

**Economic Development Authority of the City of Portsmouth**  
**ANNUAL MEETING**  
**June 27, 2022**  
**9:00 AM**

**COMMISSIONERS PRESENT:**

Ray A. Smith, Sr. – Chairman  
Malcom Mitchell -Vice Chairman  
Barbara Smith - arrived 9:22 a.m.  
Neal J. Barber  
Anthony Brown  
Theresa J. Saunders-Smith

**ALSO PRESENT:**

Brian Donahue - Secretary  
Pam Croom – Assistant Secretary  
Mimi Terry – Interim City Manager  
Jeff Miller – Deputy City Attorney  
Kelsey Swieringa - Assistant City Attorney  
Patti Phillips - Finance  
Kyera Pope - Finance  
Alisa Winston – PRHA

**ABSENT:**

Bette "Cathy" Drewry

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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 May 17, 2022, Regular Meeting were presented.

**ACTION:** On a motion by Ms. Saunders-Smith and seconded by Mr. Barber, the Commissioners approved the minutes from the May 17, 2022, Regular Meeting as presented.

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

**Financials**

- Patti Phillips reviewed the May 2022 financial statements. It was agreed that May 2022 statements would be filed for audit.

**Old Business**

- Mr. Donahue presented the FY23 Proposed Budget to the board. There were no questions.

**ACTION:** On a motion by Mr. Barber and seconded by Ms. Saunders-Smith, the Commissioners approved the FY23 Proposed EDA Budget as presented.

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

- RFP for Commercial Real Estate Services- Mr. Donahue stated that negotiations are in process and an announcement of award will be made soon.

**New Business**

- June is the Annual Meeting for the EDA, therefore Elections of Officers will be needed. Chairman Smith announced all positions to be vacant and asked the Board's pleasure. The Board determined to maintain the current slate of officers.

**ACTION:** On a motion by Mr. Barber and seconded by Mr. Brown, the Commissioners reappointed Ray Smith as Chair, Malcom Mitchell as Vice Chair and Cathy Drewry as Treasurer. Mr. Donahue will continue to act as Secretary and Ms. Croom as Assistant Secretary.

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

- 2022 Business Incentive Update – Mr. Donahue informed the board that to date 55 grants have been processed.

- 15 Real Estate Investment Property Grants totaling \$218,000.00
- 29 Smart Start Development Grants totaling \$57,000.00
- 11 Smart Start Acceleration Grants totaling \$55,000.00

The FY23 Grant Program will reopen after July 1, 2022.

- Mr. Donahue presented a Smart Start Development Grant Application for Youth Empowered Solutions to the board.

**ACTION:** On a motion by Mr. Barber and seconded by Mr. Brown, the Commissioners approved the Smart Start Development Grant for Youth Empowered Solutions for \$2,000.00 as presented.

**Roll Call Vote:** Mr. Barber - yes; Ms. Drewry - absent; Mr. Mitchell - yes; Ms. Saunders-Smith - yes; Ms. Smith – no; Mr. Smith – no; Mr. Brown - yes. Approved 4-2 vote.

**Closed Meeting**

**ACTION:** At 10:04 a.m. Mr. Mitchell, seconded by Ms. Smith, moved to go into 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 1021 and 1107 High Street, 53 Afton Parkway, 2625-2631 Turnpike Road, 2715 Turnpike Road, and 2410-2416 Turnpike Road.

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

**ACTION:** At 11:12 a.m. Mr. Mitchell, seconded by Mr. Barber, 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; Ms. Drewry - absent; Mr. Mitchell - yes; Ms. Saunders-Smith -

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yes; Ms. Smith – yes; Mr. Smith – yes; Mr. Brown - yes.

