

COMMISSIONERS' REGULAR BOARD MEETING
October 19, 2021

Resolution(s) Passed:

- 21-17 Resolution approving the Interim Chief Executive Officer to begin HUD's Section 18 Process for the Calhoun Family Investment Center
- MOTIONS:** Hardiman/Pitchford
VOTE: Aye: Blount, Gooden, Hardiman, Johnson, Jones, Kessler, Pitchford
ABSTAIN: None
ABSENT: Coleman, Shelton
- 21-18 Resolution Approving a Certain Master Development Agreement for a Rental Assistance Demonstration ("RAD") and Low-income Housing Tax Credit (LIHTC) Preservation Transaction at Townes at River South I and II (the Property) and Authorizing the CEO to Execute and Deliver the Same
- MOTIONS:** Kessler/Blount
VOTE: Aye: Blount, Gooden, Hardiman, Johnson, Jones, Kessler, Pitchford
ABSTAIN: None
ABSENT: Coleman, Shelton
- 21-19 Resolution Approving the Interim Chief Executive Officer to begin HUD's Section 18 Process for Mosby Court Public Housing Family Community
- MOTIONS:** Johnson/Kessler
VOTE: Aye: Blount, Coleman, Gooden, Hardiman, Johnson, Jones, Kessler, Pitchford
ABSTAIN: None
ABSENT: Shelton

MINUTES OF REGULAR MEETING
OF THE COMMISSIONERS OF
RICHMOND REDEVELOPMENT AND HOUSING AUTHORITY
HELD AT ARMSTRONG RENAISSANCE
1665 NORTH 31ST STREET, RICHMOND, VIRGINIA
ON TUESDAY, OCTOBER 19, 2021

Board of Commissioners

In Attendance In-Person:

Dr. Basil I. Gooden, Chairman
Veronica Blount
Barrett Hardiman
W. R. Bill Johnson, Jr.
Robley Jones
Neil Kessler

In Attendance via GoToMeeting:

Jonathan Coleman
Charlene Pitchford
Patrice Shelton

RRHA Staff

Stacey Daniels-Fayson, Interim Chief Executive Officer

Chairman Basil Gooden called the meeting to order at 6:10 p.m. with Ben Titter serving as General Counsel. A quorum was established.

Chairman Gooden thanked Commissioner Kessler for his great work and tremendous leadership during this time as Acting Chairman of the Board of Commissioners. In addition, he thanked former Chair Veronica Blount as well as Interim CEO Stacey Daniels-Fayson for their leadership during this time. He said *"I want to thank the Board for the confidence that they have placed in me to lead over the next two years. I look forward to working together in a spirit of unity and transparency"*.

General Counsel Comments

This meeting is being conducted in accordance with the Virginia Freedom of Information Act. A quorum of the Board is physically assembled at the Armstrong Renaissance in the city of Richmond. Due to the COVID-19 pandemic, which has made it unsafe for persons to gather in a single indoor location, this meeting is also available via GoTo Meeting in accordance with Va. Code § 2.2-3708.2(E).

Notice of this meeting was published on RRHA's website on **Monday, October 4, 2021**. That Notice identified that this meeting is available through GoToMeeting, and that members of the public could observe and participate. Specific instructions to access the meeting by Internet and by phone were disclosed in the Notice, which also directed members of the public to a link where they could register to deliver public comments. All requests to speak are delivered to Priscilla Jackson, Executive Administrative Assistant.

Members of the public must register in advance in accordance with the Board's Bylaws in order to make public comments during the meeting. To register, members of the public must access an online link by which they can provide the registration information required by the Board's Bylaws. Public comments must be made at electronic meetings of this Board in real time through the GoToMeeting application, either by Internet or by phone. Written comments will not be accepted and will not be included in the minutes of this meeting.

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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.

The members who are participating in this meeting include: (1) Commissioner Veronica Blount, (2) Commissioner Jonathan Coleman**, (3) Commissioner Basil Gooden, Chairman, (4) Commissioner Barrett Hardiman, (5) Commissioner Bill Johnson, (6) Commissioner Robley Jones (7) Commissioner Neil Kessler, (8) Commissioner Charlene Pitchford**, and (9) Commissioner Patrice Shelton**.

[** denotes Commissioners who participated in the meeting electronically via GoTo Meeting]

Members are reminded that all voting during this meeting will 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 *August 23, 2021 Board Work Session, September 21, 2021 Board/Real Estate Retreat and the September 23, 2021 Regular Board of Commissioners Meeting* were approved.

