

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

October 26, 2006

On October 26, 2006, the Commissioners of the Fairfax County Redevelopment and Housing Authority (FCRHA) met in the FCRHA Board Room, One University Plaza, 4500 University Drive, Fairfax, Virginia.

PRESENTATION

At 6:40 p.m., John Payne, Director, Real Estate and Revitalization Planning Division, gave a presentation on the Policy Recommendations of the High-rise Affordability Panel. The recommendations proposed the use of bonus density and other incentives to promote the inclusion of affordable units in high-rise buildings. Mr. Payne noted that the recommendations were presented to the Board of Supervisors on October 16, 2006. After the presentation, Mr. Payne, along with Commissioner Lee Rau, responded to questions from the Commissioners. Commissioners Egan, Christian, and Lardner congratulated and thanked Commissioner Rau and other Committee members for the time and hard work done on the panel. The Chair congratulated Commissioner Rau, HCD staff and Supervisor Hodgins for participating on the panel. The presentation concluded at 7:15 p.m.

FCRHA Commissioners present for a portion or all of the presentations were: Conrad Egan, Ronald Christian, Martin Dunn, Willard Jasper, John Kershenstein, H. Charlen Kyle, Elisabeth Lardner, John Litzenberger, Al McAloon, Lee A. Rau, and Robert Schwaninger.

CALL TO ORDER

FCRHA Chair Conrad Egan called the meeting of the FCRHA to order at 7:16 p.m. FCRHA Commissioners present or absent for a portion or all of the meeting were as follows:

PRESENT

Conrad Egan
Ronald Christian
Martin Dunn
Willard Jasper
John Kershenstein
H. Charlen Kyle
Elisabeth Lardner
John Litzenberger
Albert McAloon
Lee A. Rau
Robert Schwaninger

ABSENT

Also present at the meeting were the following staff of the Department of Housing and Community Development (HCD): Paula C. Sampson, Director; Mary A. Stevens, Deputy Director; Harry Swanson, Deputy Director of Revitalization and Real Estate; Tom Fleetwood,

Strategic Planner; Curtis Hall, Director, Information Systems and Services; Michael Wever, Associate Director, Rental Services, Office of Housing Management; James Speight, Director Property Improvement and Maintenance Division; Cynthia Ianni, Director, Design, Development and Construction Division (DD&C); Tom Armstrong, Development Officer, DD&C; Susan Retz, Senior Design and Construction Manager, DD&C; Steve Solomon, Director, Financial Management Division (FMD); Aseem Nigam, Director, Real Estate Finance and Grants Management Division (REFGM); Louise Milder, Associate Director, REFGM; Audrey Spencer-Horsley, Associate Director, REFGM; Barbara Silberzahn, Chief, Homeownership and Relocation Services; Derek Dubard, Real Estate Loan Officer, REFGM; Michael Pearman, Management Analyst, REFGM; Steven Knippler, Housing Community Developer, IV, REFGM; Nancy Long, Program Manager, First-Time Homebuyers Program; and Winifred A. Clement, FCRHA Assistant. Other Fairfax County staff in attendance: David Bobzien, County Attorney, Ed Rose, Senior Assistant County Attorney; and Alan Weiss, Assistant County Attorney and FCRHA Counsel.

CITIZEN TIME

The FCRHA Chair opened Citizen Time at 7:16 p.m. Pam Gannon, CSB Director of Facility Planning and Site Development, spoke on behalf of the Community Services Board. Ms. Gannon thanked the FCRHA for inviting her to its 40th Anniversary Dinner and noted that she had a wonderful time. Ms. Gannon invited the Commissioners to the open house for the reopening of the Leland Road Group Home, Sully District, on November 1, 2006, from 5:30 to 8:30 p.m. She also updated the FCRHA on plans to redevelop the Sunrise group home properties, which serves up to 20 youths in mental health crisis.

With no one else signed up and no one in the audience wishing to speak, the Chair closed Citizen Time at 7:25 p.m.

