

Economic Development Authority of the City of Portsmouth

June 19, 2018

Annual Meeting

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

The Chairman called the meeting to order at 8:01 a.m.

COMMISSIONERS PRESENT: Anthony W. Hinds – Chairman
Aaron J. Kelley - Treasurer
Miriam J. Jiggetts
Cathy Revell

ALSO PRESENT: Robert D. Moore – Secretary
Solomon Ashby – City Attorney
Jeffrey S. Miller – Assistant City Attorney
Dr. L. Pettis Patton – City Manager
Elizabeth M. Psimas – Vice Mayor
Alisa Winston - PRHA
Cheryl Spivey – CFO
Susan Evans – Finance Department

ABSENT: Tracy Link
Don L. Scott

The Chairman called the meeting to order at 8:01 a.m.

Dr. Patton introduced the City's new Chief Financial Officer, Mrs. Cheryl Spivey.

Mr. Moore introduced the newest Business Development Manager in the Department of Economic Development, Mrs. Ashely Henley.

The minutes from the May 15, 2018 meeting were reviewed. Ms. Jiggetts asked that Mr. Scott's remark stating that the principal amount of CD's never changes throughout the maturity of the CD be added to the May 15th minutes. She also requested that Mr. Kelley's comment on page 2, be updated to read, "Mr. Kelley asked when maps . . ." instead of "Mr. Kelley asked if/when maps"

ACTION: On a motion by Ms. Jiggetts and seconded by Mr. Kelley, the Commissioners approved the minutes from the May 15, 2018 meeting with the above referenced changes.
Roll Call Vote: Mr. Hinds – yes; Ms. Jiggetts – yes; Mr. Kelley – yes; Ms. Link – absent; Ms. Revell – yes; Mr. Scott – absent.

Mr. Moore reported that the May and June 2018 financial statements will be provided, reviewed, and voted on at the July 17, 2018 meeting.

Mr. Kelley reported that the financial statements show fluctuating values for the EDA escrow account CD's because they reflect the current market value of the same type of CD's. Mr. Kelley reported that these market fluctuations are irrelevant to the EDA CD's, because EDA will receive the fixed rate of return that was quoted when the CD's were issued. He also confirmed that the five (5) separate CD's are all insured by FDIC.

Mr. Kelley's question concerning the Business Development line item being over budget was explained: when the FY2018 budget was approved, it did not reflect monies that were needed for the EDA Retreat which took place in February. The retreat expenses put the line over budget by approximately \$600.00. This overage did not adversely affect the overall budget for the year.

ACTION: On a motion by Mr. Kelley and seconded by Ms. Jiggetts, the Commissioners approved amending the FY18 Business Development line item from \$2,000.00 to \$5,000.00. **Roll Call Vote:** Mr. Hinds – yes; Ms. Jiggetts – yes; Mr. Kelley –yes; Ms. Link – absent; Ms. Revell – yes; Mr. Scott –absent.

Dr. Patton informed the Board that Ms. Lisa Blackford is no longer employed with the City of Portsmouth. In her place, Ms. Susan Evan, the City Controller, will be attending the EDA meetings with Mrs. Spivey.

Ms. Jiggetts indicated that according to Robert's Rules of Order, the monthly financials should be voted on to be "submitted for audit," not for Board approval.

Ms. Revell presented the following slate of officers for FY2019: Chairman – Ms. Revell, Vice Chairman – Mr. Kelley, and Treasurer – Ms. Jiggetts.

ACTION: On a motion by Ms. Revell and seconded by Mr. Hinds, the Commissioners approved the following slate of officers for FY2019: Chairman – Ms. Revell, Vice Chairman – Mr. Kelley, and Treasurer – Ms. Jiggetts. **Roll Call Vote:** Mr. Hinds – yes; Ms. Jiggetts – yes; Mr. Kelley –yes; Ms. Link – absent; Ms. Revell – yes; Mr. Scott –absent.