Motion: (Hardiman/Blount) Move to adopt the Minutes from the August 23, 2021 Board Work Session, September 21, 2021 Board/Real Estate Retreat and the September 23, 2021 Regular Board of Commissioners Meeting

Motion Carried Unanimously

Absent: None

Citizen Information Period

Michael Williams Kemeti addressed the Board of Commissioners regarding procurement. He said *"I would hope that the Board and the organization can make much bigger steps towards transparency and towards being an integral and effective part of the community"*.

COVID Update

Amy Popovich, with the Virginia Health Department provided a brief update on the numbers and data outreach response for COVID-19.

- Level of community transmission is HIGH in both Richmond and Henrico.
- RHHD is administering COVID-19 booster shots with appointments. Residents getting their primary series can continue to walk-up.

- Cases in both districts have been decreasing over the past month, with a 7-day total case rate of 135.83 new cases per 100,000 population in Richmond and 142.37 new cases per 100,000 population in Henrico (compared to 200.92 and, 167.16 respectively, last week).
- RHHD will continue to operate community hubs throughout Richmond and Henrico: Henrico West, East Henrico Rec. Center, Second Baptist Church Southside, and Richmond City Health District.
- As of October 18, 2021, 61.9% of adults in Richmond and Henrico have received at least one dose of a COVID-19 vaccine.

Covid-19 Vaccination Updates

- FDA Full Approval for Pfizer.
- 3rd Doses for Immunocompromised.
- Booster Doses.
 - Pfizer authorized under EUA for 6-month booster, Pfizer Primary Series, at least 18, Recommended for 65+, 18+ underlying medical conditions and occupational/institutional settings.
 - Moderna- ACIP meeting scheduled 10/20 -10/21.
 - Janssen- ACIP meeting scheduled 10/20 - 10/21.
- Awaiting 5-11-year old authorization for Pfizer.

Parliamentary Procedures

Commissioner Jones provided information on parliamentary procedures for the Board of Commissioners meeting for the month of October. He distributed a Parliamentary Procedure Pointer from Robert's Rules of Order on motions to Reconsider and Rescind.

- Motion to Reconsider - "to bring back a question from the same session as if it had not been voted on".
- Motion to Rescind – "change an action previously taken or ordered".

City and State Funding and Legislative Requests

Interim Chief Executive Officer Daniels-Fayson provided the following update on city and state funding and legislative requests.

- RRHA, city staff and state delegates met to discuss potential state funding for RRHA projects. The discussion centered on Gilpin, Creighton and Mosby Courts. RRHA provided a 20 year ask and was requested to narrow that ask to five years for a project that's already underway. Staff provided information and requested \$27 million for Creighton Court (including infrastructure and construction costs).
- A follow up meeting will be held with the city and state delegates.

"Come Current" Campaign

Interim Chief Executive Officer, Daniels-Fayson provided the following update on the "Come Current" Campaign.

- 1,130 residents have interviewed with their manager to apply for rental assistance.
- RRHA has submitted 1,023 applications for rental assistance.
- To date, approximately 648 residents have been approved for rent relief.
- TV ads and other outreach efforts continues for the “Come Current” campaign.

Calhoun Center and Pool Update

Interim Chief Executive Officer, Daniels-Fayson provided the following update on the Calhoun Center Pool.

- On October 18, 2021, RRHA staff provided Mayor Stoney, Councilwoman Lambert, Christopher Frelke and Commissioners Johnson and Pitchford with a tour of the Calhoun Center. A brief discussion was held regarding options and opportunities for the pool.
- RRHA staff also met with city staff to begin discussions regarding the Calhoun Center, more specifically the timeline for submitting the Section 18 application, developing the MOU between RRHA and the City and defining roles and responsibilities for the project.
- The Mayor has proposed that RRHA receive \$8 million in funding from the American Rescue Plan Act for the Calhoun Center.

Creighton Court Redevelopment

Deputy Chief Real Estate Officers, Desi Wynter and Alicia Garcia provided the following update on the Creighton Court Redevelopment project.

- Staff is waiting to receive a final decision from city council regarding the Mayor’s recommendation of funding for Creighton Court infrastructure from the American Rescue Plan funds.
- Relocation activities continues for the families of Creighton Court. Seventy families have chosen their housing options.