APPROVAL OF MINUTES

A motion was made by Commissioner Christian, seconded by Commissioner Jasper, that the FCRHA approve the Minutes of the September 21, 2006 Meeting as written. A vote was taken, and the motion carried unanimously.

Without objection, the Chair modified the agenda to consider Administrative Item Number 1; Resolution Number 88-06, ahead of the other items.

ADMINISTRATIVE ITEM

1.

RESOLUTION 88-06

COMMENDING KRISTINA NORVELL FOR HER YEARS OF SERVICE
TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY

WHEREAS, Kristina Norvell served as a Public Information Officer and Director of Public Affairs in the Department of Housing and Community Development (DHCD) from 2001 to 2006; and

WHEREAS, during her tenure with DHCD, she executed numerous well-planned and highly successful special events on behalf of the Fairfax County Redevelopment and Housing Authority; and

WHEREAS, in her role as spokesperson for the FCRHA, she provided timely, accurate and responsive information to the media and to citizens;

WHEREAS, Ms. Norvell demonstrated a high level of professionalism as a communicator and ensured that the FCRHA was fully informed throughout her tenure at DCHD;

WHEREAS, Ms. Norvell has left county employment for new career opportunities;

NOW THEREFORE BE IT RESOLVED that the FCRHA expresses its sincere appreciation to Ms. Norvell for her exemplary work on behalf of the FCRHA; and

BE IT FURTHER RESOLVED that the FCRHA wishes Ms. Norvell much happiness and success in all her future pursuits.

A motion was made by Commissioner Rau, seconded by Commissioner Kershenstein, that the FCRHA adopt Resolution Number 88-06.

Each of the Commissioners expressed thanks and appreciation to Ms. Norvell for so ably spearheading HCD public events and praised her for the professionalism she brought to her work. HCD Director praised her for her calmness during difficult times. Ms. Norvell thanked the commissioners for the sentiments expressed, and thanked HCD staff in general for contributing to her success.

A vote was taken after discussion, and the motion to adopt Resolution Number 88-06 carried unanimously.

ACTION ITEMS

1. RESOLUTION NUMBER 82-06

AUTHORIZATION TO ENTER INTO AN AGREEMENT AND TO EXECUTE REQUIRED LOAN DOCUMENTS FOR A \$7.5 MILLION TAX-EXEMPT LINE OF CREDIT FROM UNITED BANK TO BE USED FOR PERMANENT FINANCING OF FCRHA-OWNED RENTAL UNITS AND TO PROVIDE FIRST LIEN DEEDS OF TRUST ON SUCH RENTAL UNITS SO FINANCED AS SECURITY FOR EACH SUCH INDIVIDUAL LINE OF CREDIT LOAN SO FINANCED

BE IT RESOLVED that the FCRHA authorizes entering into an agreement with United Bank for a \$7.5 million tax-exempt line of credit as described in the item presented to the FCRHA at its meeting on October 26, 2006; and

BE IT FURTHER RESOLVED that the FCRHA authorizes the execution and delivery of promissory notes, first deeds of trust, and such other documents as necessary or appropriate, to evidence each draw and to secure United Bank with respect to each FCRHA rental property that is financed with the proceeds of a draw against the United Bank line of credit; and

BE IT FURTHER RESOLVED that the FCRHA hereby authorizes Paula C. Sampson to act as its authorized negotiator, and further authorizes its Chairman, Vice Chairman or any Assistant Secretary to execute all documents and agreements necessary or appropriate in connection with the line of credit loan arrangement with United Bank and each loan draw made thereon for the financing of FCRHA-owned rental units.

A motion was made by Commissioner Dunn, seconded by Commissioner Schwaninger, that the FCRHA Resolution adopt Resolution Number 82-06. A presentation was given by Louise Milder, Associate Director, Real Estate Finance and Grants Management Division. After the presentation Ms. Milder and Ms. Cynthia Ianni, Director of Design, Development and Construction Division, responded to questions from the Commissioners.

