

**Economic Development Authority of the City of Portsmouth  
July 18, 2023  
9:00 AM**

**COMMISSIONERS PRESENT:** Malcom Mitchell – Chairman  
Neal J. Barber – Vice Chairman  
Anthony Brown  
Cathy Drewry – Treasurer  
Theresa J. Saunders-Smith

**ALSO PRESENT:** Brian Donahue – Secretary  
Kelsey Swieringa – Assistant City Attorney  
Mimi Terry – Interim City Manager  
Vernon Tillage – City Council Liaison

**ABSENT:** Flora Berisha – Finance  
Kyera Pope – Finance  
Pattie Phillips – Finance  
Barbara Smith – Commissioner  
LaToya Boone – Commissioner  
William Moody – City Council Liaison  
Jeff Miller – Deputy City Attorney  
Alisa Winston – PRHA

**GUESTS:** Mark Hugel – City Councilman  
Janey Culpepper – City Assessor  
Steve Edwards – City Assessor’s Office  
Wayne Hines – City Assessor’s Office  
Mikiela Grassley – City Assessor’s Office

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**Welcome & Call to Order**

- The Chairman called the meeting to order at 9:03 a.m.

**Roll Call**

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

**Minutes**

- The minutes from the June 20, 2023, Regular Meeting were presented.

**ACTION:** On a motion by Ms. Saunders-Smith and a seconded by Mr. Barber, the Commissioners approved the minutes from the June 20, 2023 Regular Meeting as presented.

**Roll Call Vote:** Mr. Barber - yes; Ms. Drewry - yes; Mr. Mitchell - yes; Mr. Brown - yes, Ms. Saunders-Smith yes; Mrs. Smith - absent; Ms. Boone – absent. Approved 5-0 vote.

**Old Business**

- **1021, 1107 High St.:** Mr. Donahue, presented the Board with a third extension request to the Purchase and Sale Agreement for 1021-1107 High St. The status of the project was discussed by the Commissioners. The request will extend the Permitting Period to January 19, 2024.

**ACTION:** On a motion by Mr. Barber and seconded by Ms. Drewry, the Commissioners approved the third extension to the Purchase and Sale Agreement for 1021-1107 High St.

**Roll Call Vote:** Mr. Barber - yes; Ms. Drewry - yes; Mr. Mitchell - yes; Mr. Brown - yes; Ms. Saunders-Smith yes; Mrs. Smith - absent; Ms. Boone – absent. Approved 5-0 vote.

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

WHEREAS, pursuant to a resolution adopted on March 16, 2021 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, by Resolution adopted on June 27, 2022 the Board authorized the extension of the Permitting Period under the Agreement until January 20, 2023; and

WHEREAS, by Resolution adopted on January 17, 2023 the Board authorized the extension of the Permitting Period under the Agreement until July 20, 2023; and

WHEREAS, Developer has submitted a site plan for City review, but the review process was delayed because Developer was required to obtain an amended Use Permit from City Council to address stormwater design issues; and

WHEREAS, City Council approved the amended Use Permit on May 23, 2023; and

WHEREAS, Developer has requested to extend the Permitting Period expiration date for six months, with the new expiration date being January 19, 2024; and

WHEREAS, it is in the interest of both parties to allow the Developer additional time to attempt 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 19, 2024, together with such minor additional amendments as may be required to conform the Agreement to the new expiration date, is hereby approved. The amendment shall provide that Developer shall have no right to extend the Permitting Period beyond January 19, 2024 without the consent of the EDA Board of Commissioners in its sole discretion.

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.

### **New Business**

- **Portsmouth@Work Briefing:** Mrs. Nahla Saleh, Manager of Workforce Development, provided a presentation on the Portsmouth@Work workforce development program that included a comprehensive review of new programs being offered, community outreach efforts, and new tracking and data collection protocols.
- **Business Investment Grant Program Update:** Mrs. Aimee Tracy, Business Development Specialist, provided an update on the FY24 Business Investment Grant Program and reviewed the status of prior grant recipients from calendar year 2022.
- **EDA Property Update:** Mr. Donahue provided an update on the disposition of EDA owned properties and those under contract for acquisition.

### **Closed Meeting**

**ACTION:** At 10:30 a.m. on a motion by Mr. Barber and seconded by Mr. Brown, the EDA 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 the disposition of 425 Madison Street.

**Roll Call Vote:** Mr. Barber - yes; Ms. Drewry - yes; Mr. Mitchell - yes; Mr. Brown - yes, Ms. Saunders-Smith yes; Mrs. Smith - absent; Ms. Boone – absent. Approved 5-0 vote.

### **Open Meeting**

**ACTION:** At 10:44 a.m., on a motion by Mr. Barber, second by Mr. Brown, the EDA 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 - yes; Mr. Mitchell - yes; Mr. Brown - yes, Ms. Saunders-Smith - yes; Mrs. Smith - absent; Ms. Boone – absent. Approved 5-0 vote.

**ACTION:** On a motion by Mr. Mitchell and seconded by Mrs. Saunders-Smith, the EDA moved to add 425 Madison St. as an Agenda item.

**Roll Call Vote:** Mr. Barber - yes; Ms. Drewry - yes; Mr. Mitchell - yes; Mr. Brown - yes, Ms. Saunders-Smith - yes; Mrs. Smith - absent; Ms. Boone – absent. Approved 5-0 vote.

**ACTION:** On a motion by Mr. Barber and seconded by Mrs. Saunders-Smith, the Commissioners adopted the following resolution authorizing the sale of 425 Madison St.

**Roll Call Vote:** Mr. Barber - yes; Ms. Drewry - yes; Mr. Mitchell - yes; Mr. Brown - yes, Ms. Saunders-Smith - yes; Mrs. Smith - absent; Ms. Boone – absent. Approved 5-0 vote.

**RESOLUTION**  
**(425 Madison Street)**  
**(Purchase and Sale Agreement)**

WHEREAS, J.H. Hardy, Inc. or its assigns (the “Developer”) has proposed to purchase 425 Madison Street (Tax Parcel 0023-0540) (the “Property”) for use as a parking lot; 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 \$7,330.00 (the “Purchase Price”); and

WHEREAS, the Property is a small parcel that is surplus and of no strategic value to EDA; and

WHEREAS, the conveyance of the Property to the Developer will increase the City’s tax base and lower EDA’s property maintenance expenses;

NOW, THEREFORE, it is hereby RESOLVED that:

2. 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. Barber inquired about the status of adding staff for the management of the EDA’s real estate. Mr. Donahue and Interim City Manager Terry advised that the matter is being reviewed with the City’s Finance Department to determine how a position can be accommodated.

**Report Backs**

- Mr. Donahue advised the Commissioners that Mr. Cliff Hayes, Chief Information Officer will present an update on the City’s Broadband Infrastructure at the September EDA Meeting.
- Mr. Donahue informed the Commissioners that there is a need to establish a working group to develop the EDA’s Minority Participation Policy. It was requested that the Chair appoint Commissioners to serve on a committee.

EDA Meeting  
July 18, 2023

**Adjourn**

The meeting adjourned at 10:43 a.m.

Respectfully submitted,

Brian Donahue, Secretary

Malcom Mitchell, Chair