

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

December 7, 2006

On December 7, 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., Mary Lou Thompson, Accountant III, Financial Management Division, HCD, presented the Proposed FY 2008 Consolidated FCRHA/DHCD Operating and Capital Budget Plan to the FCRHA. In her presentation, Ms. Thompson noted that there had been a General Fund across-the-board reduction in Personnel Services of \$44,000 in two General Fund-supported funds (Fund 01 – General Fund and Fund 141 – Elderly Housing), plus an additional one percent reduction (another \$44,000) in Personnel Services in these two funds, for a total of \$88,000. The following is the schedule for the FY 2008 budget:

- January 25 - FCRHA's Public Hearing on its FY 2008 Proposed Budget
- February 26 - County Executive's Advertised Budget Released
- April 9, 10, 11 - Board of Supervisors' Budget Public Hearings
- April 23 - Board of Supervisors' Mark-up of FY 2008 Budget
- April 30 - Board of Supervisors' Adoption of FY 2008 Budget

After responding to questions from the Commissioners, Ms. Thompson concluded her presentation at 6:56 p.m.

County Executive Anthony H. Griffin began his presentation at 6:57 p.m., thanked Ms. Thompson for doing a fine job with her budget presentation and expanded on the information she presented. He noted that due to a projected reduction in the revenue from real estate taxes for FY 2008, the County has asked all agencies to reduce their budgets by two percent. The County Executive said there will be no new programs or expansion of existing programs, but that the Penny fund will be proposed for full funding in his budget. After responding to questions from the Commissioners, Mr. Griffin concluded his presentation at 7:14 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, Albert McAloon, Lee Rau, and Robert Schwaninger.

CALL TO ORDER

FCRHA Chair Conrad Egan called the meeting of the FCRHA to order at 7:15 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  
Al 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; Patricia Schlener, Director of Administration; Kristina Norvell, Director of Public Affairs; Tom Fleetwood, Strategic Planner; Curtis Hall, Director, Information Systems and Services; Carol Erhard, Director of Rental Services; Michael Wever, Associate Director, Rental Services, Office of Housing Management; Cynthia Ianni, Director, Design, Development and Construction Division (DD&C); Patricio Montiel, Chief, Housing Rehabilitation, DD&C; Tom Armstrong, Development Officer, DD&C; Steve Solomon, Director, Financial Management Division (FMD); Mary Lou Thompson, Accountant III, FMD; Aseem Nigam, Director, Real Estate Finance and Grants Management Division (REFGM); Louise Milder, Associate Director, Real Estate Finance, REFGM; Audrey Spencer-Horsley, Associate Director, Grants Management, REFGM; Molly Norris, Senior Real Estate Finance Officer, REFGM; Barbara Silberzahn, Chief, Homeownership and Relocation Services; Michael Pearman, Management Analyst, REFGM; Stephen 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: Anthony Griffin, County Executive; David Bobzien, County Attorney; and David Stroh, Assistant County Attorney and FCRHA Counsel.

CITIZEN TIME

The FCRHA Chair opened Citizen Time at 7:16 p.m. With no one signed up and no one in the audience wishing to speak, the Chair closed Citizen Time at 7:17 p.m.

APPROVAL OF MINUTES

**October 26, 2006** - A motion was made by Commissioner Rau, seconded by Commissioner Jasper, to approve the Minutes of October 26, 2006 meeting as corrected. The date on Board matters was wrong. A vote was taken, and the motion carried unanimously.

**November 9, 2006** – A motion was made by Commissioner Kyle, seconded by Commissioner Christian, to approve the Minutes of November 9, 2006 meeting after correction was made to the meeting date on the Board Matters. A vote was taken and the motion carried, with Commissioners Kershenstein, Lardner, Rau, and Litzenberger abstaining.

Without objection, the Chair modified the agenda to consider Administrative Item Number 1, Resolution Number 104-06 ahead of the action items.

ADMINISTRATIVE ITEM

1.

RESOLUTION NUMBER 104-06

COMMENDING CLARK CONSTRUCTION GROUP, LLC FOR ITS GENEROSITY IN  
VOLUNTEERING TO PERFORM RENOVATION WORK AT  
MONDLOCH FAMILY SHELTER (LEE DISTRICT)

WHEREAS, Clark Construction Group, LLC was founded in 1906 and is today one of the nation's most respected providers of construction services; and

WHEREAS, in commemorating its 100<sup>th</sup> year, Clark Construction Group designated Mondloch Family Shelter as a recipient of its *100 Good Deeds for 100 Years* program; and

WHEREAS, they have performed numerous renovations at Mondloch including HVAC repairs, painting and landscaping which will improve the quality of life for residents living there and for staff working there; and

WHEREAS, Clark Construction Group is committed to improving the lives of those in need in the community;

NOW THEREFORE BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority expresses its sincere gratitude to the Clark Construction Group for its outstanding contribution to this community and the many families who will benefit from the work being done.

A motion was made by Commissioner McAloon, seconded by Commissioner Kyle, that the FCRHA adopt Resolution Number 104-06. A vote was taken, and the motion carried unanimously.

Mr. Brad Conver accepted the Resolution on behalf of Clark Construction and thanked the FCRHA for the recognition.

ACTION ITEMS

1. RESOLUTION NUMBER 97-06

AUTHORIZATION TO SCHEDULE A PUBLIC HEARING ON THE  
FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY  
FY 2008 PROPOSED BUDGET AT ITS REGULAR MEETING ON JANUARY 25, 2007

BE IT RESOLVED, that the Fairfax County Redevelopment and Housing Authority, hereby authorizes the Department of Housing and Community Development to advertise a public hearing on the FCRHA proposed FY 2008 budget to be held at its regular meeting on January 25, 2007, as outlined in the Action item presented to the FCRHA at its meeting on December 7, 2006.

A motion was made by Commissioner Kershenstein, seconded by Commissioner Schwaninger, that the FCRHA adopt Resolution Number 97-06. A vote was taken, and the motion carried unanimously.