Commissioner Dunn commended staff for doing a great job in negotiating the terms of the agreement.

A vote was taken after discussion on Resolution Number 82-06, and the motion carried unanimously.

2. RESOLUTION NO. 83-06

AUTHORIZATION, SUBJECT TO APPROVAL OF THE BOARD OF SUPERVISORS, FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY TO MAKE TWO LOANS IN THE AGGREGATE AMOUNT OF UP TO \$380,381 IN COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS UNDER THE AFFORDABLE HOUSING PARTNERSHIP PROGRAM TO THE JEWISH FOUNDATION FOR GROUP HOMES (HUNTER MILL DISTRICT)

BE IT RESOLVED, that the Fairfax County Redevelopment and Housing Authority (FCRHA) authorizes Paula C. Sampson, Assistant Secretary, to negotiate and authorize the Chairman, Vice Chairman, or any Assistant Secretary of the FCRHA to execute all necessary documents to make two Affordable Housing Partnership Program Loans of up to an aggregate amount of \$380,381 in Community Development Block Grant (CDBG) funds to Jewish Foundation for Group Homes, for the purpose of paying the balances of the mortgages on two properties and to modify the structures as described in the item presented to the FCRHA at its meeting on October 26, 2006.

A motion was made by Commissioner Rau, seconded by Commissioner Dunn, that the FCRHA adopt Resolution Number 83-06. After a brief presentation given by Derek Dubard, Real Estate Loan Officer, REFGM, a vote was taken, and the motion carried unanimously

3. RESOLUTION NUMBER 84-06

AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE PROPOSED REVISED AND UPDATED FALLS CHURCH/JAMES LEE/SOUTHGATE NEIGHBORHOOD IMPROVEMENT PROGRAM AND CONSERVATION PLAN (PROVIDENCE DISTRICT)

NOW, THEREFORE, BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) authorizes advertising a public hearing on the proposed revised and updated Falls Church/James Lee/Southgate Neighborhood Improvement Program and Conservation Plan as presented to the FCRHA at its meeting on October 26, 2006. This public hearing will be held at a special meeting of the FCRHA on November 9, 2006.

A motion was made by Commissioner Lardner, seconded by Commissioner McAloon, to adopt Resolution Number 84-06. A vote was taken, and the motion carried unanimously.

4. RESOLUTION NUMBER: 85-06

AUTHORIZATION TO REALLOCATE AND DISBURSE UP TO \$300,000 FROM FUND 946, FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY REVOLVING DEVELOPMENT FUND, TO THE CRESCENT REDEVELOPMENT PROJECT FOR PROFESSIONAL SERVICES TO PERFORM FEASIBILITY AND TO DEVELOP A CONCEPTUAL PLAN FOR THE PROJECT (HUNTER MILL DISTRICT)

BE IT HEREBY RESOLVED THAT, the Fairfax County Redevelopment and Housing Authority (FCRHA) authorizes the reallocation and disbursement of up to \$300,000 within Fund 946, FCRHA Revolving Development Fund, to Project 014257, Crescent Redevelopment Project, for professional services to perform feasibility and to develop a conceptual plan for the project.

A motion was made by Commissioner Rau, seconded by Commissioner Dunn, that the FCRHA adopt Resolution Number 85-06. A vote was taken and the motion carried unanimously.

Responding to Commissioner McAloon's question about incorporating universal access into the plan for this project, HCD Director Paula Sampson responded that there was time to incorporate it into the plan.

