

**ECONOMIC DEVELOPMENT AUTHORITY
of the
CITY OF HAMPTON, VIRGINIA**

Minutes – Regular Meeting

October 19, 2021 – 8:30 a.m.

Veteran’s Conference Room

CALL
TO ORDER

Secretary Rigney called the meeting to order at 8:30 a.m.

SWEARING IN
CEREMONY

Linda Smith, Clerk of Court for the City of Hampton, Virginia, administered the Oath of Office for new EDA board member Valda V. Claiborne.

Mr. Rigney introduced Ms. Claiborne and asked her to give a brief overview about herself. Ms. Claiborne said she was the Executive Director of United and Empowered Care located in Hampton and she is currently serving on the Mayor’s Committee for People with Disabilities. The board members welcomed Ms. Claiborne.

DIRECTORS
PRESENT

Richard M. Bagley, Jr., Valda V. Claiborne, James A. “Pete” Peterson and Laura S. Sandford. Also present was Secretary/Treasurer Charles E. Rigney, Sr.

STAFF
PRESENT

Brian DeProfio, Patricia Melochick, Bonnie Brown, Terry O’Neill, Steven Lynch, Donald Whipple, Olivia Askew, Thomas O’Grady, Daniel Girouard, Terri McCann, Denise Topping and Teresa Hudgins

GUESTS
PRESENT

Mayor Donnie Tuck
Michelle Ferebee

NOMINATING
COMMITTEE

Mr. Peterson reported the Nominating Committee met and recommends the following officers for the remainder of the 2021 calendar year:

L. Scott Seymour, Chair
James A. “Pete” Peterson, Vice Chair

There were no other nominations from the floor. Since this is a motion coming from the Committee no second is required. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Claiborne, Sandford and Peterson
Nays: None

MINUTES

Vice Chair Peterson stated the Minutes from the September 21, 2021 Regular Meeting were distributed. A motion was made by Ms. Sandford and seconded by Mr. Bagley to approve the Minutes as presented. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Claiborne, Sandford and Peterson
Nays: None

RESOLUTION
MICHELLE
FEREBEE

Vice Chair Peterson presented Ms. Ferebee with a Resolution recognizing her service on the EDA board and thanked her for her contributions to the betterment of the City of Hampton. A motion was made by Mr. Bagley and seconded by Ms. Sandford to approve the Resolution as presented. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Claiborne, Sandford and Peterson
Nays: None

Ms. Ferebee thanked the board for the Resolution and said she enjoyed serving the City as a member of the EDA board.

AMEND
AGENDA

Vice Chair Peterson asked for a motion to amend the published Agenda to hear items #9 and #11 before item #4. A motion was made by Mr. Bagley and seconded by Ms. Sandford to amend the Agenda. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Claiborne, Sandford and Peterson
Nays: None

OLD
BUSINESS

Mr. Lynch reported Mr. Smalls, former business Unique Imaging Solutions, is attempting to refinance a property the EDA currently holds as collateral and is proposing to satisfy the outstanding debt (approximate principal balance \$89,082) with a one-time payment of \$50,000. A motion was made by Ms. Sandford and seconded by Mr. Bagley to issue a letter to Mr. Smalls agreeing to accept not less than \$50,000 to settle the debt with Mr. Smalls executing a Debt Forgiveness Agreement. Upon receipt of payment and the executed Agreement, the EDA will forgive the remaining outstanding principal and interest. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Claiborne, Sandford and Peterson
Nays: None

NEW
BUSINESS

Mr. Lynch said Colonial Downs Group, LLC has applied for a use permit to allow live entertainment at Rosie's Gaming Emporium located at 1996 Power Plant Parkway. As owner of the property, the EDA is being asked to execute the Owner Authorization necessary to process the application. A motion was made by Mr. Bagley and seconded by Ms. Sandford to authorize the Chair or Vice Chair, on

behalf of the Economic Development Authority of the City of Hampton, Virginia as property owner, to execute the Owner Authorization necessary to process Use Permit Application No. 21-00020 submitted by Colonial Downs Group, LLC to Operate a Restaurant, with a Retail Alcoholic Beverage License, with Live Entertainment “2”, subject to the signature disclaimer. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Claiborne, Sandford and Peterson
Nays: None