2. RESOLUTION NUMBER 98-06

FINAL BOND RESOLUTION FOR THE ISSUANCE OF FAIRFAX COUNTY  
REDEVELOPMENT AND HOUSING AUTHORITY MULTIFAMILY HOUSING REVENUE  
BONDS (HOLLYBROOKE III PROJECT) SERIES 2006 IN AN AMOUNT  
NOT TO EXCEED \$6,500,000 (MASON DISTRICT)

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6,500,000 OF FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY MULTIFAMILY HOUSING REVENUE BONDS (HOLLYBROOKE III PROJECT) SERIES 2006; DESIGNATING THE BONDS AS LIMITED OBLIGATIONS OF THE AUTHORITY; APPROVING AND AUTHORIZING THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF THE TRUST INDENTURE, THE LOAN AGREEMENT, THE LAND USE RESTRICTION AGREEMENT AND THE BOND PURCHASE AGREEMENT IN SUBSTANTIALLY THE FORM MADE AVAILABLE FOR REVIEW, AND THE NO ARBITRAGE CERTIFICATE AND TAX AGREEMENT, AND OTHER DOCUMENTS RELATED TO THE ISSUANCE AND SALE OF THE BONDS, REQUESTING AUTHENTICATION OF THE BONDS; APPOINTING THE TRUSTEE AND BOND COUNSEL; AND AUTHORIZING PROPER OFFICERS TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION HEREWITH.

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, sell, and deliver its Multifamily Housing Revenue Bonds (Hollybrooke III Project) Series 2006 (the "Bonds") in an aggregate principal amount not to exceed \$6,500,000; and

WHEREAS, the proceeds of the Bonds will be used in part to provide financing for the acquisition and rehabilitation of 50 units at Hollybrooke III (the "Project"), located in Fairfax County, at 3012 Patrick Henry Drive, Falls Church, Virginia; and

WHEREAS, the Project will be owned by AHC Limited Partnership – 16 with Hollybrooke III Housing Corporation as the managing general partner; and

WHEREAS, the Assistant Secretary executed the Declaration of Intent on July 13, 2006, evidencing the intent of the Authority to issue the Bonds in an amount not to exceed \$6,500,000; and

WHEREAS, pursuant to the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA"), the Authority is required to hold a public hearing ("TEFRA Hearing") in connection with issuance of the Bonds; and

WHEREAS, the Authority held the TEFRA Hearing on September 21, 2006; and

WHEREAS, for purposes of compliance with Section 147(f) of the Internal Revenue Code of 1986, as amended, the proposed financing was approved by the Fairfax County Board of Supervisors; and

WHEREAS, the Bonds will be sold to Union Bank of California, or a related entity (the "Bond Purchaser") pursuant to a private placement as provided in the Bond Purchase Agreement (the "Bond Purchase Agreement"); and

WHEREAS, the Bonds will not be credit enhanced, will not be rated and will be subject to restrictions on transferability; and

WHEREAS, there have been prepared proposed forms of:

(i) the Trust Indenture (the "Indenture") between the Authority and Bank of New York as trustee (the "Trustee"), pursuant to which the Bonds will be issued;

(ii) the Loan Agreement (the "Loan Agreement") by and between the Authority and AHC Limited Partnership – 16 (the "Owner");

(iii) the Land Use Restriction Agreement (the "Land Use Restriction Agreement") by and among the Authority, the Trustee and the Owner; and

(iv) the Bond Purchase Agreement (the "Bond Purchase Agreement") among the Authority, the Owner and the Bond Purchaser.

NOW, THEREFORE, BE IT RESOLVED BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY:

Section 1. **Incorporation of Recitals.** The Recitals contained in this Resolution are true and correct and are incorporated in this Resolution by this reference.

Section 2. **Issuance of the Bonds.** The Commissioners of the Authority (the "Commissioners") hereby authorize the issuance of the Bonds by the Authority, for the purpose of providing financing for the acquisition and rehabilitation of the Project. The principal amount of the Bonds shall not exceed in the aggregate \$6,500,000. The Bonds shall be issued in authorized denominations as set forth in the Indenture, numbered as the Trustee shall determine, and shall be fully registered without coupons. The Bonds shall be dated and shall bear interest at such rate or rates as set forth in the Indenture and approved by the Chairman, Vice Chairman, Secretary or an Assistant Secretary of the Authority. The Bonds shall mature on such date or dates as provided in the Indenture.

The Bonds may be issued in book-entry form, registered in the name of Cede & Co., as the nominee of the Depository Trust Company, New York, New York ("DTC"), so long as the principal of, and interest on, the Bonds shall be payable in accordance with the procedures of DTC or any successor thereto. In the event that the Bonds are issued in certificate form, the principal of the Bonds shall be payable upon presentation thereof at the principal corporate trust office of the Trustee under the Indenture. The interest on the Bonds shall be paid by check or draft of the Trustee sent to the registered owners of the Bonds; provided, however, if requested in writing by the registered owner of at least \$1,000,000 in principal amount of the Bonds and if proper instructions are provided to the Trustee as required under the Indenture, the Trustee is hereby authorized to pay the interest on the Bonds by wire transfer to any such owner.

The Bonds shall be executed on behalf of the Authority by, and bear the manual or facsimile signature of, the Chairman or the Vice Chairman of the Authority, and the seal of the Authority shall be thereunto affixed (or imprinted or engraved if in facsimile) duly attested by the manual or facsimile signature of the Secretary or an Assistant Secretary of the Authority or any other person authorized to do same ("Authorized Representative").

The Bonds shall be in the form set forth in the final form of the Indenture.

Section 3. **Sale of Bonds.** The Authority hereby authorizes the sale of the Bonds to the Bond Purchaser pursuant to the Bond Purchase Agreement.

Section 4. **Limited Obligation.** The Bonds shall be a limited obligation of the Authority, secured by and payable solely from the trust estate pledged under the Indenture.

THE BONDS AND THE INTEREST THEREON WILL BE LIMITED OBLIGATIONS OF THE AUTHORITY AND WILL BE PAYABLE SOLELY FROM THE SOURCES DESCRIBED IN THE INDENTURE. NEITHER THE COMMISSIONERS OF THE AUTHORITY NOR ANY PERSON EXECUTING THE BONDS SHALL BE LIABLE PERSONALLY THEREON BY REASON OF THE ISSUANCE THEREOF. THE BONDS AND THE INTEREST THEREON SHALL NOT BE A DEBT OF THE COUNTY OF FAIRFAX, VIRGINIA, THE COMMONWEALTH OF VIRGINIA OR ANY POLITICAL SUBDIVISION THEREOF (OTHER THAN THE AUTHORITY) AND NEITHER THE COUNTY OF FAIRFAX, VIRGINIA NOR THE COMMONWEALTH OF VIRGINIA OR ANY POLITICAL SUBDIVISION THEREOF (OTHER THAN THE AUTHORITY) SHALL BE LIABLE THEREON NOR IN ANY EVENT SHALL THE BONDS BE PAYABLE OUT OF ANY FUNDS OR PROPERTIES OTHER THAN THOSE OF THE AUTHORITY AS PLEDGED THERETO UNDER THE INDENTURE. THE BONDS SHALL NOT CONSTITUTE AN INDEBTEDNESS WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY DEBT LIMITATION OR RESTRICTION. THE AUTHORITY HAS NO TAXING POWER.