5. RESOLUTION NUMBER 86-06

AUTHORIZATION TO EXECUTE A LETTER OF PERMISSION, PRIOR TO THE EXECUTION OF A PERMANENT EASEMENT, FOR THE PURPOSE OF ALLOWING THE COUNTY TO CONSTRUCT A SIDEWALK ALONG RICHMOND HIGHWAY ON A PARCEL OF LAND OWNED BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY AT THE NORTH HILL (MOUNT VERNON DISTRICT)

WHEREAS, the Fairfax County Redevelopment and Housing Authority (hereinafter called the "Authority") is the owner in fee simple of certain land located along Richmond Highway in Fairfax County, Virginia (the "Land"), Tax Map Number: 92-4-01-82A;

WHEREAS, the Fairfax County Board of Supervisors has adopted the Four Year Transportation Plan which is part of the Richmond Highway Public Transportation Initiative;

WHEREAS, Fairfax County has requested that a portion of the Land along Richmond Highway be made available for the construction of a sidewalk as described in the item presented to the Authority at its meeting on October 26, 2006;

WHEREAS, The Authority wishes to allow construction of a sidewalk on the Land, subject to the reservations of rights described in the item presented to the Authority at its meeting on October 26, 2006;

NOW THEREFORE BE IT RESOLVED that the Authority hereby authorizes Paula C. Sampson, Assistant Secretary, to negotiate and authorizes its Chairman, Vice Chairman, or any Assistant Secretary to execute a letter of permission for the construction of a sidewalk on the Land as in the item presented to the Authority at its meeting on October 26, 2006.

A motion was motion was made by Commissioner Lardner, seconded by Commissioner McAloon, that the FCRHA adopt Resolution Number 86-06. Following discussion, a vote was taken, and the motion carried unanimously.

6. RESOLUTION NUMBER 87-06

AUTHORIZATION, SUBJECT TO APPROVAL BY THE BOARD OF SUPERVISORS, TO REALLOCATE UP TO \$430,000 WITHIN FUND 142, COMMUNITY DEVELOPMENT BLOCK GRANT, TO IMPLEMENT A HOUSING ASSISTANCE PLAN FOR CEDAR RIDGE APARTMENTS (HUNTER MILL DISTRICT)

WHEREAS, the Authority adopted Resolution Number 77-06 authorizing, in part, the creation of a Virginia limited partnership to be known as FCRHA Cedar Ridge LP, which limited partnership will acquire and rehabilitate a 198-unit multifamily rental project-based Section 8 project known as Cedar Ridge (the "Project") located in Reston, Virginia; and

WHEREAS, the acquisition and rehabilitation of the Project will be financed through the issuance of tax-exempt and taxable bonds and participation in the Federal Low Income Housing Tax Credit (LIHTC) program; and

WHEREAS, the Authority has been advised that there are approximately seventeen households that exceed the LIHTC program income eligibility requirements, which will result in a significant impact on the financing plan for the acquisition and rehabilitation of the Project due to the loss of tax credits; and

WHEREAS, the Authority has also been advised that the seventeen households that have been identified as exceeding the LIHTC program income eligibility requirements are not receiving the benefit of the project-based Section 8 assistance available on the Project due to the level of their household incomes; and

WHEREAS, the Authority desires to accommodate these households off-site as part of the Project participating in the LIHTC program and to promote the utilization of the project-based Section 8 assistance by allowing applicants with greater economic needs to be accommodated through the implementation of a Housing Assistance Plan; and

WHEREAS, the Authority also desires to utilize Community Development Block Grant funds to cover the relocation costs under the Housing Assistance Plan; and

NOW, THEREFORE, BE IT RESOLVED, that the Authority authorizes the use of \$430,000 in Fund 142, Community Development Block Grant, to implement the Housing Assistance Plan, as outlined in the item presented to the Authority at its meeting on October 26, 2006.

A motion was motion was made by Commissioner Rau, seconded by Commissioner Jasper, that the FCRHA adopt Resolution Number 87-06. A presentation was given by Michael Pearman. After the presentation, Mr. Pearman and HCD Director Paula Sampson responded to questions from the Commissioners. Following discussion, a vote was taken, and the motion carried unanimously.

