yes; Mrs. Saunders-Smith - absent; Mrs. Smith - yes; Mr. Smith - yes. Approved 6-0 vote

- Mr. Donahue gave an update on the FY23 Business Investment Grant Programs that opened on October 1, 2022. A total of 16 grant applications have been received, with 11 processed and awarded. The second program round is scheduled to open January 1, 2023. An online digital application process through the Portsmouth Economic Development website has been established for future applications. Ms. Drewry stated that she has seen an increase in the marketing of the grant programs on social media.

### **New Business**

- Mr. Donahue informed the Board that Virginia Economic Developers Association 2023 Fall Conference

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will be held in Portsmouth on September 20-22, 2023. Portsmouth will be hosting over 300 Economic Development practitioners from across the Commonwealth, and the conference will be held at the Renaissance Norfolk-Portsmouth Hotel. Mr. Donahue stated that he will be a co-chair for the conference and there are opportunities for EDA to participate through sponsorship.

- Mr. Smith discussed the 2023 EDA Retreat planning and reminded the Board to turn in suggestions for topics to Malcom Mitchell, Vice Chairman. Arrangements need to be made for guest speakers.
- Mr. Smith thanked the EDA, City Manager and City Attorney's office for participating in the tour of the Rivers Casino Portsmouth.

**Closed Meeting**

**ACTION:** At 9:40 a.m. Mr. Mitchell, seconded by Mr. Brown, moved to go into a closed meeting pursuant to Virginia Code Subsection 2.2-3711 A.3 for the purpose of discussing the acquisition or 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 strategic acquisitions and the disposition of 1021 High Street and 3002/3006 Deep Creek Boulevard.

**Roll Call Vote:** Mr. Barber - yes; Mr. Mitchell - yes; Mr. Brown - yes; Ms. Drewry - yes; Mrs. Saunders-Smith - absent; Mrs. Smith - yes; Mr. Smith - yes; Approved 6-0 vote

**ACTION:** At 11:30 a.m. Mr. Mitchell, seconded by Mr. Brown, moved that each Commissioner certify that, to the best of his or her knowledge: (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and (ii) 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; Mr. Mitchell - yes; Mr. Brown - yes; Ms. Drewry - absent; Mrs. Saunders-Smith - absent; Mrs. Smith - absent; Mr. Smith - yes. Approved 4-0 vote\*

\*Ms. Drewry and Mrs. Smith departed the meeting while the Board was in closed session.

**Open Meeting**

**ACTION:** Mr. Barber, seconded by Chairman Smith, moved to authorize the amendment of the Purchase and Sale Agreement for 700 Crawford Street to provide for the inclusion of M/WBE contracting provisions and an expedited closing date.

**Roll Call Vote:** Mr. Barber - yes; Mr. Mitchell - yes; Mr. Brown - yes; Ms. Drewry - absent; Mrs. Saunders-Smith - absent; Mrs. Smith - absent; Mr. Smith - yes. Approved 4-0 vote

**ACTION:** On a motion by Mr. Brown and seconded by Mr. Barber the Commissioners adopted the following Resolution for the sale of 1100 High Street.

**Roll Call Vote:** Mr. Barber - yes; Mr. Mitchell - yes; Mr. Brown - yes; Ms. Drewry - absent; Mrs. Saunders-Smith - absent; Mrs. Smith - absent; Mr. Smith - yes. Approved 4-0 vote

**RESOLUTION  
(1100 High Street)  
(Purchase and Sale Agreement)**

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WHEREAS, Woda Cooper Development, Inc. or its assigns (the “Developer”) has proposed to purchase the below-listed parcels in the 1100 Block of High Street (individually and collectively, the “Property”) for the purpose of constructing a multi-family housing development:

- 1100 High Street (Tax Parcel 0032-1520)
  - 1116 High Street (0032-1530)
  - 1130 High Street (0032-1580)
  - 1125 Queen Street (0032-1590)
  - 1121 Queen Street (0032-1610)
  - 460 Primrose Street (0032-1660 and 0032-1670)
  - 462 Primrose Street (0032-1680)
  - 466 Primrose Street (0032-1690)
  - 470 Primrose Street (0032-1700);
- and

WHEREAS, EDA intends to enter into a Purchase and Sale Agreement with Developer (the “Agreement”) pursuant to which the Developer will purchase the Property for a price of \$500,000 (the “Purchase Price”); and

WHEREAS, the conveyance of the Property to the Developer and its subsequent development will provide affordable housing for Portsmouth residents conveniently located near the downtown area.

NOW, THEREFORE, it is hereby RESOLVED that:

1. The Chair, Vice Chair, and Secretary are each authorized to execute the Agreement on behalf of EDA.
2. The Chair, Vice Chair, and Secretary 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 altering the Purchase Price or otherwise committing EDA funds 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. Barber and seconded by Mr. Brown the Commissioners adopted the following Resolution for the sale of 3002/3006 Deep Creek Boulevard.

**Roll Call Vote:** Mr. Barber - yes; Mr. Mitchell - yes; Mr. Brown – yes; Ms. Drewry - absent; Mrs. Saunders-Smith - absent; Mrs. Smith - absent; Mr. Smith – yes. Approved 4-0 vote

**RESOLUTION  
(3002/3006 Deep Creek Blvd.)  
(Purchase and Sale Agreement)  
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WHEREAS, New Home Builders Inc. or its assigns (the "Developer") has proposed to purchase 3002 and 3006 Deep Creek Boulevard (Tax Parcels 0145-0190 and 0145-0200) (the "Property") for the purpose of constructing market rate single family housing; and

WHEREAS, EDA intends to enter into a Purchase and Sale Agreement with Developer (the "Agreement") pursuant to which the Developer will purchase the Property for a price of \$62,830 (the "Purchase Price"); and

WHEREAS, the Property has been in public ownership and off the tax rolls since 1995; and

WHEREAS, the conveyance of the Property to the Developer and its subsequent development will provide market rate housing for Portsmouth residents and will increase the City's tax base.

NOW, THEREFORE, it is hereby RESOLVED that:

1. The Chair, Vice Chair, and Secretary are each authorized to execute the Agreement on behalf of EDA.
2. The Chair, Vice Chair, and Secretary 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 altering the Purchase Price shall be subject to the prior authorization of the Board of Commissioners.
3. This Resolution shall be effective immediately upon its adoption.

**Items submitted by Commissioners**

- Mr. Smith thanked everyone he worked with during his time as EDA Chairman and Mr. Mark Hugel, City Councilman Elect, for coming to the meeting.
- Mr. Donahue thanked Mr. Smith for his leadership and time he committed to the Chairman role, acknowledging Mr. Smith's accomplishments and major projects worked on in Portsmouth.

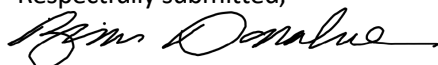
**Report Backs**

- There were no Report Backs

**Adjourn**

The meeting adjourned at 11:39 a.m.

Respectfully submitted,



Brian Donahue, Secretary

Malcom Mitchell, Vice Chair