Section 5. **The Indenture.** The Indenture is hereby approved in the form made available at this meeting. The Chairman or the Vice Chairman of the Authority is hereby authorized and directed to execute and deliver the Indenture in substantially the form herein approved with such additions, deletions and modifications thereto as may be approved by the Chairman or the Vice Chairman, the execution of the Indenture being conclusive evidence of such approval and of the approval of the Authority; and the Secretary or an Assistant Secretary of the Authority, or any Authorized Representative, is hereby authorized and directed to affix the seal of the Authority to the Indenture and to attest same.

Section 6. **Trustee.** Bank of New York is hereby appointed the Trustee under the Indenture. The Indenture may provide that the Trustee thereunder, or another corporate entity, shall act as bond registrar, paying agent and authenticating agent.

Section 7. **Delivery of Bonds.** After execution on behalf of the Authority, the Bonds shall be delivered to the Trustee, which is hereby authorized and requested to authenticate and deliver the Bonds to the Bond Purchaser pursuant to a private placement.

Section 8. **Bond Counsel.** Ballard Spahr Andrews & Ingersoll, LLP is hereby appointed Bond Counsel in connection with the issuance and sale of the Bonds.

Section 9. **The Bond Purchase Agreement.** The Bond Purchase Agreement is hereby approved in the form made available at this meeting. The Chairman, Vice Chairman, Secretary or an Assistant Secretary of the Authority is hereby authorized and directed to execute and deliver the Bond Purchase Agreement in substantially the form herein

approved with such additions, deletions and modifications thereto as may be approved by the Chairman, the Vice Chairman, the Secretary, or an Assistant Secretary, the execution of the Bond Purchase Agreement being conclusive evidence of such approval and of the approval of the Authority.

Section 10. **The Land Use Restriction Agreement.** The Land Use Restriction Agreement is hereby approved in the form made available at this meeting. The Chairman, Vice Chairman, Secretary or an Assistant Secretary of the Authority is hereby authorized and directed to execute and deliver the Land Use Restriction Agreement in substantially the form herein approved with such additions, deletions and modifications thereto as may be approved by the Chairman, Vice Chairman, Secretary or an Assistant Secretary of the Authority, the execution of the Land Use Restriction Agreement being conclusive evidence of such approval and of the approval of the Authority.

Section 11. **The Tax Agreement.** The Chairman, Vice Chairman, Secretary or an Assistant Secretary of the Authority is hereby authorized and directed to execute and deliver on behalf of the Authority (i) the No Arbitrage Certificate and Tax Agreement (the "Tax Agreement") prepared by Bond Counsel, the execution of such Tax Agreement being conclusive evidence of the approval of the Authority and (ii) an Internal Revenue Service Form 8038 relating to the Bonds prepared by Bond Counsel.

Section 12. **The Loan Agreement.** The Loan Agreement is hereby approved in the form made available at this meeting. The Chairman or Vice Chairman of the Authority is hereby authorized and directed to execute and deliver the Loan Agreement and the Secretary or an Assistant Secretary of the Authority, or any Authorized Representative, is hereby authorized and directed to affix the seal of the Authority to the Loan Agreement and to attest the same in substantially the form herein approved with such additions, deletions and modifications thereto as may be approved by the Chairman or the Vice Chairman, the execution of the Loan Agreement being conclusive evidence of such approval and of the approval of the Authority.

Section 13. **Other Action.** The Chairman, Vice Chairman, Secretary or an Assistant Secretary of the Authority or any Authorized Representative is hereby authorized and directed to execute and deliver any and all additional documents, certificates and instruments necessary or proper to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this Resolution and the securing, issuance and sale of the Bonds.

Section 14. **No Personal Liability.** No stipulation, obligation or agreement herein contained or contained in the Indenture, the Loan Agreement, the Bond Purchase Agreement, the Land Use Restriction Agreement, the Tax Agreement, the Bonds or in any other agreement, certificate or document executed on behalf of the Authority shall be deemed to be a stipulation, obligation or agreement of any Commissioner, officer, agent or employee of the Authority in his or her individual capacity, and no such Commissioner, officer, agent or

employee shall be personally liable on the Bonds or be subject to personal liability or accountability by reason of the issuance thereof.

Section 15. **Action Approved and Confirmed.** All acts and doings of the Commissioners, officers, agents or employees of the Authority which are in conformity with the purposes and intent of this Resolution and in the furtherance of the issuance of the Bonds and the execution, delivery and performance of the documents and agreements authorized hereby are in all respects approved and confirmed.

Section 16. **Severability.** If any provision of this Resolution shall be held or deemed to be illegal, inoperative or unenforceable, the same shall not affect any other provision or cause any other provisions to be invalid, inoperative or unenforceable to any extent whatsoever.

Section 17. **Repealer; Effective Date.** Any resolutions or orders or parts thereof in conflict with this Resolution are to the extent of such conflict hereby repealed. This Resolution shall take effect immediately upon its adoption.

A motion was made by Commissioner Schwaninger, seconded by Commissioner Dunn, that the FCRHA adopt Resolution Number 98-06. A brief presentation was given by Molly Norris, Senior Real Estate Finance Officer, Real Estate Finance and Grants Management Division. After the presentation, Ms. Norris responded to questions from the Commissioners. A vote was taken, and the motion carried unanimously.

Commissioner Kershenstein requested that AHC, Inc., the developer, give a preference to County employees, which they agreed to do.