7. RESOLUTION NUMBER 92-06

AUTHORIZATION BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING
AUTHORITY TO DRAW DOWN UP TO \$5,500,000 FROM THE BANK OF AMERICA TAX-
EXEMPT LINE OF CREDIT TO BE USED AS INTERIM FINANCING FOR THE
ACQUISITION, PRESERVATION, AND REHABILITATION OF THE JANNA LEE VILLAGE
APARTMENTS BY TWO LIMITED PARTNERSHIPS FORMED BY AHP VIRGINIA, LLC
(LEE DISTRICT)

WHEREAS, on September 21, 2006, the Fairfax County Redevelopment and Housing Authority (FCRHA) authorized a loan guarantee of \$5,000,000 to two limited partnerships formed by AHP Virginia, LLC as described in the item presented to the FCRHA at its meeting on September 21, 2006; and

WHEREAS, the funds were to be used to fund the FCRHA loan in the event the Board of Supervisors (Board) does not appropriate FY 2008 funds to the Janna Lee project; and

WHEREAS, the developer (JLV I Partnership, LP and JLV II Partnership, LP) was unable to receive seller take-back financing in the amount of \$7,500,000; and

WHEREAS, it has been determined that the loan guarantee is not a feasible means of providing assistance to the project and will not be used; and

WHEREAS, the FCRHA desires to assist the developer in acquiring, rehabilitating, and preserving Janna Lee; therefore

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) hereby authorizes a draw of up to \$5,500,000 from its Bank of America tax-exempt line of credit to the Janna Lee project as described in the item presented to the FCRHA at its meeting on October 26, 2006. These funds, along with \$2 million in Fund 319, The Penny for Affordable Housing fund already allocated to the project, will be drawn at the time of acquisition of the project. The line of credit draw of \$5.5 million will be repaid on July 1, 2007 from FY 2008 funds appropriated by the Board; and

BE IT FURTHER RESOLVED, that in the event that the Board does not in fact appropriate funding in the amount of \$8,402,810 in Fiscal Year 2008 from Fund 319, the Penny for Affordable Housing Fund for the Janna Lee Village project, the FCRHA will repay the line of credit and interest on the line of credit from other sources; and

BE IT FURTHER RESOLVED that the FCRHA authorizes Paula C. Sampson, Assistant Secretary, to negotiate all financing terms on behalf of the FCRHA and authorizes its Chairman, Vice Chairman or any Assistant Secretary to execute all documents, agreements, and instruments necessary or appropriate in connection with the making of the financing described in the item presented to the FCRHA at its meeting on October 26, 2006.

A motion was made by Commissioner McAloon, seconded by Commissioner Kyle, that the FCRHA adopt Resolution Number 92-06. A presentation was given by Aseem Nigam, Director of Real Estate Finance and Grants Management Division, on Resolution Number 92-06. After the presentation, Mr. Nigam and HCD Director Paula Sampson responding to questions from the Commissioners

A vote was taken by roll call as follows:

AYE

Conrad Egan
Ronald Christian
Martin Dunn
Willard Jasper
H. Charlen Kyle
Elisabeth Lardner
Al McAloon
Lee A. Rau
Robert Schwaninger

NAY

John Kershenstein
John Litzenberger

ABSTAIN

The motion carried, with Commissioners Kershenstein and Litzenberger voting nay.

Commissioner Egan requested that staff provide a year by year Sources and Uses Chart and include details of what the standards of performance are for which VHDA would hold the FCRHA responsible during the life of the loan. Mr. Nigam was asked to e-mail the requested information to the Commissioners.

