

COMMISSIONERS' REGULAR ELECTRONIC MEETING
August 19, 2020

Resolution(s) Passed:

20-13 Resolution authorizing the Interim CEO, or her designee, to execute and deliver the Special Warranty Deed and certain other documents necessary or convenient to perform RRHA's obligations under that certain Disposition and Development Agreement between RRHA and Center Creek Homes, LLC, and Ratifying the Interim CEO's execution of the same

MOTIONS: Johnson/Jones

VOTE: Aye: Coleman, Gooden, Hardiman, Johnson, Jones, Kessler

ABSTAIN: None

ABSENT: Blount, Olds

20-14 Resolution approving the donation of 4120 Government Road to the City of Richmond

MOTIONS: Gooden/Johnson

VOTE: Aye: Coleman, Gooden, Hardiman, Johnson, Jones, Kessler

ABSTAIN: None

ABSENT: Blount, Olds

20-15 Resolution authorizing the Interim CEO, or her designee, to negotiate an Amendment to the Disposition and Development Agreement with Jackson Commons Partnership, LLC and to execute any documents required by such Amendment

MOTIONS: Coleman/Gooden

VOTE: Aye: Coleman, Gooden, Johnson, Jones, Kessler

ABSTAIN: Hardiman

ABSENT: Blount, Olds

MINUTES OF THE REGULAR ELECTRONIC MEETING
OF THE COMMISSIONERS OF
RICHMOND REDEVELOPMENT AND HOUSING AUTHORITY
HELD VIA GOTOMEETING
IN RICHMOND, VIRGINIA
ON WEDNESDAY, AUGUST 19, 2020

In Attendance via GoToMeeting:

Board of Commissioners

Neil Kessler, Vice Chairman
Jonathan Coleman
Robley Jones
Basil Gooden
Barrett Hardiman
W. R. "Bill" Johnson, Jr.

Absent

Veronica Blount, Chairman
Marilyn Olds

RRHA Staff

Stacey Daniels-Fayson, Interim Chief Executive Officer

Vice Chairman Kessler served as Chairman for this meeting. Chairman Kessler called the meeting to order at 5:37 p.m. with Cory Wolfe serving as Legal Counsel. A quorum was established.

General Counsel Comments

This meeting is an electronic meeting called and conducted in accordance with City of Richmond Ordinance No. 2020-093 (the "Ordinance"), which was ordained under the authority conferred unto the City by Va. Code § 15.2-1413. The Board is meeting by entirely remote means and a quorum of the Board is not physically assembled. The Board is conducting an electronic meeting due to the novel coronavirus (Covid-19) pandemic, which has made it unsafe for a quorum of Board members to physically assemble in a single location. RRHA's Board of Commissioners is a "public body" within the meaning of the Virginia Freedom of Information Act (Va. Code § 2.2-3700 *et seq.*), as well as Section 1(B)(5) of the Ordinance, in that the members of this Board are appointed to office by the City Council.

Notice of this electronic meeting was published on RRHA's website on **Wednesday, August 12, 2020**. That Notice identified that this meeting will be an "electronic meeting" within the meaning of the Ordinance, that the meeting will be conducted through GoToMeeting, and that members of the public could observe and, if applicable, participate in the meeting. Specific instructions to access the meeting by Internet and by phone were disclosed in the Notice. The Notice also directed members of the public to a link at which they could register to deliver public comments in real time in accordance with the Citizens' Comment provisions of this Board's Bylaws. All such requests to speak are delivered to Priscilla Jackson, Executive Administrative Assistant.

Members of the public must register in advance to make public comments in accordance with the Board's Bylaws. To do so, members of the public must access an online link by which they can provide the information required by the Board's Bylaws. These comments must be made at electronic meetings of this Board in real time through the GoToMeeting application, either by Internet or by phone.

In accordance with the Bylaws, no member of the public may address the Board unless they have registered to speak, or have otherwise been called upon by the Chair to speak. Accordingly, all members of the public are instructed to disable any audio or video broadcasts until and unless the Board has called upon such individual to deliver

comments. If a member of the public refuses to disable an audio or video broadcast after having been warned to do so by the Chair, then the individual may be permanently banned from the remainder of the meeting.

Please disable your audio and video broadcasts now.

All members of this body in attendance at this meeting are participating electronically. The members who are participating in this meeting include: (1) Mr. Neil S. Kessler, Chair, (2) Mr. Jonathan Coleman, (3) Mr. Basil Gooden, (4) Mr. Barrett Hardiman, (5) Mr. W. R. "Bill" Johnson, Jr. and (6) Mr. Robley S. Jones.

Members are reminded that all voting during this electronic meeting must be conducted by roll call vote. When a motion is on the floor, I will call each member by name, in alphabetical order, to state their vote individually, until all members are polled.

I have no further comments.

