

# Economic Development Authority of the City of Portsmouth

March 21, 2017

6<sup>th</sup> Floor Conference Room, City Hall  
801 Crawford Street, Portsmouth, VA

The Chairman called the meeting to order at 8:04 a.m.

**COMMISSIONERS PRESENT:** Dean A. Thomasson – Chairman  
Junius L. Thompson – Vice Chairman  
Aaron J. Kelley - Treasurer  
Anthony W. Hinds  
Miriam J. Jiggetts  
Cathy Revell

**ALSO PRESENT:** Mallory C. Butler – Secretary  
Solomon Ashby – City Attorney  
Jeffrey S. Miller – Assistant City Attorney  
Dr. L. Pettis Patton – City Manager  
Paige D. Cherry – Vice Mayor  
Elizabeth M. Psimas – City Councilwoman  
Alice Kelly – CFO  
Vincent Jones – Deputy City Manager  
Robert Moore – Business Development Manager

**ABSENT:** Don L. Scott

**GUESTS:** John L. Rowe – Mayor  
Rick Weddle – President & CEO, HREDA  
Tony Goodwin – Statewide Commercial

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The minutes from the February 21, 2017 meeting were reviewed. Mr. Thomasson indicated that Ms. Jiggetts would like her absence to be shown as “due to illness.”

**ACTION:** On a motion by Mr. Hinds and seconded by Mr. Thompson, the Commissioners approved the minutes from the February 21, 2017 minutes with the above requested correction. **Roll Call Vote:** Mr. Hinds – yes; Ms. Jiggetts – abstained as she was absent from the meeting; Mr. Kelley – yes; Ms. Revell – yes; Mr. Scott – absent; Mr. Thomasson – yes; Mr. Thompson – yes.

Ms. Kelly reported that errors were found in the January 2017 Financial Statements, which also impacted the February Statements. She indicated that the errors will be rectified and corrected January and February statements, as well as March 2017 Statements will be presented at the April meeting.

Mr. Thomasson reminded the Commissioners that the first joint EDA meeting with City Council is scheduled for April 24, 2017 and will begin at 5:00 p.m. He encouraged all the Commissioners to make an effort to attend. Ms. Jiggetts indicated that she felt this will be an opportunity to delve into the incentives offered to attract more investment to the City and to grow the businesses that are already here. Councilwoman Psimas shared that the format of the joint meeting will be informal. She and the City Manager suggested staff prepare three frames of background information/introduction for the meeting.

Ms. Butler reminded the Commissioners that are interested in attending the Virginia Industrial Development Authorities Institute (VIDA), which is scheduled from May 16 – 17, 2017 in Charlottesville, VA to get their completed applications to Staff. By registering as a group a reduced registration fee will be afforded. Mr. Miller addressed the issue of having more than two commissioners attending this event; he indicated that it is not against the law to have more than two commissioners at a training session or conference, however they must keep in mind not to hold conversations concerning the business of the EDA if more than two commissioners are present.

Ms. Butler reported that the development agreement on 15 of the 30 acres of property located at 409 McLean Street has expired and the nursing home/rehab project is no longer viable. The full 30 acres will now be added to the contract with Divaris.

Mr. Ashby reported that a judge has been appointed to the matter between the EDA and Victory Crossing Developers II LLC. The matter can now move forward.

Ms. Butler reported that the Portsmouth State of the City Address is scheduled for Wednesday, April 19, 2017 at the Renaissance Hotel and asked if the EDA would like to purchase a table of 10 seats for \$450.00. Mr. Thomasson, Mr. Thompson, Ms. Revell and Ms. Jiggetts RSVP'd immediately. Mr. Hinds and Mr. Kelley will check their calendars, and staff will contact Mr. Scott.

Mr. Thomasson reported that Ms. Jiggetts and Mr. Kelley have agreed to sit on an ad hoc committee to work on the EDA's FY2018 budget. Ms. Jiggetts asked the commissioners to reach out to the committee if they have thoughts or requests for the budget.

Ms. Butler reported that Dr. Patton will be presenting the City's Proposed FY2018 budget to City Council on Monday, March 27, 2017 and it is open to the public.

Ms. Kelly introduced Ms. Lisa Blackford from her staff who will be working in conjunction with staff on the FY2018 budget.

Mr. Rick Weddle, President and CEO of the Hampton Roads Economic Development Alliance (HREDA) presented an update regarding their regional strategy and their 5-year job creation plan.

Ms. Butler introduced Tony Goodwin from Statewide Commercial, broker representing a contract purchaser for 602 PortCentre Parkway.

Mr. Goodwin indicated that his client is Restore Church, a non-traditional style church which has been occupying space at the Virginia Sports Hall of Fame. During the title review process under the purchase contract, the Church's title company determined that 602 PortCentre Parkway is subject to two enforceable deed restrictions in favor of EDA. These deed restrictions require that the property not be conveyed to a tax exempt entity and that the property be used for an office/warehouse and shop facility. As the IDA sold the property with the restrictions in 1998 and the restrictions are scheduled to expire in 2018, Mr. Goodwin requested that EDA (as IDA's successor) release the restrictions. Ms. Butler stated that EDA would discuss consideration of the request in closed session.

**ACTION:** At 9:26 a.m., on a motion by Mr. Thompson and seconded by Mr. Hinds, the Authority entered into a Closed Meeting, WHEREAS, the Virginia Freedom of Information Act provides that the Board of Commissioners may hold closed meetings for certain purposes set forth in Paragraph 2.2-3711(A) of the Code of Virginia of 1950, as amended ("Code"); and WHEREAS, the Board desires to enter into a closed meeting for the purposes set forth below; and WHEREAS, in compliance with the requirements of the Code the topics to be discussed are set forth below, and the sub-paragraphs of Paragraph 2.2-3711(A) authorizing discussion of the topics in closed session are set forth in parentheses after each topic; Now, Therefore, be it resolved that in compliance with the Freedom of Information Act and the above-referenced sections of the Code, the Board of Commissioners shall meet in Closed Meeting on March 21, 2017 for the purposes of discussing: disposition of publicly held real property interests where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body (1500 block of High Street and 602 PortCentre Parkway) (3). **Roll Call Vote:** Mr. Hinds – yes; Ms. Jiggetts – yes; Mr. Kelley – yes; Ms. Revell – yes; Mr. Scott – absent; Mr. Thomasson – yes; Mr. Thompson – yes.

**ACTION:** At 9:45 a.m., on motion by Mr. Thompson and seconded by Mr. Hinds, 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); and whereas, Section 2.2-3712.D of the Code of Virginia requires a certification by the Commissioners of the Authority that such closed meeting was conducted in conformity with the Act. Now, therefore, be it hereby resolved that the following certification shall be included in the Authority's minutes of this meeting along with any statement regarding any alleged departure in accordance with Section 2.2-3712.D of the 1950 Code of Virginia, as amended: 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. Revell – yes; Mr. Scott – absent; Mr. Thomasson – yes; Mr. Thompson – yes.

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**ACTION:** On a motion by Mr. Hinds and seconded by Ms. Revell, the Commissioners resolved to direct the Chairman to execute a Development Rights Option Agreement with 1541 High Street Partners, LLC for the 1500 Block of High Street. **Roll Call Vote:** Mr. Hinds – yes; Ms. Jiggetts – yes; Mr. Kelley – departed; Ms. Revell – yes; Mr. Scott – absent; Mr. Thomasson – yes; Mr. Thompson – yes.

With no other business before the Board the meeting was adjourned at 9:47 a.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "M. C. Butler".

Mallory C. Butler  
Secretary