8. RESOLUTION NUMBER 93-06

APPROVAL OF AN EXCEPTION TO THE PROVISIONS IN THE PRESERVATION LOAN AND PARTICIPATION AGREEMENT REGARDING THE PRO RATA REPAYMENT OF THE LOAN MADE TO MADISON RIDGE (SULLY DISTRICT)

WHEREAS, the Fairfax County Redevelopment and Housing Authority (FCRHA) authorized the execution of a lending agreement with the Housing Partnership Network for loans from the Preservation Loan Fund in accordance with the form presented at its meeting on July 8, 2005; and

WHEREAS, Wesley Housing Development Corp. (Wesley) submitted a request for financing from the Preservation Loan fund as a source of partial short term financing for the acquisition of the Madison Ridge project; and

WHEREAS, Wesley executed a loan agreement with HPN for interim financing in the total amount of \$2,700,000 of which \$1,000,000 was a loan from the Preservation Loan Fund; and

WHEREAS, Wesley has requested that the FCRHA agree to defer payment of its portion of the short term financing and allow Wesley to pay HPN a portion of its interim financing; and

WHEREAS, the FCRHA wishes to assist Wesley in order to preserve affordable rental housing in Fairfax County;

NOW, THEREFORE, BE IT RESOLVED that the FCRHA approves an exception to the terms in the lending agreement executed with the Housing Partnership Network to allow the repayment of a portion of the HPN loan and to defer payment of the FCRHA portion of the loan until December 2007; and

BE IT FURTHER RESOLVED that the FCRHA approves releasing its second lien on the 98 rental units and approves the remaining condominium units as the collateral for the Preservation Loan Fund loan.

A motion was made by Commissioner Litzenberger, seconded by Commissioner Jasper, that the FCRHA adopt Resolution Number 93-06. A presentation was given by Mr. Alvin Smuzynski, Executive Director, and Rosana Montiguin, Director of Operations, both of Wesley

Housing Development Corporation. After the presentation, Mr. Smuzynski and Ms. Montiquin responded to question from the Commissioners.

Commissioner Egan requested that an analysis requested earlier in the meeting be prepared by the next Finance Committee meeting. HCD Paula Sampson noted that periodical report on the progress of this project will be made to the Commissioners.

A vote was taken on the motion to adopt Resolution Number 93-06, and the motion carried unanimously.

ADMINISTRATIVE ITEMS RESUMED:

2. RESOLUTION 88-06

COMMENDING KRISTINA NORVELL FOR HER YEARS OF SERVICE
TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY

Resolution Number 88-06 was adopted earlier during the meeting.

3. RESOLUTION NUMBER 89-06

APPROVAL OF AN AMENDMENT TO THE PROFESSIONAL AND
CONSULTANT SERVICES LIST

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) hereby adopts the Professional and Consultant Services List as presented to the FCRHA at its October 26, 2006 meeting.

A motion was made by Commissioner Rau, seconded by Commissioner Schwaninger, that the FCRHA adopt Resolution Number 89-06.

3. RESOLUTION NUMBER 90-06

APPROVAL OF: (1) PROPOSED CHANGES TO THE KINGSTOWNE (FOUNDERS RIDGE) HOMEOWNERSHIP OPPORTUNITIES PROGRAM AND THE FIRST-TIME HOMEBUYER DIRECT SALES (MIDS) PROGRAM, AND (2) REVISIONS TO THE COVENANTS OF BOTH THE FOUNDERS RIDGE ~~PROGRAM~~ AND THE FIRST-TIME HOMEBUYER DIRECT SALES (MIDS) PROGRAM

Deleted: COVENANTS

BE IT HEREBY RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) approves implementation of revisions to the Kingstowne (Founders Ridge) Homeownership Opportunities Program to include:

- increasing the control period from 15 to 30 years,
- establishing renewal of the control period at each subsequent sale, whether or not the unit is purchased by the FCRHA, and
- establishing rights of repurchase and resale paralleling those in the Affordable Dwelling Unit Program, and
- provide that every eligible lender and every other lender having a secured interest in the property provide the FCRHA at least 90 days written notice together thereof with a right to cure any such delinquency or default (Right to Cure) and a right to acquire the property (Right to Acquire).