**Open Meeting**

- Resolution for 2625-2631 Turnpike Road

**RESOLUTION  
(2625-2631 Turnpike Road)  
(Sale of Property)**

WHEREAS, the Virginia Department of Transportation performed a project to widen Turnpike Road in Portsmouth; and

WHEREAS, VDOT acquired property necessary for the road widening project and upon completion of the project it conveyed all remnant parcels of the property that were not necessary for the project to the City of Portsmouth; and

WHEREAS, the remnant parcels include 2625 Turnpike Road (Tax Parcel 0183-0340), 2627 Turnpike Road (Tax Parcel 0183-0330), 2629 Turnpike Road (Tax Parcel 0183-0320) and 2631 Turnpike Road (Tax Parcel 0183-0310) (collectively and less, save and except areas to be dedicated as right of way, the “Property”); and

WHEREAS, Gary Muhammad (the “Developer”) has offered to acquire the Property for a purchase price of \$25,000; and

WHEREAS, the Developer intends to construct single family detached residential dwellings on the Property; and

WHEREAS, as a condition precedent to the conveyance of the Property, the Developer would be required to cause the performance of all survey work necessary to replat the parcels of the Property into buildable lots and to dedicate any necessary right of way along Turnpike Road, and Developer would be entitled to a credit against the Purchase Price in an amount equal to the documented third party costs paid for said survey work; and

WHEREAS, conveyance of the Property to the Developer would provide new housing stock, and would benefit the City and its residents financially by returning the Property to the tax rolls and saving the City costs for mowing and other maintenance; and

WHEREAS, this Resolution is subject to the adoption of a Resolution by City Council authorizing conveyance of the Property to EDA;

NOW, THEREFORE, it is hereby RESOLVED that:

1. The Chair, Vice Chair, and Secretary are each authorized to execute on behalf of EDA an Agreement for the sale of the Property to Developer for the Purchase Price and otherwise in accordance with the terms of this Resolution.
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 of the Property in accordance with the Agreement.

3. This Resolution shall be effective upon adoption of a Resolution by the Portsmouth City Council authorizing conveyance of the Property to EDA.

**ACTION:** On a motion by Ms. Smith and seconded by Mr. Brown, the Commissioners approved the Resolution for 2625-2631 Turnpike Road.

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

○ Mr. Miller, Deputy City Attorney stated the need to add 3 Resolution items to the open agenda to be voted on. He needed to have a motion to add the items.

**ACTION:** On a motion by Mr. Barber and seconded by Ms. Saunders-Smith, the Commissioners approved adding the following three Resolution items to the agenda for vote: 1021 and 1107 High Street, 2715 Turnpike Road, and 2410-2416 Turnpike Road.

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

Mr. Miller then read the resolutions individually into the record to be voted on individually.

○ First Resolution read: 1021- 1107 High St.

**RESOLUTION**  
**(1021/1107 High)**  
**(Extension of Permitting Period)**

WHEREAS, pursuant to a resolution adopted on March 16, 2021 the EDA entered into a Purchase and Sale Agreement with A4 Development Group, LLC (the “Developer”) for the construction of a townhome development at 1021 High Street and 1107 High Street (as amended, the “Agreement”); and

WHEREAS, the Permitting Period under the Agreement has expired; and

WHEREAS, Developer has performed significant work and expended significant funds in furtherance of the development, including obtaining the required City Council approvals, and is in the process of making additional site plan submissions; and

WHEREAS, Developer has requested to extend the Permitting Period expiration date for seven months, with the new expiration date being January 20, 2023; and

WHEREAS, it is in the interest of both parties to allow the Developer to complete the permitting process for the development;

NOW, THEREFORE, it is hereby RESOLVED that:

1. The amendment of the Agreement to extend the Permitting Period through January 20, 2023, together with such minor additional amendments as may be required to conform the Agreement to the new expiration date, is hereby approved.

2. 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.

**ACTION:** On a motion by Mr. Barber and seconded by Ms. Smith, the Commissioners approved the Resolution for 1021-1107 High St.