Minutes

The Minutes from the *July 15, 2020 Regular Electronic Board of Commissioners Meeting*, were approved.

1 Motion: (Jones/Coleman) Move to adopt the Minutes from the July 15, 2020 Regular Electronic Board of Commissioners Meeting

Motion Carried

Absent: Blount, Olds

Abstain: Gooden, Hardiman, Johnson

Citizen Information Period

No citizens were scheduled to speak.

Chairman/CEO Reports

Chairman's Comments – Chairman Kessler welcomed the new members; Basil Gooden, Barrett Hardiman and W. R. "Bill" Johnson, Jr. to the Board of Commissioners. He said: *"We look forward to working with you for the next four years. If you have any questions during tonight's proceedings, please don't be bashful, go ahead and ask"*.

Interim Chief Executive Officer's comments – Interim CEO Stacey Daniels-Fayson provided the following comments and/or updates. She said *"I would just like to say a special good evening to our new commissioners and welcome"*.

- She congratulated Angela Fountain and staff for updating the website. She said *"the website is beautiful and the rebranding of our logo is wonderful"*. She encouraged the staff and commissioners to visit the new website.
- We continue to operate with limited staff during this pandemic. Several staff from within the finance and central office departments continue to work remotely.
- The maintenance and property management staff continue to operate on staggered work schedules. They are looking to come back to work full time and have talked

to other housing authorities regarding their practices to return their staff to work during this COVID environment. A meeting will be held to discuss how and when our maintenance and property management staff will return to work full time. Maintenance staff are only addressing emergency and urgent work orders at this time; therefore, additional contractors have been hired to help with the vacancy turns at the various developments. The Human Resources Director is working to bring on additional staff to help with the clean up of our facilities so that the maintenance staff can focus on processing routine work orders.

- The Re-imagining team continues to work on a variety of processes to move the organization forward virtually. The following processes have been implemented:
 - A Rent Café, which is part of our accounting system, has been implemented to provide an avenue for residents to retrieve information.
 - Pay Scan has been implemented to assist the finance department with filing invoices and checks in an effort to go paperless.
 - DocuSign has been implemented to allow staff to sign documents electronically.
- As part of this COVID pandemic, we have received new funding for the Housing Choice Voucher (HCV) program in approximately \$506,000 in admin fees. An additional \$506,00 in admin fees has been received for the Mainstream Voucher Program as well.
- In terms of the first round of funding that was received from HUD for the Low Income Public Housing (LIPH) and the (HCV) programs, we are continuing to spend down these funds. We met with our local HUD office to discuss opportunities for RRHA to spend the funds. RRHA's LIPH director will develop a plan on how to expend those funds.
- The HCV program received approximately \$404,000 in admin fees for the operations of the program. The director of this program has developed a plan on how to expend those funds.
- In terms of our efforts to redevelop Creighton Court, we have partnered with the city and requested \$150,000 for planning engagement funds so that we can begin the engagement process with our residents.
- A kickoff was held last week with RRHA, The Community Builders (TCB), RRHA's development partner, and the Creighton Court Resident Council to discuss relocation and answer any questions in terms of the relocation approach.
- The eviction moratorium under the CARES Act ended on July 24th. We were planning to move forward with our lease enforcements, but due to the state moratorium that was in effect until September 7th, we have not filed any unlawful detainers or evicted any of our residents.
- RRHA's legal counsel provided information on the following legislative items:
 - Senate Bill 5051 renews the CARES Act eviction moratorium for Virginia renters and landlords and was extended until April 30, 2021. The issue for

the Housing Authority is that this particular item is unfunded, so this will be a challenge for RRHA to continue an eviction moratorium for that length of time.

- Senate Bill 5088 will require landlords to offer mandatory repayment agreements to families who are behind on their rent.
- Senate Bill 508-6 will identify who is eligible for repayment agreements.
- o There are several grant opportunities that RRHA is planning to apply for:
 - Choice Neighborhood Planning Grant. The City has agreed be a co-sponsor on this particular planning grant. The amount of the grant \$450,000.00. The challenge is that the deadline to submit the grant is September 12th. A consultant has been hired to assist us with this process.
 - HUD has provided information on the the ConnectHOME 2020 Cohort. The the goal of this particular program is to assist selected communities to bring affordable digital resources to the residents. We plan to apply for this grant.
 - HUD has advertised for the Emergency and Non Presidentially Declared Natural Disaster Grant. This grant is for \$20 million. Examples of emergencies that can be used for this particular grant will be related to elevator failures, boiler failures, water intrusion causing mold growth. Staff will meet to discuss how to apply for this grant.
 - The Home Mobility Demonstration Grant will provide voucher assistance and mobility services to families with children to encourage such families to move to lower poverty areas, to expand their access to opportunity areas, and to evaluate the effectiveness of this strategy pursued under the demonstration program. The deadline for this grant is October 13th. The Director of the Housing Choice Voucher Program is heading up applying for this grant.
- o The Interim CEO held meetings with the following individuals:
 - Met with Mayor Stoney on July 22nd. The repayment agreements, eviction moratorium, Wi-Fi, and childcare needs were discussed at this meeting. Updates on RRHA's development efforts were also discussed.
 - Met wiith Councilwoman Lynch on August 17th to discuss the Rental Assistance Demonstration program (RAD) properties.
- o RRHA's Open House in the Village event honoring RRHA scholarship recipients was held at the John Marsahl on July 28th. The event was very successful. Sponsors for the event were the LouWalton Company, The Harry Company, and Richmond Council President Cynthia Newbille. All students received computers from the Harry Company.
- o The Mayor's office issued a press release regarding the city surveying families on childcare needs to ensure that working families have access to high quality emergency childcare options. RRHA staff has held internal discussions regarding