Chairman/Interim CEO Reports

Chairman’s Comments – Chairman Gooden provided the following comments. He thanked Commissioner Kessler for his service and said *“I look forward to continuing to build on the relationships that you’ve built here in Richmond and the work that you’ve done. I also look forward to working with the Commissioners to move us forward and working with the staff and the team in a respectful, unified, and transparent manner”*.

Interim Chief Executive Officer’s comments – Interim CEO Stacey Daniels-Fayson provided the following updates and comments.

- COVID-19.
 - Vaccination efforts continues for RRHA employees and residents; 82% of employees have been vaccinated.
 - OSHA is working on a temporary, emergency standard that will require all employers with 100 or more employees to ensure that their

workforce is fully vaccinated or require unvaccinated workers to provide a negative COVID-19 test result before coming to work.

- Repayment Agreements.
 - There are 696 outstanding repayment agreements: the approximate total value is \$751,000.
- Meetings were held with various partners and organizations throughout the month.

Committee Updates

Deputy Chief Real Estate Officer, *Desi Wynter* stated that the *Real Estate and Community Development Committee* met on October 18, 2021. The following items were reviewed and discussed:

- Resolutions for Townes at River South and Mosby Court.
- Creighton Court Infrastructure Funding and Relocation.
- Calhoun Center.
- Positions for Real Estate.
- Mosby Court.
- Jackson Place.
- Blackwell Lots.
- Nine Mile Road.
- Jackson Commons Homeownership.
- Neighborhood Homeownership Initiative.
- Highland Grove.
- Senior Cottages.
- Baker School.

Commissioner Jones commended Desi Wynter and his team for their work on the Baker School project.

The *Administration and Finance Committee* met on October 18, 2021.

Commissioner Jones provided an update on the following items:

- Procurement Policy.
 - The Commissioners comments on the Procurement Policy are due to Commissioner Jones by October 28, 2021.
- Agency Vacancies.
- Procurement, MBE and Section III Reporting.
- Cash Flow and August Financials.

Interim Chief Operating Officer, *Kenyatta Green* stated that the *Property Management and Assisted Housing Committee* met on October 13, 2021. The following items were reviewed and discussed:

- Calhoun Center.
- “Come Current” Campaign.

- o Re-imagining Committee
- o Housing Choice Voucher Homeownership Program.
- o Annual Plan.
- o Procurement Vendor Criteria Policy.
- o R.I.S.E. Program.

Resolution(s)

Agenda Item No. 1 – Resolution approving the Interim Chief Executive Officer to begin HUD’s Section 18 Process for the Calhoun Family Investment Center

(21-17) WHEREAS, RRHA currently owns a certain building commonly known as The Calhoun Family Investment Center (the “Property”); and

WHEREAS, the Property is an important location for RRHA, families residing in RRHA-owned properties, and the community; and

WHEREAS, the Property is in need of significant repair and ongoing routine maintenance; and

WHEREAS, the City of Richmond (the “City”) recently expressed a desire to acquire ownership of the Property and has committed funds received under the American Rescue Plan, Pub. L. 117-2, to the ownership, repair, and maintenance of the Property; and

WHEREAS, by partnering with the City, RRHA can ensure that the Property continues to serve families residing in RRHA-owned properties and the community; and

WHEREAS, transferring the Property to the City requires that RRHA complete and submit an application to HUD under Section 18 of the Housing Act of 1937 and its implementing regulations at 24 CFR Part 970; therefore

BE IT RESOLVED that the Interim Chief Executive Officer, or her designee, is authorized and directed to:

1. Work with the City to prepare the necessary application; and
2. Take any action reasonably necessary to prepare the necessary application, including but not limited to resident engagement; and
3. Present the completed application to the Board for review and consideration prior to its submission to HUD.

Motion: (Hardiman/Pitchford) Move to adopt Resolution #1

Motion Carried Unanimously

Absent: Coleman, Shelton

Note: due to technical difficulties, Commissioner Coleman was not able to vote on Resolution #1.

Agenda Item No. 2 – Resolution Approving a Certain Master Development Agreement for a Rental Assistance Demonstration (“RAD”) and Low-income Housing Tax Credit (LIHTC) Preservation Transaction at Townes at River South I and II (the Property) and Authorizing the CEO to Execute and Deliver the Same

(21-18) WHEREAS, on November 13, 2017, the Richmond Redevelopment and Housing Authority (“RRHA”), Board of Commissioners (the “Board”), approved the Rental Assistance Demonstration application submission for Stovall, Bainbridge, Fulton, Randolph, Afton, Old Brook, Fourth Avenue,

Lombardy, Fox Manor, Decatur, Stonewall, Townes of [at] River South, Blackwell Cottages, Dove I and Dove II; and

WHEREAS, the Rental Assistance Demonstration allows public housing authorities to convert public housing developments into long-term, project-based Section 8 rental assistance contracts in order to generate access to private debt and equity and address immediate and long-term capital needs through rehabilitation of the property; and whereby existing residents are not permanently relocated.