3. RESOLUTION NUMBER 99-06

ISSUANCE OF FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY  
MULTIFAMILY HOUSING REVENUE BONDS (FHA-INSURED MORTGAGE –  
CEDAR RIDGE PROJECT) SERIES 2006 (HUNTER MILL DISTRICT)

RESOLUTION AUTHORIZING (A) THE ISSUANCE AND SALE OF AN AGGREGATE  
PRINCIPAL AMOUNT NOT TO EXCEED \$13,500,000 OF FAIRFAX COUNTY  
REDEVELOPMENT AND HOUSING AUTHORITY MULTIFAMILY HOUSING REVENUE  
BONDS (FHA-INSURED MORTGAGE – CEDAR RIDGE PROJECT) SERIES 2006;  
(B) APPROVING THE MAKING OF A MORTGAGE LOAN TO BE INSURED BY FHA  
MORTGAGE INSURANCE UNDER THE HUD RISK-SHARING PROGRAM;  
(C) DESIGNATING THE BONDS AS LIMITED OBLIGATIONS OF THE AUTHORITY;  
(D) APPROVING AND AUTHORIZING THE SALE OF THE BONDS; (E) AUTHORIZING  
THE EXECUTION AND DELIVERY OF THE TRUST INDENTURE, THE LOAN

AGREEMENT, THE LAND USE RESTRICTION AGREEMENT, THE BOND PURCHASE AGREEMENT AND THE OFFICIAL STATEMENT IN SUBSTANTIALLY THE FORM MADE AVAILABLE FOR REVIEW, AND THE NO ARBITRAGE CERTIFICATE AND TAX AGREEMENT, AND OTHER DOCUMENTS RELATED TO THE ISSUANCE AND SALE OF THE BONDS, INCLUDING EXECUTION AND DELIVERY OF THE RISK-SHARING REGULATORY AGREEMENT FOR MULTIFAMILY HOUSING PROJECTS AND ANY OTHER DOCUMENTS NECESSARY FOR THE FHA MORTGAGE INSURANCE UNDER SECTION 542(C) OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1992, AS AMENDED; (F) REQUESTING AUTHENTICATION OF THE BONDS; (G) APPOINTING THE TRUSTEE, BOND COUNSEL AND UNDERWRITER; (H) APPROVAL TO ENTER INTO A LIMITED PARTNERSHIP AGREEMENT FOR FCRHA CEDAR RIDGE, LP WITH THE TAX CREDIT INVESTOR, WHO SHALL BE APOLLO HOUSING CAPITAL, L.L.C. OR RELATED ENTITIES AND TO WITHDRAW FCRHA HOUSING ASSISTANCE CORPORATION AS THE CO-GENERAL PARTNER AND THE AUTHORITY AS THE LIMITED PARTNER; (I) THE MAKING OF A LOAN UP TO \$430,000 IN COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO FCRHA CEDAR RIDGE, LP; AND (J) AUTHORIZING PROPER OFFICERS TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION HEREWITH

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, sell, and deliver its Multifamily Housing Revenue Bonds (FHA-Insured – Cedar Ridge Project) Series 2006 (the "Bonds") in an aggregate principal amount not to exceed \$13,500,000; and

WHEREAS, the proceeds of the Bonds will be used in part to provide financing for the acquisition and rehabilitation of a 198-unit multifamily housing project known as Cedar Ridge (the "Project"), located in Fairfax County, at 1601 Becontree Lane, Reston, Virginia; and

WHEREAS, the Project will be owned by FCRHA Cedar Ridge, LP, a Virginia limited partnership (the "Owner"), for which the Authority will be managing general partner and FCRHA Housing Assistance Corporation will be the co-general partner; and

WHEREAS, the Declaration of Intent evidencing the intent of the Authority to issue the Bonds in an amount not to exceed \$13,500,000 was executed on June 7, 2006 by Paula C. Sampson, Assistant Secretary to the Authority and further clarified by the Clarification of Declaration of Intent dated October 26, 2006; and

WHEREAS, pursuant to the Tax Equity and Fiscal Responsibility Act of 1982 (“TEFRA”), the Authority is required to hold a public hearing (“TEFRA Hearing”) in connection with issuance of the Bonds; and

WHEREAS, the Authority held the TEFRA Hearing on July 27, 2006; and

WHEREAS, for purposes of compliance with Section 147(f) of the Internal Revenue Code of 1986, as amended, the proposed financing was approved by the Fairfax County Board of Supervisors; and

WHEREAS, on December 7, 2006, the Authority approved use of FHA mortgage insurance under the HUD Risk-Sharing Program provisions of Section 542(c) of the Housing and Community Act of 1992; and

WHEREAS, the Authority desires to enter into a Limited Partnership Agreement for FCRHA Cedar Ridge, LP with the tax credit investor, who shall be Apollo Housing Capital, L.L.C. or related entities and to withdraw FCRHA Housing Assistance Corporation as the co-general partner and the Authority as the limited partner; and

WHEREAS, the Authority desires to make a loan to the Owner in an amount not to exceed approximately \$430,000 in Community Development Block Grant funds to be used for the costs of tenant relocation in connection with the rehabilitation of the Project; and

WHEREAS, in connection with the sale of the Bonds, the Authority desires to execute and deliver a Bond Purchase Agreement (the “Bond Purchase Agreement”) with M.R. Beal & Company (the “Underwriter”); and

WHEREAS, there have been prepared proposed forms of:

(i) the Trust Indenture (the “Indenture”) between the Authority and The Bank of New York as trustee (the “Trustee”), pursuant to which the Bonds will be issued;

(ii) the Loan Agreement by and between the Authority and the Owner;

(iii) the Land Use Restriction Agreement by and among the Authority, the Trustee and the Owner;

(iv) the Bond Purchase Agreement among the Authority, the Owner and the Underwriter; and

(v) the preliminary Official Statement (the “Official Statement”) to be used by the Underwriter in connection with the sale of the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY:

Section 1. **Incorporation of Recitals.** The Recitals contained in this Resolution are true and correct and are incorporated in this Resolution by this reference.

Section 2. **Issuance of the Bonds.** The Commissioners of the Authority (the "Commissioners") hereby authorize the issuance of the Bonds by the Authority, for the purpose of providing financing for the acquisition and rehabilitation of the Project. The principal amount of the Bonds shall not exceed in the aggregate \$13,500,000. The Bonds shall be issued in authorized denominations as set forth in the Indenture, numbered as the Trustee shall determine, and shall be fully registered without coupons. The Bonds shall be dated and shall bear interest at such rate or rates as set forth in the Indenture and approved by the Chairman, Vice Chairman, Secretary or an Assistant Secretary of the Authority. The Bonds shall mature on such date or dates as provided in the Indenture.

The Bonds may be issued in book-entry form, registered in the name of Cede & Co., as the nominee of the Depository Trust Company, New York, New York ("DTC"), so long as the principal of, and interest on, the Bonds shall be payable in accordance with the procedures of DTC or any successor thereto. In the event that the Bonds are issued in certificate form, the principal of the Bonds shall be payable upon presentation thereof at the principal corporate trust office of the Trustee under the Indenture. The interest on the Bonds shall be paid by check or draft of the Trustee sent to the registered owners of the Bonds; provided, however, if requested in writing by the registered owner of at least \$1,000,000 in principal amount of the Bonds and if proper instructions are provided to the Trustee as required under the Indenture, the Trustee is hereby authorized to pay the interest on the Bonds by wire transfer to any such owner.