childcare needs as it relates to our residents. Ralph Stuckey, Director of Resident Services, and his team conducted a survey of our residents. Out of the 600 residents, 120 participants responded to the survey. It looks like there is approximately a 50% increase in terms of childcare needs for our residents.

- o In terms of the Wi Fi needs for residents, staff has held discussions with Verizon as well as T-Mobile. Staff will be following up with Verizon and T-Mobile on Wi-Fi internet options.

Committee Updates

Interim CEO, *Stacey Daniels-Fayson* stated that the *Administration and Finance Committee* did not meet during the month of August 2020.

Deputy Chief Real Estate Officer, *Desi Wynter* stated that the *Real Estate and Community Development Committee* met on August 17, 2020. The following items were reviewed and discussed:

- RAD project for the scattered sites and family and senior developments. The financing plan has been submitted for Richmond Family 1 and Family 2 which consists of the Fulton, Afton, Bainbridge, Stovall and Randolph communities. We will continue to work with HUD and other partners to financially close on this project.
- Several community meetings were held with Councilwoman Lynch to discuss projects located in the 5th district.
- The RAD program for Fay Towers is Baker School. Baker School is currently under construction. Lease up is anticipated for July 2021. Staff met with Baker School residents to discuss the process of the development.
- Discussions were held with the city regarding predevelopment funding for Creighton.
- Met with the Creighton Tenant Council to get their feedback and input on the process as RRHA moves forward with transforming the 504 apartments in the Creighton development.
- Armstrong Renaissance Project - Phases 1A and 1B are almost fully leased. Phase 2A is under construction; lease up is anticipated to begin in September 2020. Construction on Phase 2B is anticipated to begin in the Fall.
- RRHA will submit an application for the Choice Neighborhood Grant for Gilpin Court.

Resolution(s)

Agenda Item No. 1 - Resolution authorizing the Interim CEO, or her designee, to execute and deliver the Special Warranty Deed and certain other documents necessary or convenient to perform RRHA's obligations under that certain Disposition and Development Agreement between RRHA and Center Creek Homes, LLC, and Ratifying the Interim CEO's execution of the same

(20-13) WHEREAS, the Richmond Redevelopment and Housing Authority ("RRHA"), through its Board of Commissioners (the "Board"), authorized the Chief Executive Officer (the "CEO"), or their designee, to enter into a Disposition and Development Agreement for certain real estate located at

709 Cameo Street, Richmond, VA 23220
711 Cameo Street, Richmond, VA 23220
4 ½ W. Jackson Street, Richmond, VA 23220
1201 Idelwood Avenue, Richmond, VA 23220; and

WHEREAS, RRHA entered into the aforementioned Disposition and Development Agreement with Center Creek Homes, LLC; and

WHEREAS, RRHA and Center Creek Homes, LLC desire to proceed with, respectively, the conveyance and development of the aforementioned real estate in accordance with all terms and conditions in the Disposition and Development Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of RRHA:

1. That the Interim CEO of RRHA, or her designee, is authorized and directed to negotiate, execute, and deliver the Special Warranty Deed and any such further or additional instruments as may be necessary to effect the disposition of the certain parcels more particularly described in, and in full accordance with the aforementioned Disposition and Development Agreement; and
2. That the Interim CEO of RRHA, or her designee, may execute negotiate, execute, and deliver the Special Warranty Deed and any such further or additional instruments as may be necessary to effect the disposition of the aforementioned certain parcels without subsequent approval of this Board; and
3. That the Board hereby ratifies the Interim CEO's execution, on behalf of RRHA, of the Special Warranty Deed and any such further or additional instruments as may be necessary to effect the disposition of the aforementioned certain parcels in accordance with the terms of the Disposition and Development Agreement; and
4. That all authority granted under this Resolution is contingent on Center Creek Homes, LLC's successful performance, as determined by the Interim CEO or her designees, of all terms and conditions in the Disposition and Development Agreement.