Ms. Revell reviewed the Local Incentives Program (LIP) ad hoc committee's suggested changes to the Program: the Program will be available throughout the entire City of Portsmouth; Façade Improvement Grant maximum amount will be \$25,000.00; Interior Build Out Grant maximum amount will be \$25,000.00; the Safety and Security Grant maximum will remain at \$2,000.00. The Director of Economic development will have the authority to approve LIP applications up to \$5,000.00 without Board approval; LIP applications between \$5,000.00 and \$10,000.00 will be reviewed and approved (or denied) after a conference call between the Director and the ad hoc committee members; and any LIP application over \$10,000.00 and any applications received from shopping centers will be presented to the full EDA Board for approval. The Director will provide a monthly update to the Board of any

applications approved with his authority. The LIP funds are awarded on a first come, first served basis for applications that are approved.

ACTION: On a motion by Ms. Revell and seconded by Ms. Jiggetts, the Commissioners approved the above referenced changes to the Local Incentives Program, effective July 1, 2018. **Roll Call Vote:** Mr. Hinds – yes; Ms. Jiggetts – yes; Mr. Kelley –yes; Ms. Link – absent; Ms. Revell – yes; Mr. Scott –absent.

Mr. Moore reported that all eight (8) EDA-owned properties which Divaris Commercial Real Estate has listed for sale are under contract, close to closing or under discussions with prospective buyers. Mr. Moore reviewed statistical website “hit” information received from Divaris concerning the EDA properties listed on LoopNet and the Divaris web pages.

Mr. Moore reported that on July 17, 2018 the EDA and PPIC would hold a joint meeting. The meeting will begin at 8:00 a.m. in the 6th Floor Conference Room at City Hall. The Commissioners were asked to submit to Mr. Moore any topics they would like to discuss with the PPIC.

Mr. Bob Baldwin presented information concerning Community Development Block Grant (CDBG) Guidelines.

ACTION: At 9:03 a.m., on a motion by Mr. Kelley and seconded by Ms. Jiggetts, 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 Virginia Code authorizing discussion 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 acquisition or disposition of real property interests where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body (3125 Victory Boulevard, Tax Parcel 0493-0080; 0 Victory Boulevard, Tax Parcel 0524-0021; 801 Court Street, Tax Parcel 0009-0180) (3). **Roll Call Vote:** Mr. Hinds – yes; Ms. Jiggetts – yes; Mr. Kelley – yes; Ms. Link –absent; Ms. Revell – yes; Mr. Scott – absent.

ACTION: At 9:20 a.m., on a motion by Mr. Kelley and seconded by Ms. Jiggetts, 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, be included in the Authority’s minutes of this meeting, 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 (Act); NOW, THEREFORE, BE IT HEREBY RESOLVED 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. Link –absent; Ms. Revell – yes; Mr. Scott – absent.

Mr. Moore read the following resolution:

WHEREAS, Udeagha A. Agbai or his assigns (“Purchaser”) has offered to purchase 3125 Victory Boulevard, Tax Parcel 0493-0080 (the “Property”) for the sum of One Hundred Thousand Dollars (\$100,000) (the “Purchase Price”); and WHEREAS, the Purchase Price is fair and reasonable considering that development of the Property is significantly impacted by the existence of wetlands; and WHEREAS, EDA has negotiated a Purchase Agreement with Purchaser (the “Agreement”) to convey the Property for the Purchase Price; and

WHEREAS, conveyance of the Property will place it back on the tax rolls and further private development within the city;

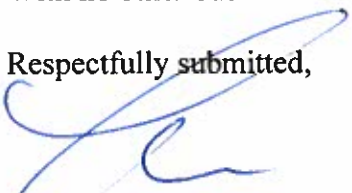
NOW, THEREFORE, it is hereby RESOLVED that:

1. The Chair is authorized to execute the Agreement on behalf of EDA.
2. The Chair, Vice Chair, and 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. Kelley and seconded by Ms. Jiggetts, the Commissioners approved the Purchase Agreement to sell 3125 Victory Boulevard to Udeagha A. Agbai; and authorized the Chair, Vice Chair, and Secretary to take such actions and execute all documents necessary. **Roll Call Vote:** Mr. Hinds – yes; Ms. Jiggetts – yes; Mr. Kelley – yes; Ms. Link –absent; Ms. Revell – yes; Mr. Scott – absent.

With no other business before the Board the meeting was adjourned at 9:25 a.m.

Respectfully submitted,



Robert D. Moore
Secretary