The Bonds shall be executed on behalf of the Authority by, and bear the manual or facsimile signature of, the Chairman or the Vice Chairman of the Authority, and the seal of the Authority shall be thereunto affixed (or imprinted or engraved if in facsimile) duly attested by the manual or facsimile signature of the Secretary or an Assistant Secretary of the Authority or any other person authorized to do same ("Authorized Representative").

The Bonds shall be in the form set forth in the final form of the Indenture.

Section 3. **Sale of Bonds.** The Authority hereby authorizes the sale of the Bonds to the Underwriter and to any institutional investor that is required to purchase Bonds directly from the Authority, if applicable, pursuant to a Bond Purchase Agreement.

Section 4. **Limited Obligation.** The Bonds shall be a limited obligation of the Authority, secured by and payable solely from the trust estate pledged under the Indenture.

THE BONDS AND THE INTEREST THEREON WILL BE LIMITED OBLIGATIONS OF THE AUTHORITY AND WILL BE PAYABLE SOLELY FROM THE SOURCES DESCRIBED IN THE INDENTURE. NEITHER THE COMMISSIONERS OF THE AUTHORITY NOR ANY PERSON EXECUTING THE BONDS SHALL BE LIABLE PERSONALLY THEREON BY REASON OF THE ISSUANCE THEREOF. THE BONDS AND THE INTEREST THEREON SHALL NOT BE A DEBT OF THE COUNTY OF FAIRFAX, VIRGINIA, THE COMMONWEALTH OF VIRGINIA OR ANY POLITICAL SUBDIVISION THEREOF (OTHER THAN THE AUTHORITY) AND NEITHER THE COUNTY OF FAIRFAX, VIRGINIA NOR THE COMMONWEALTH OF VIRGINIA OR ANY POLITICAL SUBDIVISION THEREOF (OTHER THAN THE AUTHORITY) SHALL BE LIABLE THEREON NOR IN ANY EVENT SHALL THE BONDS BE PAYABLE OUT OF ANY FUNDS OR PROPERTIES OTHER THAN THOSE OF THE AUTHORITY AS PLEDGED THERETO UNDER THE INDENTURE. THE BONDS SHALL NOT CONSTITUTE AN INDEBTEDNESS WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY DEBT LIMITATION OR RESTRICTION. THE AUTHORITY HAS NO TAXING POWER.

Section 5. **Indenture.** The Indenture is hereby approved in the form made available at this meeting. The Chairman or the Vice Chairman of the Authority is hereby authorized and directed to execute and deliver the Indenture in substantially the form herein approved with such additions, deletions and modifications thereto as may be approved by the Chairman or the Vice Chairman, the execution of the Indenture being conclusive evidence of such approval and of the approval of the Authority; and the Secretary or an Assistant Secretary of the Authority, or any Authorized Representative, is hereby authorized and directed to affix the seal of the Authority to the Indenture and to attest same.

Section 6. **Trustee.** The Bank of New York is hereby appointed the Trustee under the Indenture. The Indenture may provide that the Trustee thereunder, or another corporate entity, shall act as bond registrar, paying agent and authenticating agent.

Section 7. **Delivery of Bonds.** After execution on behalf of the Authority, the Bonds shall be delivered to the Trustee, which is hereby authorized and requested to authenticate and deliver the Bonds to the Underwriter for the benefit of the registered owners thereof.

Section 8. **Bond Counsel.** Ballard Spahr Andrews & Ingersoll, LLP is hereby appointed Bond Counsel in connection with the issuance and sale of the Bonds.

Section 9. **Underwriter.** M.R. Beal & Company is hereby appointed Underwriter in connection with the issuance and sale of the Bonds.

Section 10. **Bond Purchase Agreement.** The Bond Purchase Agreement is hereby approved in the form made available at this meeting. The Chairman, Vice Chairman, Secretary or an Assistant Secretary of the Authority is hereby authorized and directed to execute and deliver the Bond Purchase Agreement in substantially the form herein approved

with such additions, deletions and modifications thereto as may be approved by the Chairman, the Vice Chairman, the Secretary, or an Assistant Secretary, the execution of the Bond Purchase Agreement being conclusive evidence of such approval and of the approval of the Authority.

Section 11. **Land Use Restriction Agreement.** The Land Use Restriction Agreement is hereby approved in the form made available at this meeting. The Chairman, Vice Chairman, Secretary or an Assistant Secretary of the Authority is hereby authorized and directed to execute and deliver the Land Use Restriction Agreement in substantially the form herein approved with such additions, deletions and modifications thereto as may be approved by the Chairman, Vice Chairman, Secretary or an Assistant Secretary of the Authority, the execution of the Land Use Restriction Agreement being conclusive evidence of such approval and of the approval of the Authority.

Section 12. **Tax Agreement.** The Chairman, Vice Chairman, Secretary or an Assistant Secretary of the Authority is hereby authorized and directed to execute and deliver on behalf of the Authority (i) the No Arbitrage Certificate and Tax Agreement (the "Tax Agreement") prepared by Bond Counsel, the execution of such Tax Agreement being conclusive evidence of the approval of the Authority and (ii) an Internal Revenue Service Form 8038 relating to the Bonds prepared by Bond Counsel.

Section 13. **Loan Agreement.** The Loan Agreement is hereby approved in the form made available at this meeting. The Chairman or Vice Chairman of the Authority is hereby authorized and directed to execute and deliver the Loan Agreement and the Secretary or an Assistant Secretary of the Authority, or any Authorized Representative, is hereby authorized and directed to affix the seal of the Authority to the Loan Agreement and to attest the same in substantially the form herein approved with such additions, deletions and modifications thereto as may be approved by the Chairman or the Vice Chairman, the execution of the Loan Agreement being conclusive evidence of such approval and of the approval of the Authority.

Section 14. **Official Statement.** Use by the Underwriter of the Official Statement in substantially the preliminary form made available at this meeting in connection with the sale of the Bonds by the Underwriter is hereby authorized and approved, with such additions, deletions and modifications to the preliminary Official Statement as may be approved by counsel for the Authority. The Chairman, Vice Chairman, Secretary or an Assistant Secretary of the Authority is hereby authorized and directed to execute and deliver the final Official Statement, the execution of which being conclusive evidence of the approval of the Authority.