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

- o Second Resolution read: 2715 Turnpike Road

**RESOLUTION**  
**(2715 Turnpike Road)**  
**(Sale of Property)**

WHEREAS, the Virginia Department of Transportation performed a project to widen Turnpike Road in Portsmouth; and

WHEREAS,VDOT acquired property necessary for the road widening project and upon completion of the project it conveyed all remnant parcels of the property that were not necessary for the project to the City of Portsmouth; and

WHEREAS, the remnant parcels include a portion of 2715 Turnpike Road (Tax Parcel 0189-0290) more particularly described as “Lot B” on that certain plat recorded in the land records of the Clerk of the Circuit Court for the City of Portsmouth, Virginia in Map Book 26 at pages 195-196 (the “Property”); and

WHEREAS, New First Baptist Church of Taylorsville (the “Purchaser”) currently uses the Property for parking and has offered to purchase the Property for the sum of \$7,500 (the “Purchase Price”); and

WHEREAS, the Property is the remaining portion of a parcel conveyed for development, and conveyance of the Property to the Purchaser would save the City costs for mowing and other maintenance;

NOW, THEREFORE, it is hereby RESOLVED that:

1. The Chair, Vice Chair, and Secretary are each authorized to execute on behalf of EDA an Agreement for the sale of the Property to Developer for the Purchase Price.
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 of the Property in accordance with the Agreement.
3. This Resolution shall be effective immediately upon adoption.

**ACTION:** On a motion by Mr. Barber and seconded by Ms. Smith, the Commissioners approved the Resolution for 2715 Turnpike Road.

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

- o Third Resolution read: 2410-2416 Turnpike Road

**RESOLUTION**  
**(2410-2416 Turnpike Road)**  
**(Sale of Property)**

WHEREAS, the Virginia Department of Transportation performed a project to widen Turnpike Road in Portsmouth; and

WHEREAS,VDOT acquired property necessary for the road widening project and upon completion of the project it conveyed all remnant parcels of the property that were not necessary for the project to the City of Portsmouth; and

WHEREAS, the remnant parcels include 2410 Turnpike Road (Tax Parcel 0175-0190), 2414 Turnpike Road (Tax Parcel 0175-0200), and 2416 Turnpike Road (Tax Parcel 0175-0210) (collectively and less, save and except areas to be dedicated as right of way, the “Property”); and

WHEREAS, LBC Transportation (the “Developer”) has offered to acquire the Property for a purchase price of \$20,000; and

WHEREAS, the Developer intends to use the Property in connection with its trucking business in the area; and

WHEREAS, as a condition precedent to the conveyance of the Property, the Developer would be required to cause the performance of all survey work necessary to dedicate any necessary right of way along Turnpike Road, and Developer would be entitled to a credit against the Purchase Price in an amount equal to the documented third party costs paid for said survey work; and

WHEREAS, conveyance of the Property to the Developer would benefit the City and its residents financially by returning the Property to the tax rolls and saving the City costs for mowing and other maintenance; and

WHEREAS, this Resolution is subject to the adoption of a Resolution by City Council authorizing conveyance of the Property to EDA;

NOW, THEREFORE, it is hereby RESOLVED that:

1. The Chair, Vice Chair, and Secretary are each authorized to execute on behalf of EDA an Agreement for the sale of the Property to Developer for the Purchase Price and otherwise in accordance with the terms of this Resolution.
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 of the Property in accordance with the Agreement.
3. This Resolution shall be effective upon adoption of a Resolution by the Portsmouth City Council authorizing conveyance of the Property to EDA.

**ACTION:** On a motion by Mr. Barber and seconded by Ms. Smith, the Commissioners approved the Resolution for 2410-2416 Turnpike Road.

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

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**Items submitted by Commissioners:**

- Mr. Barber informed the board that he attended a Housing Acts meeting with Orlando Artze who is working with the LISC Organization and has a location in the Hampton Roads area. He stated there may be several opportunities to partner and work with them in the future.
- Chairman Smith addressed the public and the board to speak on the details of the 409 McLean property sale.

**Report Backs:**

- Mr. Donahue introduced new Economic Development staff member Sonja Briggs.
- Mr. Donahue invited the board to 3 Ribbon Cuttings that are scheduled with Economic Development.
- Chairman Smith conducted a consensus of the board to forgo July 2022 Meeting and reconvene in August. The board was in agreement.

**Adjourn:**

- The meeting adjourned at 11:37 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brian Donahue". The signature is fluid and cursive, with a long horizontal stroke at the end.

Brian Donahue, Secretary

Ray Smith, Chair