Mr. Lynch and Ms. Melochick advised the board that the Virginia Tech Foundation is concerned that 90 days will not provide sufficient time to relocate from the old AREC Facility to the new AREC Facility and has requested an extension from 90 days to 120 days after the Foundation receives a Certificate of Occupancy from the City of Hampton. A motion was made by Mr. Bagley and seconded by Ms. Sandford to (1) Agree to extend the Time Period for Relocation to the new AREC Facility from 90 days to 120 days pursuant to Section 2.4 of the Omnibus Agreement for the relocation and redevelopment of the Virginia Tech Seafood Agricultural Research and Extension Center Downtown Hampton Waterfront between the Economic Development Authority of the City of Hampton, Virginia and the Virginia Tech Foundation, Inc. with the effective date of August 13, 2020, (2) Amend any related documents as needed to reflect that Agreement, and (3) Authorize the Chair of Vice Chair to execute those Amendments. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Claiborne, Sandford and Peterson
Nays: None

COMMUNITY
PLAN
PRESENTATION

Terry O’Neill gave an overview of the Hampton Community Plan Update Process, which is a two-part planning process (Strategic Plan and Comprehensive Plan). The Strategic Plan has seven (7) focus areas: Economic Growth, Living with Water, Place Making, Educated & Engaged Citizenry, Safe & Clean Community, Family Resiliency & Economic Empowerment and Good Government. The board members noted their goals/objectives as:

Short Term: 5-10 Years

- Safe & Clean Community (firearm issues/observe changes made)
- Living with Water/Quality of Life (capitalize on waterfront developments)
- Housing Availability (available land is a challenge)
- Jobs (Hampton City School plan is to increase graduation rate and decrease dropout rate)
- Invest in resources for infrastructure

Long Term: 20+ Years

- Continue to invest in infrastructure (communications, technologies, utilities, roads)
- Living with Water
- Technology zone between Hampton and Newport News (e.g. NASA, Jefferson Labs)

LOAN & GRANT
REVIEW
COMMITTEE

Ms. Sandford reported the Loan & Grant Review Committee met on October 7, 2021. There were no questions or comments on the EDA Loan Status Report dated September 25, 2021, the EDA Loan/Grant Program Fund Balance Sheet as of September 30, 2021, the EDA Old Point Trust & Financial Services Statement of Account dated September 1, 2021 through September 30, 2021 or the Local Government Investment Pool Investor Statement for the period September 1, 2021 – September 30, 2021.

ECONOMIC
DEVELOPMENT
REPORT

Mr. Rigney left the meeting early so Mr. Lynch reported the updated Status Report on EDA Actions was included in the package. Other items of interest:

- Prospect activity is very high now
- We closed on the Doran tract last week
- Prospect activity on the former Quality Inn site is robust

CLOSED
MEETING

Vice Chair Peterson stated a Closed Meeting will now be held pursuant to (1) Virginia Code §2.2-3711.A.1 for discussion of the assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body and (2) Virginia Code §2.2-3711.A.3 for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property in Hampton Roads Center North, Phoebus and the Shell Road areas of the City, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Authority. A motion was made by Ms. Sandford and seconded by Mr. Bagley to go into the Closed Meeting. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Claiborne, Sandford and Peterson

Nays: None

CERTIFICATION
OF CLOSED
MEETING

Vice Chair Peterson stated it was now appropriate to take a roll call vote and that to the best of our 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 the Closed Meeting was convened were heard, discussed, or considered in the Closed Meeting. Any member who believes there was a departure from the requirements of subdivisions (i) and (ii) shall so state prior to the roll call vote, indicating the substance of the departure that, in his/her judgment has taken place. Such statements shall be recorded in the Minutes.

Vice Chair Peterson asked for any statements. There were none. A motion was made by Mr. Bagley and seconded by Ms. Sandford to conclude the Closed Meeting and return to the Meeting. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Claiborne, Sandford and Peterson
Nays: None

NEW
BUSINESS

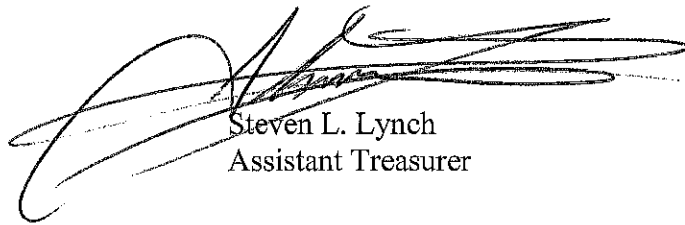
A motion was made by Mr. Bagley and seconded by Ms. Sandford to approve the Memorandum of Understanding with the City Attorney's Office and to authorize the Chair or Vice Chair to execute said document. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Claiborne, Sandford and Peterson
Nays: None

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:20 a.m.

Respectfully submitted,



Steven L. Lynch
Assistant Treasurer

SLL/tbh