Section 15. **Risk-Sharing Agreement.** The Risk-Sharing Regulatory Agreement for Multifamily Housing Projects (the "Risk-Sharing Agreement") is hereby approved in such form as may be approved by the Chairman, Vice Chairman, Secretary or an Assistant Secretary and counsel for the Authority. The Chairman, Vice Chairman, Secretary

or an Assistant Secretary of the Authority is hereby authorized and directed to execute and deliver the Risk-Sharing Agreement; and the Secretary or an Assistant Secretary of the Authority, or any Authorized Representative, is hereby authorized and directed to affix the seal of the Authority to the Risk-Sharing Agreement and to attest same, the execution of which being conclusive evidence of such approval and of the approval of the Authority.

Section 16. **Blue Sky Survey.** The Chairman, Vice Chairman, Secretary or an Assistant Secretary of the Authority or, in their absence, any Authorized Representative is hereby authorized in the name and on behalf of the Authority to take any and all action, if any, which the Underwriter shall reasonable request and which the Chairman, Vice Chairman, Secretary or an Assistant Secretary may deem necessary, or advisable, with the advice of counsel for the Authority, in order to effect the registration or qualification (or exemption therefrom) of the Bonds for issue, offer, sale or trade under the Blue Sky or securities laws of any of the states of the United States of America and in connection therewith, to execute, acknowledge, verify, deliver, file or cause to be published any applications, reports, consents to service of process and other papers and instruments which may be required under such laws, and to take any and all further action which such officer may deem necessary or advisable in order to maintain any such registration or qualification for as long as the Chairman, Vice Chairman, Secretary or an Assistant Secretary deems necessary or as required by law or by the Underwriter, provided, however, the Chairman, Vice Chairman, Secretary or an Assistant Secretary of the Authority shall not consent to service of process in any jurisdiction in which the Authority is not now subject to service of process.

Section 17. **Admission of Tax Credit Investor.** The Authority hereby approves entering into a Limited Partnership Agreement for FCRHA Cedar Ridge, LP with the tax credit investor, who shall be Apollo Housing Capital, L.L.C. or related entities and to withdraw FCRHA Housing Assistance Corporation as the co-general partner and the Authority as the limited partner substantially as presented in the item to the Authority on December 7, 2006.

Section 18. **Loan of CBDG Funds.** The Authority hereby approves the making of a loan to the Owner in an amount not to exceed approximately \$430,000 in Community Development Block Grant funds (the "CBDG Loan") for the purpose of paying the costs of certain tenant relocation expenses, such loan to (i) be subordinate to the Owner's obligations to make payments with respect to the Bonds, (ii) *bear interest at the Applicable Federal Rate ("AFR") in effect at closing and* (iii) be payable only after payment in full of the Bonds or upon transfer or refinancing of the Project or failure to comply with the CBDG requirements.

Section 19. **Other Action.** The Chairman, Vice Chairman, Secretary or an Assistant Secretary of the Authority or any Authorized Representative is hereby authorized and directed to execute and deliver any and all additional documents, certificates and instruments necessary or proper to do and cause to be done any and all acts and things

necessary or proper for carrying out the transactions contemplated by this Resolution and with respect to the securing, issuance and sale of the Bonds.

Section 20 **No Personal Liability.** No stipulation, obligation or agreement herein contained or contained in the Indenture, the Loan Agreement, the Bond Purchase Agreement, the Land Use Restriction Agreement, the Tax Agreement, the Bonds, the Risk-Sharing Agreement or in any other agreement, certificate or document executed on behalf of the Authority shall be deemed to be a stipulation, obligation or agreement of any Commissioner, officer, agent or employee of the Authority in his or her individual capacity, and no such Commissioner, officer, agent or employee shall be personally liable on the Bonds or be subject to personal liability or accountability by reason of the issuance thereof.

Section 21. **Action Approved and Confirmed.** All acts and doings of the Commissioners, officers, agents or employees of the Authority which are in conformity with the purposes and intent of this Resolution and in the furtherance of the issuance of the Bonds and the execution, delivery and performance of the documents and agreements authorized hereby are in all respects approved and confirmed.

Section 22. **Severability.** If any provision of this Resolution shall be held or deemed to be illegal, inoperative or unenforceable, the same shall not affect any other provision or cause any other provisions to be invalid, inoperative or unenforceable to any extent whatsoever.

Section 23. **Repealer; Effective Date.** Any resolutions or orders or parts thereof in conflict with this Resolution are to the extent of such conflict hereby repealed. This Resolution shall take effect immediately upon its adoption.

A motion was made by Commissioner Rau, seconded by Commissioner Dunn, that the FCRHA adopt Resolution Number 99-06. A brief presentation was given by Michael Pearman, Management Analyst, REFGM. After the presentation, Mr. Pearman responded to questions from the Commissioners. A vote was taken after discussion, and the motion carried unanimously.

4. RESOLUTION NUMBER 100-06

AUTHORIZATION TO MAKE A LOAN TO AHC LIMITED PARTNERSHIP - 15 IN AN AMOUNT NOT TO EXCEED \$5,000,000 FROM FUND 319, THE PENNY FOR AFFORDABLE HOUSING FUND, FOR THE ACQUISITION, REHABILITATION AND PRESERVATION OF THE 90-UNIT SUNSET PARK APARTMENTS (MASON DISTRICT)

WHEREAS, AHC Limited Partnership – 15, a Virginia limited partnership, submitted a request for financing from the Affordable Housing Partnership Program (AHPP) as a source of financing for the acquisition, rehabilitation and preservation of the 90-unit Sunset Park Apartments; and

WHEREAS, the Fairfax County Redevelopment and Housing Authority (FCRHA) wishes to assist AHC Limited Partnership - 15 acquire, rehabilitate and preserve the 90-unit Sunset Park Apartments project in order to preserve affordable rental housing in Fairfax County by providing a loan to AHC Limited Partnership – 15 in an amount of up to \$5,000,000 as such loan is described in the December 7, 2006 item presented to the FCRHA (Sunset Park Loan);

NOW, THEREFORE, BE IT RESOLVED that the FCRHA, subject to approval by the Board of Supervisors, hereby authorizes:

- 1) An AHPP loan for the Sunset Park Loan in an amount not to exceed \$5,000,000.
- 2) The reallocation of Tier 3 funds in an amount not to exceed \$5,000,000 within Fund 319, The Penny for Affordable Housing Fund for the purpose of the Sunset Park Loan; and
- 3) Paula C. Sampson, Assistant Secretary, to negotiate all loan 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 Sunset Park Loan for the acquisition, rehabilitation, and preservation of the 90-unit Sunset Park Apartments.

A motion was made by Commissioner Schwaninger, seconded by Commissioner Jasper, that the FCRHA adopt Resolution Number 100-06. A brief presentation was given by Molly Norris, Senior Real Estate Finance Officer. After the presentation, Ms. Norris responded to questions from the Commissioners.