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BE IT FURTHER RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) approves implementation of revisions to the First Time Homebuyer-Direct Sales (MIDS) Program to include:

- establishing renewal of the 30 year control period at each subsequent sale, whether or not the unit is purchased by the FCRHA, and
- establishing rights of repurchase and resale paralleling those in the Affordable Dwelling Unit Program, and
- providing that every eligible lender and every other lender having a secured interest in the property provide the FCRHA at least 90 days written notice together thereof with a right to cure any such delinquency or default (Right to Cure) and a right to acquire the property (Right to Acquire).

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BE IT FURTHER RESOLVED that the (FCRHA) hereby approves the revised Declaration of First-Time Homebuyers Covenants and the Amended and Restated Declaration of First-Time Homebuyers Covenants for Founders Ridge, substantially in the form presented to the FCRHA at its meeting on October 26, 2006, with such additions and modifications as may be needed to further conform the revised covenant forms to reflect changes adopted in the Kingstown (Founders Ridge) Homeownership Opportunities Program and MIDS Redesign.

A motion was made by Commissioner Jasper, seconded by Commissioner McAloon, that the FCRHA adopt Resolution Number 90-06. A brief presentation was given by Barbara Silberzahn. A vote was taken, after discussion and the motion carried unanimously.

4. RESOLUTION NUMBER 91-06

AUTHORIZATION TO EXECUTE A CONTRACT AMENDMENT WITH CERVANTES AND ASSOCIATES, P.C. FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE SUNRISE HOUSE GROUP HOMES AT 3219 AND 3221 WEST OX ROAD SUBJECT TO BOARD OF SUPERVISORS APPROVAL (SULLY DISTRICT)

BE IT RESOLVED, that the Fairfax County Redevelopment and Housing Authority (FCRHA):

1. Authorizes its Chairman, Vice Chairman or any Assistant Secretary to execute a contract amendment for architectural and engineering services with Cervantes and Associate, P.C. in the amount of \$107,800 for 3219 and 3221 West Ox Road, which results in a revised total contract amount of \$124,340; and change orders in an amount not to exceed \$10,780 above the revised contract amount.

2. Authorizes its Chairman, Vice Chairman or any Assistant Secretary on behalf of the FCRHA to execute and deliver all necessary or appropriate documents relating to the contract amendment for architectural and engineering services for 3219 and 3221 West Ox Road with Cervantes and Associates, P.C.

3. Authorizes any Assistant Secretary to execute such documents as may be reasonably necessary to effectuate the design and construction of the 3219 and 3221 West Ox Road in accordance with actions previously approved by the FCRHA.

A motion was made by Commissioner Litzenberger, seconded by Commissioner Kershenstein, that the FCRHA adopt Resolution Number 91-06. Commissioner Litzenberger clarified some issues raised previously regarding the project, which were resolved during a meeting with the Supervisor and Planning Commissioner for Sully District. Commissioner McAloon requested that universal access be included at the planning stage of the project. After the presentation, a vote was taken, and the motion carried unanimously.

INFORMATION ITEMS

1. Fairfax County Redevelopment and Housing Authority Meeting Summary – September 21, 2006
2. Contracts of \$50,000 or Less
3. Minutes of the Housing Ownership, Management, and Security Committee Meeting– October 17, 2006
4. Minutes of the Planning and Development Committee Meeting – October 18, 2006

5. Minutes of the Finance Committee Meeting – October 18, 2006
6. Affordable Dwelling Unit (ADU) Tracking Report – *brief discussion*
7. Notification of Grant Awards for the Fiscal Year 2006 U.S. Department of Housing and Urban Development's Super Notice of Funding Availability – *brief discussion*
8. Fairfax County Redevelopment and Housing Authority Calendars of Meetings for November and December 2006

CLOSED SESSION

A motion was made by Commissioner Dunn, seconded by Commissioner Schwaninger, that the Fairfax County Redevelopment and Housing Authority ("FCRHA") go into Closed Session for (i) discussion and consideration, pursuant to Virginia Code Section 2.2-3711(A)(3), of the acquisition of real property for a public purpose, and (ii) consultation with legal counsel and briefings by staff members pursuant to Virginia Code Section 2.2-3711(A)(7) pertaining to probable litigation and the provision of legal advice.