WHEREAS, on May 2, 2018, the U.S. Department of Housing and Urban Development approved RRHA's application awarded RRHA a Commitment to enter a Housing Assistance Payments (CHAP); subsequently amended May 12, 2021; and

WHEREAS, RRHA has negotiated a Master Development Agreement with Related Affordable LLC. ("Related"), attached hereto as Exhibit A, which memorialize the parties' agreement to the fundamental business terms concerned in the RAD conversion; and

WHEREAS, it is the desire of the Board that RRHA, through its Interim CEO, execute the MDA.

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

1. That Related will work as RRHA's developer-partner as memorialized by the MDA; and
2. That the Board ratifies and approves of the content and form of the MDA, to otherwise effect the RAD conversion; and
3. That the Interim Chief Executive Officer of RRHA is hereby authorized to execute the MDA without further action by this Board, and to deliver the same to Related; and
4. That the Interim Chief Executive Officer of RRHA is hereby authorized to negotiate, execute, and deliver any such further or additional instruments as may reasonably be necessary or required to affect the RAD conversion and to consummate the transactions contemplated the MDA.

Motion: (Kessler/Blount) Move to adopt Resolution #2

Motion Carried Unanimously

Absent: Coleman, Shelton

Note: due to technical difficulties, Commissioner Coleman was not able to vote on Resolution #2.

Agenda Item No. 3 – Resolution Approving the Interim Chief Executive Officer to begin HUD's Section 18 Process for Mosby Court Public Housing Family Community

(21-19) WHEREAS, RRHA currently owns a certain building commonly known as Mosby Court (the "Property"); and

WHEREAS, in accordance with the Physical Needs Assessment, the Property is considered Physically Obsolete in which the necessary modification and/or rehabilitation is not cost-effective; and

WHEREAS, the Department of Housing and Urban Development HUD has made various strategies available to public housing agencies to reposition public housing developments; and

WHEREAS, repositioning the Property requires that RRHA complete and submit an application to HUD under Section 18 of the Housing Act of 1937 and its implementing regulations at 24 CFR Part 970; therefore

BE IT RESOLVED that the Interim Chief Executive Officer, or her designee, is authorized and directed to:

1. Take any action reasonably necessary to prepare the necessary application, including but not limited to resident engagement; and
2. Present the completed application to the Board for review and consideration prior to its submission to HUD.

Motion: (Johnson/Kessler) Move to adopt Resolution #3

Motion Carried Unanimously

Absent: Shelton

Motion: (Jones/Kessler) Move to Rescind the September 23, 2021

Motion

Discussion: After the Motion was made, the Board tabled the discussion on the Motion to rescind the September 23, 2021 Motion until the Board comes out of Closed Session.

Closed Session

At 7:38 p.m., Commissioner Jones asked to go into Closed Session and read the following motion:

I move that we go into closed meeting to consult with Legal Counsel employed by RRHA regarding the following:

1. *Specific legal matters requiring the provision of legal advice by counsel, particularly RRHA's Barment Policy, as permitted by Section 2.2-3711(A)(8) of the Virginia Freedom of Information Act; and*
2. *Actual litigation, specifically the matter of LaFonda Page v. RRHA, because such consultation in an open meeting would adversely affect the litigating posture of RRHA, as permitted by Section 2.2-3711(A)(7) of the Virginia Freedom of Information Act.*

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

Motion Carried Unanimously

Absent: Shelton

At 9:46 p.m., Commissioner Jones asked to come out of Closed Session.

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.

Motion: (Jones/Hardiman) Move to come out of Closed Session

Motion Carried Unanimously

Absent: Shelton

Motion: (Jones/Kessler) Move to Rescind the September 23, 2021

Motion relating to removing certain people from the Barment List

Motion Carried

Aye: Blount, Coleman, Gooden, Jones, Kessler, Pitchford

Nay: Hardiman, Johnson

Absent: Shelton

Adjournment

There being no further business, the meeting adjourned at approximately 9:50 p.m.


Chairman


Interim Chief Executive Officer/Secretary