Commissioners Dunn and Schwaninger commended AHC and HCD for their efforts at acquiring this property.

Commissioner Kershenstein requested and obtained confirmation from AHC that Fairfax County employees will be given preference for occupancy.

5. RESOLUTION NUMBER 101-06

AUTHORIZATION TO CHANGE FUNDING SOURCES FOR \$760,450 PREVIOUSLY ALLOCATED FROM HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDS TO COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR PENDERBROOK REHABILITATION PROJECT (PROVIDENCE DISTRICT) AND AN ALLOCATION OF HOME FUNDS TO HOMEBUYER EQUITY LOAN PROGRAM

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) authorizes a change in a funding source identified for the rehabilitation of Penderbrook Apartments from HOME Investment Partnerships Program (HOME) funds to Community Development Block Grant funds. The total amount of funding involved in this change is \$760,450; and

BE IT RESOLVED that the FCRHA authorizes an allocation of \$760,450 in HOME funds to the Homebuyer Equity Loan Program.

A motion was made by Commissioner Christian, seconded by Commissioner Schwaninger, that the FCRHA adopt Resolution Number 101-06. A brief presentation was given by Stephen Knippler, Housing Community Developer IV. After the presentation, Mr. Knippler and HCD Director Paula Sampson responded to questions from the Commissioners. A vote was taken after discussion, and the motion carried unanimously,

6. RESOLUTION NUMBER 102-06

AUTHORIZATION BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO ADVERTISE THE ACCEPTANCE OF APPLICATION FOR 100 PROJECT-BASED VOUCHERS

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority hereby authorizes the Department of Housing and Community Development to publicly announce that the FCRHA will be accepting applications from affordable housing providers for 100 project-based vouchers, as outlined in the item presented to the FCRHA at its meeting on December 7, 2006.

A motion was made by Commissioner Jasper, seconded by Commissioner Litzenberger, that the FCRHA adopt Resolution Number 102-06. A brief presentation was given by Carol Erhard, Director of Rental Services, Office of Housing Management, on Resolution Number 102-06. After the presentation, Ms. Erhard responded to questions from the Commissioners.

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

7. RESOLUTION NUMBER 103-06

AUTHORIZATION TO PURCHASE AN EXISTING MOBILE HOME AT 2909 CAMELLIA DRIVE IN WOODLEY HILLS ESTATES (MOUNT VERNON DISTRICT)

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) hereby authorizes the Department of Housing and Community Development (HCD) to purchase the existing mobile home at 2909 Camellia Drive in Woodley Hills Estates.

BE IT FURTHER RESOLVED that the FCRHA authorizes expenditure of \$4,000 from Fund 143, the Homebuyer Assistance Program, Project 013845 MIDS Resale Project, for acquisition of the unit.

A motion was made by Commissioner Lardner, seconded by Commissioner McAloon, that the FCRHA adopt Resolution Number 103-06. A presentation was given by Robert Eiffert, after which he responded to questions from the Commissioners.

Several Commissioners expressed concerns regarding the proposal to purchase the mobile home. After further discussion, the maker and seconder of the motion on the table agreed to withdraw the motion and replace it with a motion made by Commissioner Kershenstein, seconded by Commissioner Lardner, to defer consideration of the item to the January meeting and to offer the owner of the home an option fee equal to the month's pad rent. A vote was taken, and the motion to table Resolution Number 103-06 until the January meeting carried unanimously.

ADMINISTRATIVE ITEMS RESUMED:

2. RESOLUTION NUMBER 105-06

APPROVAL TO RELEASE FOR PUBLIC COMMENT THE DRAFT FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY ANNUAL PLAN FOR FISCAL YEAR 2008, PREPARED UNDER THE FEDERAL QUALITY HOUSING AND WORK RESPONSIBILITY ACT OF 1998, AND AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE DRAFT PLAN

NOW THEREFORE, BE IT RESOLVED, THAT the Fairfax County Redevelopment and Housing Authority (FCRHA):

1) Approves, for the purpose of seeking public comment, the Annual Plan Update for Fiscal Year 2008 contained in the item on the December 7, 2006, FCRHA agenda; and

2) Authorizes the Department of Housing and Community Development to advertise a public hearing on the draft plan to be held at the FCRHA's March 8, 2007 meeting.

A motion was made by Commissioner Jasper, seconded by Commissioner McAloon, to adopt Resolution Number 105-06. A brief presentation was made by Tom Fleetwood, Strategic Planner, after which he responded to questions from the Commissioners. A vote was taken after discussion, and the motion carried unanimously.

Commissioner Kershenstein requested that for all future plans, staff prepare a report on the amount of staff time involved in preparing the plan.

3. RESOLUTION NUMBER 106-06

AUTHORIZATION TO EXECUTE CONTRACT AMENDMENTS FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE RENOVATION AND THE EXPANSION OF THE MOTT COMMUNITY CENTER (SPRINGFIELD 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 services with Stanmyre and Noel Architects, P.C in the amount of \$275,828 for the Mott Community Center Renovation and Expansion Project, which results in a revised total contract amount of \$303,048.

2. Authorizes its Chairman, Vice Chairman or any Assistant Secretary to approve change orders in an amount not to exceed \$27,583 above the revised contract amount.

3. Authorizes its Chairman, Vice Chairman or any Assistant Secretary to execute a contract amendment for engineering services with Rinker Design Associates, P.C in the amount of \$71,100 for the Mott Community Center Renovation and Expansion Project, which results in a revised total contract amount of \$93,840.

4. Authorizes its Chairman, Vice Chairman or any Assistant Secretary to approve change orders in an amount not to exceed \$7,110 above the revised contract amount.

5. 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 amendments for architectural and engineering services for the Mott Community Center Renovation and Expansion project with Stanmyre and Noel Architects, P.C. and Rinker Design Associates, P.C. respectively.

6. Authorizes any Assistant Secretary to execute such documents as may be reasonably necessary to effectuate the design and construction of the Mott Community Center Renovation.

A motion was made by Commissioner Kershenstein, seconded by Commissioner Rau, that the FCRHA adopt Resolution Number 106-06. A brief presentation was made by Cynthia Ianni, Director of Design, Development and Construction, after which she responded to questions from the Commissioners. A vote was taken after discussion, and the motion carried unanimously.

Commissioner Kershenstein requested information on the clientele being served at the center.

