

MINUTES OF THE MEETING OF THE FAIRFAX COUNTY
REDEVELOPMENT AND HOUSING AUTHORITY

March 16, 2023

On March 16, 2023, the Commissioners of the Fairfax County Redevelopment and Housing Authority (FCRHA) met in Conference Rooms 9/10 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia.

CALL TO ORDER

FCRHA Chairman Melissa McKenna called the Meeting of the FCRHA to order at 7:00 p.m. Attendance for all, or part of the meeting, was as follows:

PRESENT

C. Melissa McKenna, Chairman
Lenore Stanton, Vice Chair
Staci Alexander
Broderick Dunn
Kenneth Feng
Richard Kennedy
Roderick Maribojoc
Rod Solomon

ABSENT

Elisabeth Lardner
Nicholas McCoy
Kristen Robinson

Also present at the meeting were the following staff of the Department of Housing and Community Development (HCD): Thomas Fleetwood, Director; Amy Ginger, Deputy Director, Operations; Anna Shapiro, Deputy Director, Real Estate, Finance & Development; Vincent Rogers, Director, Policy and Compliance (P&C); Linda Hoffman, Associate Director of Policy, P&C; Brandy Thompson, Management Analyst, P&C; Avis C. Wiley, Client Engagement Manager, P&C; Mike Trent, Network Analyst, Financial Management and Information Systems and Services; Debashish Chakravarty, Associate Director, Real Estate Finance (REF); Peggy Gregory, Director, Rental Assistance; Margaret Johnson, Director, Rental Housing (RH); Pat Tomlinson, Capital Program Manager, RH.

Also in attendance was FCRHA Counsel: Cynthia A. Bailey, Deputy County Attorney; Brett Callahan, Susan Timoner, Alan Weiss and Ryan Wolf, Assistant County Attorneys.

PRESENTATION

Fairfax County Fiscal Year 2024 Budget Outlook – Phil Hagan

At 7:01 p.m., Phil Hagan, Director, Office of Management and Budget, provided the FCRHA Commissioners with a presentation on the Fairfax County Fiscal Year 2024 Budget Outlook.

CITIZEN TIME

The FCRHA Chairman opened citizen time at 7:28 p.m. No one signed up in advance and no one in the audience wanted to speak. The Chairman closed citizen time at 7:28.

FIRST PUBLIC HEARING

Fairfax County Redevelopment and Housing Authority Fiscal Year 2024 Proposed Budget and the Certification that the FY 2024 Proposed Budget is Consistent with the Adopted FCRHA Strategic Plan for FY 2024.

SECOND PUBLIC HEARING

Tax Equity and Fiscal Responsibility Advertisement (TEFRA) Hearing for Tax-Exempt Multifamily Housing Revenue Bonds or Notes in an Aggregate Amount Not to Exceed \$99,000,000 to Finance the 265-Unit Dominion North Four Portion of the Proposed Dominion Square Development (Hunter Mill District).

APPROVAL OF MINUTES

January 19, 2023

Commissioner Alexander moved to approve the Minutes of the January 19, 2023 FCRHA Meeting, which Commissioner Kennedy seconded. The motion passed with Commissioner Maribojoc abstaining.

APPROVAL OF MINUTES

February 23, 2023 Special Meeting

Commissioner Feng moved to approve the Minutes of the February 23, 2023 FCRHA Special Meeting, which Commissioner Alexander seconded. The motion passed with Vice Chair Stanton, Commissioner Dunn and Commissioner Solomon abstaining.

ACTION ITEM

1.

RESOLUTION NUMBER 09-23

Approval to Submit the Fairfax County Redevelopment and Housing Authority
Moving to Work Plan for Fiscal Year 2024 to the U.S. Department of Housing and
Urban Development

BE IT RESOLVED THAT the Fairfax County Redevelopment and Housing Authority (FCRHA) approves the submission to the U.S. Department of Housing and Urban Development of the Moving to Work Plan for Fiscal Year 2024, as contained in the Action Item presented to the FCRHA on March 16, 2023, and authorizes the FCRHA Chairman to sign the HUD-promulgated Moving to Work Certifications of Compliance for the Plan.

Commissioner Kennedy moved to adopt Resolution Number 09-23, which Commissioner Dunn seconded. The motion passed unanimously.

ACTION ITEM

2.