A vote was taken; the motion carried unanimously, and the FCRHA went into Closed Session at 9:10 p.m.

OPEN MEETING RESUMED

A motion was made by Commissioner Dunn, seconded by Commissioner Kershenstein, 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.

A vote was taken by roll call as follows:

AYE

Conrad Egan
Ronald Christian
Martin Dunn
Willard Jasper
John Kershenstein
H. Charlen Kyle
Elisabeth Lardner
John Litzenberger
Al McAloon
Lee A. Rau
Robert Schwaninger

NAY

ABSTAIN

The motion carried and open meeting resumed at 9:50 p.m.

ACTION ITEMS RESUMED:

9. RESOLUTION NUMBER 94-06

AUTHORIZATION TO NOT CURE THE DEFAULT AND

AUTHORIZATION TO BID/PURCHASE AT THE FORCLOSURE SALE OF 6155 LES
DORSEN LANE, ALEXANDRIA, VA 22306, A FOUNDERS RIDGE UNIT IN THE
KINGSTOWNE DEVELOPMENT IN THE LEE DISTRICT

BE IT HEREBY RESOLVED that the Fairfax County Redevelopment and
Housing Authority (FCRHA)

1. (a) Shall not take action to cure the loan default on the Founders Ridge Property; and

(b) Authorizes the selling/purchase of the Founders Ridge Property not to exceed the selling/purchase price as defined in the Founders Ridge Declaration of Covenants,
2. Authorizes the Chairman, Vice Chairman, or any Assistant Secretary, to negotiate and to execute any and all documents necessary to purchase the Property and resell the Property in accordance with the Founders Ridge program guidelines, and
3. Authorizes drawing upon Fund 143, Moderate Income Direct Sale (MIDS) Resale project not to exceed the purchase price to cover acquisition of the unit and carrying costs, to be repaid from the sale of the unit to a program qualified First Time Homebuyer.

A motion was made by Commissioner McAloon, seconded by Commissioner Rau, that the FCRHA adopt Resolution Number 94-06, as discussed in Closed Session.

A vote was taken after discussion, and the motion carried unanimously.

10. RESOLUTION 95-06

FAILING EFFORTS TO REPURCHASE THE UNIT, AUTHORIZATION TO PURSUE
FORECLOSURE SALE OF AN AFFORDABLE DWELLING UNIT (ADU) IN THE
SPRINGFIELD DISTRICT AS IDENTIFIED DURING CLOSED SESSION

BE IT HEREBY RESOLVED that the Fairfax County Redevelopment and
Housing Authority (FCRHA);

1. Authorizes the Chairman, Vice Chairman, or any Assistant Secretary to negotiate and to execute any and all documents necessary to foreclose on the Deed of Trust held on the property by the FCRHA; and
2. Authorizes the Chairman, Vice Chairman, or any Assistant Secretary, to negotiate and to execute any and all documents necessary to exercise the FCRHA's Right to Acquire the ADU at or before any foreclosure sale in accord with the terms of the Amended and Restated Declaration of Affordable Dwelling Units Covenants recorded against the property; and
3. Authorizes the Chairman, Vice Chairman, or any Assistant Secretary, to negotiate and to execute any and all documents necessary to acquire the Property and resell the Property in accordance with the First Time Homebuyers Program.

A motion was made by Commissioner Kershenstein, seconded by Commissioner Litzenberger, that the FCRHA adopt Resolution Number 94-06, as discussed in Closed Session.

A vote was taken after discussion, and the motion carried unanimously.

BOARD MATTERS – See Attachment #1

ADJOURNMENT

By unanimous consent, the Chair adjourned the meeting at 10:14 p.m.

(Seal)

Conrad Egan, Chair

Paula C. Sampson, Assistant Secretary