

**Economic Development Authority of the City of Portsmouth**

**October 20, 2020**

**Electronic Meeting via GoToMeeting**

**COMMISSIONERS PRESENT:**

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

**ALSO PRESENT:**

Robert D. Moore – Secretary  
Brian Donahue – Assistant Secretary  
Jeff Miller – Deputy City Attorney  
Kelsey Swieringa – Assistant City Attorney  
LaVoris Pace – Interim City Manager  
Elizabeth M. Psimas – City Councilwoman  
Patti Phillips- Finance Consultant

**ABSENT:**

Kyle J. Kovachik – Treasurer

**GUEST:**

Laura Harden- Cherry Bekaert  
Luke Reynolds- Cherry Bekaert

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Due to the novel coronavirus pandemic, this EDA meeting was held electronically via GoToMeeting pursuant to Ordinance No. 2020-21; each Commissioner attended the meeting electronically.

The Chairman called the meeting to order at 8:04 a.m. The Chairman stated that the meeting was being held electronically, and identified the notices provided to the public to access the meeting.

The minutes from the September 15, 2020 meeting were reviewed.

**ACTION:** On a motion by Mrs. Saunders-Smith and seconded by Mr. Barber, the Commissioners approved the minutes from the September 15, 2020 meeting as presented.

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

Ms. Laura Harden and Mr. Luke Reynold, from Cherry Bekaert, presented the Annual Audit Report ending June30, 2020 and 2019.

**ACTION:** On a motion by Mr. Barber and seconded by Ms. Drewry, the Commissioners approved the Annual Audit Reports presented by Cherry Bekaert.

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

Mr. Moore and Mr. Donahue provided information regarding the COVID-19 Business Recovery Grant Program.

Mr. Moore reported that a FaceBook page has been created for Portsmouth Economic Development. Mr. Moore also reported that a survey concerning the economy of Portsmouth has been created and posted on FaceBook, Linked In, and Twitter. Results will be presented at the November EDA meeting.

**ACTION:** At 8:57 a.m. on a motion by Mr. Mitchell and seconded by Ms. Smith, the Authority entered a closed electronic meeting pursuant to Virginia Code subsections 2.2-3711 A.3 and 2.2-3708.2 A.3 and City Council Ordinance 2020 - 102 for the purpose of discussing the acquisition and 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 1000 Block of Fifth Street and the 1100 Block of London Boulevard, the GPDC properties, 409 McLean, and office space at 200 High Street . **Roll Call Vote:** Mr. Barber – yes; Ms. Drewry – yes; Mr. Kovachik – absent; Mr. Mitchell – yes; Ms. Saunders-Smith – yes; Ms. Smith – yes; Mr. Smith – yes.

City Councilwoman Psimas remained for the Closed Meeting.

**ACTION:** At 10:02 a.m., on a motion by Mr. Mitchell and seconded by Ms. Saunders-Smith, 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. Kovachik – absent; Mr. Mitchell – yes; Ms. Saunders-Smith – yes; Ms. Smith – yes; Mr. Smith – yes.

**ACTION:** On a motion by Mr. Barber and seconded by Ms. Drewry, the Commissioners approved the following resolution:

**RESOLUTION**  
**(1000 Block of Fifth Street)**  
**(Sale of Property)**

WHEREAS, it has been a directive of City Council to attempt to reduce the number of small lots held by public entities, and return these lots to the tax rolls; and

WHEREAS, EDA and the City collectively own a number of lots in the vicinity of the 1000 block of Fifth Street; and

WHEREAS, the lots include 523 Edwards Street (Tax Parcel 0039-0500), 513 Edwards Street (Tax Parcel 0039-0480), 1000 Fifth Street (Tax Parcel 0039-0470), 1004 Fifth Street (Tax Parcel 0039-0460), 1008 Fifth Street (Tax Parcel 0039-0450), 1020 Fifth Street (Tax Parcel 0039-0450), 1024 Fifth Street (Tax Parcel 0039-0400), 1026 Fifth Street (Tax Parcel 0039-0390), 1102 Fifth Street (Tax Parcel 0039-0250), 1104 Fifth Street (Tax Parcel (0039-0240), 1112 Fifth Street (Tax Parcel 0039-0230), and 1101 Fifth Street (Tax Parcel 0023-0500) (individually and collectively, the “Lots”); and

WHEREAS, A4 Properties, LLC (“Developer”) has submitted a proposal to purchase the Lots for a price of \$12,000 per buildable lot (with the understanding that the Lots will be resubdivided by Developer to create a total of five buildable lots) (the “Purchase Price”); and

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

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

WHEREAS, conveyance of any Lots currently owned by the City is subject to conveyance of said Lots from the City to the 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 Lots 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 Lots and related closing documents) as may be necessary or desirable in furtherance of the conveyance of the Lots in accordance with the Agreement.

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

**ACTION:** On a motion by Mr. Barber and seconded by Mrs. Saunders-Smith, the Commissioners approved the following resolution:

**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 October 22, 2020; and

WHEREAS, Developer has been diligent in pursuing the development, including obtaining zoning and major subdivision plat approvals, and has made three 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 for an additional three months;

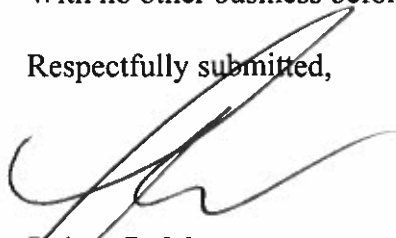
NOW, THEREFORE, it is hereby RESOLVED that:

2. The amendment of the Agreement to extend the Feasibility Period through January 21, 2021 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.

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

With no other business before the Board the electronic meeting was adjourned at 10:06 a.m.

Respectfully submitted,



Robert D. Moore  
Secretary