4. RESOLUTION NUMBER 107-06

ESTABLISHING THE SCHEDULE FOR  
FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY  
MEETING DATES FOR 2007

BE IT RESOLVED that the regular meetings and the Annual Meeting of the FCRHA for January through December 2007 will be held at the FCRHA Board Room at One University Plaza, 4500 University Drive, Fairfax, Virginia 22030 at 7:00 p.m., unless the Chairman, or in the Chairman's absence, the Vice Chairman, shall authorize a different time, on the following dates:

January	25
March	8
May	3
June	21
July	26 ANNUAL MEETING
September	20
November	1
December	13

A motion was made by Commissioner Christian, seconded by Commissioner Kyle, that the FCRHA adopt Resolution Number 107-06. After discussion, 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  
Al McAloon  
Lee A. Rau  
Robert Schwaninger

NAY

John Litzenberger

ABSTAIN

The motion carried, with Commissioner Litzenberger voting nay.

CONSIDERATION ITEM

PROPOSED FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY  
(FCRHA) STRATEGIC PLAN – ACTION PLAN FOR FY 2008

A motion was made by Commissioner Rau, seconded by Commissioner Jasper, that the FCRHA adopt the FY 2008 Strategic Plan Action Plan for FY 2008. After a brief presentation by Tom Fleetwood, HCD Strategic Planner, a vote was taken, and the motion carried unanimously.

Commissioner Kershenstein requested that in the future, staff include with the plan an analysis of the economic impact of adopting each plan.

INFORMATION ITEMS:

1. Fairfax County Redevelopment and Housing Authority Meeting Summary – October 26, 2006
2. Contracts of \$50,000 or Less
3. Minutes of the Housing Ownership, Management, and Security Committee Meeting– November 28, 2006
4. Minutes of the Planning and Development Committee Meeting – November 29, 2006

5. Minutes of the Finance Committee Meeting – November 29, 2006
6. Summary of the Board of Supervisors Housing Community Meeting – October 16, 2006
7. Summary of the Joint Meeting of the Fairfax County Redevelopment and Housing Authority and the Redevelopment and Housing Committee of the Planning Commission – October 25, 2006
8. Affordable Dwelling Unit (ADU) Tracking Report – *brief discussion*.
  - Commissioner McAloon requested that the FCRHA be informed when Fairfax County Public Schools actually fills set-aside units.
  - Commissioner Lardner noted that the pyramid organization in her district is concerned about the trend of setting preferences for County employees. They wanted to remind the FCRHA that there are other citizens in addition to school teachers, police, firefighters, etc, who are also in need of affordable housing. After further discussion it was decided the issue be discussed as a policy issue at the committee level, and the matter was referred to the HOMS and Planning and Development committees.
  - Commissioner Kershenstein requested information on how many County employees are currently being served before this matter is considered by the committees.
9. Fairfax County Redevelopment and Housing Authority Calendars of Meetings for January and February 2007

Discussion of Proposal for Scheduling FCRHA Committee Meetings

Discussion ensued regarding the proposal to schedule all FCRHA committee meetings on one night, beginning 5:30 p.m., with each committee meeting lasting for no more than one hour, and committees being limited to five commissioners, however, all commissioners could attend any meeting. The proposal will be implemented on a trial basis for the first quarter of 2007. After further discussion, a volunteer ad hoc committee was established, consisting of Commissioners Litzenberger, Chair; Christian, Kershenstein, Kyle, and Rau to consider scheduling issues.

Commissioner Christian departed at this time just before Closed Session.

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 discussion and consideration, pursuant to Virginia Code Section 2.2-3711(A)(3), of the

acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the FCRHA.

A vote was taken, 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 Schwaninger, 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 9:45 p.m.

ACTION ITEMS RESUMED:

8. RESOLUTION NUMBER 108-06

THE FCRHA DIRECTS STAFF TO NEGOTIATE AN AGREEMENT TO PURCHASE THE PROPERTY LOCATED AT 2114 ARLINGTON TERRACE, ALEXANDRIA, VA 22303, ALSO IDENTIFIED BY FAIRFAX COUNTY TAX MAP NUMBER 083-1-((14B))-0090-A AND IF NECESSARY INITIATE A BLIGHT ABATEMENT PROCEDURE IN ACCORDANCE WITH THE VA CODE ANN. SECTION §36-49.1:1 (LMNB SUPP. 2006) SPOT BLIGHT ABATEMENT STATUTE AS DISCUSSED IN CLOSED SESSION

A motion was made by Commissioner Lardner, seconded by Commissioner McAloon, that the FCRHA adopt Resolution 108-06. After discussion, a vote was taken, and the motion carried unanimously.

9. RESOLUTION NUMBER 109-06

AUTHORIZATION TO NOT CURE THE DEFAULT ON THE PROPERTY; AND  
AUTHORIZATION TO PURCHASE THE FIRST DEED OF TRUST FROM THE LENDER;  
AND

AUTHORIZATION TO BID/PURCHASE AT THE FORECLOSURE SALE OF AN  
AFFORDABLE DWELLING UNIT (ADU) IN THE SULLY DISTRICT IDENTIFIED DURING  
BY STAFF IN THE EVENT THE UNIT CANNOT BE PURCHASED FROM THE  
HOMEOWNER PRIOR TO ANY SUCH FORECLOSURE SALE

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

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

(b) Authorizes the purchase of the note from the holder of the First  
Deed of Trust on the ADU; and

(c) Authorizes bidding at the foreclosure sale for the purchase of  
the ADU Property not to exceed the amount presented by staff in closed session, in  
the event that purchase of the note prior to foreclosure does not occur; and

2. Authorizes the Chairman, Vice Chairman, or any Assistant Secretary,  
to negotiate and to execute any and all documents necessary to purchase the loan or  
the property as set forth herein; and

3. Authorizes drawing against Fund 143 Homeowner Assistance  
Program (MIDS Project), which currently has a balance of \$631,749, in an amount  
not to exceed \$180,000, to cover loan or property acquisition and carrying costs to  
be repaid from the sale of the unit as an ADU to a First-Time Homebuyer

A motion was made by Commissioner Litzenberger, seconded by Commissioner  
Kershenstein, that the FCRHA adopt Resolution Number 109-06. After discussion, a  
vote was taken, and the motion carried unanimously.

BOARD MATTERS – See Attachment #1

ADJOURNMENT

A motion was made by Commissioner McAloon, seconded by Commissioner Kyle, to adjourn the meeting at 10:20 p.m. A vote was taken and the motion carried unanimously.

(Seal)

---

Conrad Egan, Chair

---

Paula C. Sampson, Assistant Secretary