RESOLUTION NUMBER 10-23

Authorization to Request a Partial Transfer of the Fairfax County Redevelopment and Housing Authority's Annual Contributions Contract (ACC) of 141 Project Based Voucher Units at Culpepper Garden I to the Arlington County Department of Human Services, VA

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) authorizes the Department of Housing and Community Development (HCD) to complete a request for a partial transfer of its Annual Contributions Contract (ACC) of 141 project-based voucher units at Culpepper Garden I to the Arlington County Department of Human Services, VA;

BE IT FURTHER RESOLVED THAT the FCRHA authorizes HCD to request the partial transfer to the U.S. Department of Housing and Urban Development (HUD) at least 90 days prior to the projected effective date;

BE IT FURTHER RESOLVED THAT the FCRHA authorizes HCD to complete all transfer activities needed as determined by HUD, HCD and Arlington County, VA:

BE IT FURTHER RESOLVED THAT the FCRHA authorizes its Chairman, Vice Chairman, Secretary or any Assistant Secretary to execute all documents necessary or appropriate to finalize the actions as presented to the FCRHA in the Action Item on March 16, 2023.

Commissioner Solomon moved to adopt Resolution Number 10-23, which Commissioner Kennedy seconded. The motion passed unanimously.

ACTION ITEM

3.

RESOLUTION NUMBER 11-23

Approval of the Fairfax County Redevelopment and Housing Authority
Student Scholarship Program

BE IT RESOLVED THAT the Fairfax County Redevelopment and Housing Authority (FCRHA) approves the creation and launch of a student scholarship program, as outlined in the Action Item presented to the FCRHA on March 16, 2023, and amended to include information on employment history as a factor in the evaluation criteria for scoring applications, and authorizes the use of \$50,000 to annually fund the program beginning in Calendar Year 2023.

After discussion, Commissioner Kennedy moved to adopt Resolution Number 11-23, amending the resolution to include employment history as a factor in the evaluation criteria for scoring applications, which Vice Chair Stanton seconded. Commissioner Feng opposed, all other Commissioners supported, and the motion passed by a 7-1 margin.

ACTION ITEM

4.

RESOLUTION NUMBER 12-23

Approval of Expenditure to Replace the Roof at 3700 Pender Drive
(Providence District)

BE IT RESOLVED, that the Fairfax County Redevelopment and Housing Authority (FCRHA) authorizes the use of \$256,000 of the Unrestricted Operating Reserve for the roof replacement at 3700 Pender Drive as part of the energy infrastructure improvements for the Pender Drive office building that were approved at the FCRHA meeting on October 20, 2022.

Commissioner Solomon moved to adopt Resolution Number 12-23, which Commissioner Feng seconded. The motion passed unanimously.

ACTION ITEM

5.

RESOLUTION NUMBER 13-23

Authorization, Subject to Board of Supervisors Approval, to Issue Tax-Exempt Multifamily Housing Revenue Bonds or Notes in an Aggregate Amount Not to Exceed \$99,000,000 to Finance the 265-Unit Dominion North Four Portion of the Proposed Dominion Square Development (Hunter Mill District)

WHEREAS, the Fairfax County Redevelopment and Housing Authority (the “Authority”) is a political subdivision of the Commonwealth of Virginia, established pursuant to the Virginia Housing Authority Law, Title 36, Chapter 1, *Code of Virginia*, 1950, as amended (the “Act”), and is authorized thereby to issue its notes and bonds from time to time to fulfill its public purposes within the meaning of the Act; and

WHEREAS, pursuant to and in accordance with the Act, the Authority desires to issue and sell its multifamily housing revenue bonds or notes in one or more series or subseries pursuant to a plan of finance in the aggregate principal amount not to exceed \$99,000,000 (the “Bonds”) on a tax-exempt basis, for the project known as Dominion North Four (the “Project”), located on Spring Hill Road, Vienna, Virginia, in the Hunter Mill District; and

WHEREAS, the proceeds of the Bonds will be loaned to the owner of the Project, APAH Tysons North Four Limited Partnership, to finance, together with other sources, the construction of 265 multi-family rental housing units in the Project for households with incomes up to 60 percent of Area Median Income; and

WHEREAS, the Bonds will be limited obligations, payable from the revenues pledged thereto pursuant to the trust indenture or other agreement pursuant to which the Bonds will be issued; and as required by the Act, the Bonds shall not be a debt of Fairfax County, Virginia, the Commonwealth of Virginia or any political subdivision thereof (other than the Authority) and neither Fairfax County, Virginia, nor the Commonwealth of Virginia or any political subdivision thereof (other than the Authority) will be liable thereon, nor in any event shall the Bonds be payable out of any funds other than those received by the Authority pledged therefor, and the Bonds shall not constitute an indebtedness by the Authority within the meaning of any constitutional or statutory debt limitation or restriction; and