2 Motion: (Johnson/Jones) Move to adopt Resolution 1

Motion Carried

Absent: Blount, Olds

Agenda Item No. 2 - Resolution approving the donation of 4120 Government Road to the City of Richmond

(20-14) WHEREAS, RRHA currently owns certain real estate commonly known as 4120 Government Road, Richmond, Virginia 23231 (the "Property"); and

WHEREAS, the Property's size and dimensions are such that it has no development or resale value and renders the Property surplus to RRHA's real estate needs; and

WHEREAS, the City of Richmond (the "City") recently received grant funding from the Federal Highway Administration to develop a paved, shared-use path in the Fulton Community; and

WHEREAS, the Property will further the City's goals of improving public spaces, access to transportation, and safety for pedestrians and cyclists and will further RRHA's goals of improving access to opportunities, including public green spaces and transportation; and

WHEREAS, the City recently requested that RRHA donate the Property to the City and require no monetary consideration in exchange; therefore

BE IT RESOLVED that the Chief Executive Officer, or her designee, is authorized and directed to negotiate, execute and deliver a signed Special Warranty Deed to convey the Property to the City for no monetary consideration.

3 Motion: (Gooden/Johnson) Move to adopt Resolutions 2

Motion Carried

Absent: Blount, Olds

Agenda Item No. 3 - Resolution authorizing the Interim CEO, or her designee, to negotiate an Amendment to the Disposition and Development Agreement with Jackson Commons Partnership, LLC and to execute any documents required by such Amendment

(20-15) WHEREAS, RRHA and Jackson Commons Partnership, LLC ("Jackson Commons") previously entered into that certain Disposition and Development Agreement, dated September 29, 2003 (the "DDA"); and

WHEREAS, pursuant to the DDA, RRHA conveyed certain parcels of real estate to Jackson Commons, who agreed to complete certain development on the aforementioned parcels; and

WHEREAS, Jackson Commons now desires to convey some of the aforementioned parcels to Better Housing Coalition ("BHC"), a Virginia non-stock corporation, to allow BHC to develop affordable housing; and

WHEREAS, RRHA sees this as an opportunity to further its goal of increasing quality, affordable housing in the City of Richmond; therefore

BE IT RESOLVED that the Interim Chief Executive Officer, or her designee, is authorized and directed to negotiate, execute and deliver an amendment to the DDA that (i) consents to Jackson Commons' conveyance of certain parcels of real estate to BHC in exchange for payment to RRHA of not less than Thirty Percent (30%) of the gross sales prices of the parcels, (ii) releases the DDA and any other interest RRHA has in the conveyed parcels, including any deed restrictions or rights of reversion which may constitute an interest of RRHA

in the concerned real estate, and (iii) reserves all other rights and obligations under the DDA; and

BE IT FURTHER RESOLVED that the Interim Chief Executive Officer, or her designee, is authorized and directed to negotiate, execute and deliver any other document reasonably necessary to complete RRHA's obligations under the aforementioned amendment to the DDA.

4 Motion: (Coleman, Gooden) Move to adopt Resolutions 3

Motion Carried

Absent: Blount, Olds

Abstain: Hardiman

Closed Session

At 6:14 p.m., Commissioner Jones asked to go into Closed Session and read the following motion:

I move that we go into closed session to consult with legal counsel and staff regarding the following matters:

- (1) The disposition of interests in publicly-held real property, particularly the release of certain use or other deed restrictions which inure to RRHA's benefit on certain parcels of real property in the Jackson Ward neighborhood of Richmond, the discussion of which, if held in an open meeting, would adversely affect RRHA's bargaining position or negotiating strategy, as permitted by Va. Code § 2.2-3711(3); and*
- (2) Consultation with legal counsel and briefings by staff members pertaining to probable litigation, particularly potential litigation related to breaches of a certain real estate development contract to which RRHA is party, which consultation or briefings, if held in an open meeting, would adversely affect RRHA's negotiating or litigation posture, as permitted by Va. Code § 2.2-377(7).*

5 Motion: (Jones/Johnson) Move to go into Closed Session.

Motion Carried

Absent: Blount, Olds

At 6:37 p.m., Commissioner Jones asked to leave Closed Session.

6 Motion: (Jones/Gooden) Move to leave Closed Session.

Motion Carried

Absent: Blount, Olds

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of Commissioners of the Richmond Redevelopment and Housing Authority (the "Board") 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; and

WHEREAS, Section 2.2-3711(B) of the Code of Virginia of 1950, as amended, requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

7 Motion: (Jones/Kessler) Move to accept the Certification of Closed Meeting

Motion Carried

Absent: Blount, Olds

Adjournment

There being no further business, the meeting adjourned at 6:40 p.m.



Chairman

Interim Chief Executive Officer/Secretary