WHEREAS, Thomas Fleetwood, as Assistant Secretary on behalf of the Authority, executed a Declaration of Intent evidencing the Authority's intent to issue and sell the Bonds in an aggregate principal amount not to exceed \$99,000,000; and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), the Authority is required to hold a public hearing ("Tax Equity and Fiscal Responsibility Advertisement (TEFRA) Hearing") in connection with the issuance of the Bonds; and

WHEREAS, the Authority held the TEFRA Hearing on March 16, 2023; and

WHEREAS, for the purposes of compliance with Section 147(f) of the Code, the proposed bond issue must be approved by the Fairfax County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED, that the Authority authorizes all necessary actions be taken in order for the Authority to request the Fairfax County Board of Supervisors to approve the proposed Bond issue as described in the Action Item presented to the Authority at its meeting on March 16, 2023, and submit an application to the Virginia Department of Housing and Community Development for private activity volume cap for the Bonds.

Commissioner Kennedy moved to adopt Resolution Number 13-23, which Commissioner Solomon seconded. The motion passed unanimously.

ADMINISTRATIVE ITEM

1.

RESOLUTION NUMBER 14-23

Certification of the Fairfax County Redevelopment and Housing Authority (FCRHA)
Proposed Fiscal Year (FY) 2024 Budget as Consistent with the Adopted FCRHA
Strategic Plan for FY 2024

NOW THEREFORE, BE IT RESOLVED, THAT the Fairfax County Redevelopment and Housing Authority (FCRHA) certifies, as described in the Administrative Item presented at the March 16, 2023, FCRHA Meeting, that the

proposed Fiscal Year (FY) 2024 FCRHA Budget, which has been duly advertised and was the subject of a public hearing on March 16, 2023, in compliance with Virginia Code Section 36-19.2(B), is consistent with the adopted FCRHA Strategic Plan for FY 2024, approved at the February 23, 2023, FCRHA meeting.

Vice Chair Stanton moved to adopt Resolution Number 14-23, which Commissioner Solomon seconded. The motion passed unanimously.

INFORMATION ITEMS

1. Minutes of the Production, Preservation & Partnerships Committee Meeting – March 8, 2023
2. Summary of the Board of Supervisors' Housing Committee Meeting – February 14, 2023
3. Fairfax County Redevelopment and Housing Authority Housing Choice Voucher and Other Rental Subsidies Calendar Year 2022 Report
4. Fairfax County Redevelopment and Housing Authority Fiscal Year 2022 Portfolio Report
5. FY 2022 Audited Financial Statements for the Fairfax County Redevelopment and Housing Authority and the Single Audit Report
6. FY 2022 Tenant Accounts Receivable Write-Offs

CLOSED SESSION

Commissioner Feng moved that the Fairfax County Redevelopment and Housing Authority ("FCRHA") go into Closed Session, for the following discussion:

1. Pursuant to Virginia Code Section 2.2-3711(A)(7) for the discussion or consideration of the litigation styled *Sandra Barksdale v. FCRHA*, Fairfax County General District Court No. GV230003001-00 (Hunter Mill District)

Commissioner Kennedy seconded the motion. The FCRHA went into Closed Session at 8:18 p.m.

OPEN SESSION

Commissioner Feng moved that the members of the Fairfax County Redevelopment and Housing Authority certify that to the best of their knowledge only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene Closed Session were heard, discussed or considered by the Fairfax County Redevelopment and Housing Authority during Closed Session. Commissioner Kennedy seconded the motion.

The FCRHA took the following roll call vote:

AYE

C. Melissa McKenna, Chairman
Lenore Kelly, Vice Chair
Staci Alexander
Broderick Dunn
Kenneth Feng
Richard Kennedy
Roderick Maribojoc
Rod Solomon

NAY

ABSTAIN

The motion carried and the Open Meeting resumed at 8:25 p.m.

BOARD MATTERS

See Attachment 1.

ADJOURNMENT

The Chairman adjourned the meeting at 8:39 p.m.

C. Melissa McKenna, Chairman

(Seal)

Thomas Fleetwood, Assistant Secretary