

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

January 24, 2008

On January 24, 2008, 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.

PRESENTATIONS

1. Implementation Plan to Prevent and End Homelessness

The first presentation began at 6:10 p.m. Verdia L. Haywood, Deputy County Executive, gave a presentation on the County's Implementation Plan to Prevent and End Homelessness. Discussion followed, during which Commissioner Kyle requested an update on progress in the fall of 2008. The presentation ended at 6:55 p.m.

2. Hillwood Manor Apartments Project

The second presentation began at 6:56 p.m. Mark Silverwood, Silverwood Associates, gave a presentation on the proposed acquisition and rehabilitation of Hillwood Manor Apartments located in Mason District. Silverwood Associates has requested assistance from the County and FCRHA in financing the project. The presentation ended at 7:16 p.m.

CALL TO ORDER

FCRHA Chair Conrad Egan, serving called the Regular Meeting of the FCRHA to order at 7:18 p.m. FCRHA Commissioners present or absent for a portion or all of the meeting were as follows:

PRESENT

Conrad Egan, Chair
Charlen Kyle
Elisabeth Lardner
Robert Schwaninger
Will Jasper
Albert J. McAloon
John Kershenstein
John Litzenberger
Lee A. Rau

ABSENT

Ronald Christian, Vice Chair
Martin Dunn

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; John Payne, Acting Deputy Director, Development and Real Estate; Aseem Nigam, Director, Real Estate Finance and Grants Management Division (REFGM); Tom

Fleetwood, Strategic Planner; Steve Solomon, Director, Financial Management Division (FMD); Cynthia Ianni, Director, Design, Development and Construction Division; Charlene Fuhrman-Schulz, ADU Project Administrator, DD&C; Rex Peters, Associate Director, DD&C; Barbara Silberzahn, Director, Homeownership and Relocation Division; Nancy Long, Program Manager, H & R Division; Michael Trent, Network Analyst, Information Systems and Services (ISS); Carol Erhard, Director, Rental Services, Office of Housing Management (OHM); Tina Norvell, HCD Director of Public Affairs; Audrey Spencer-Horsley, Associate Director, Grants Management; Louise Milder, Associate Director, Real Estate Finance; Mary Lou Thompson, Accountant III, Financial Management Division; Deepthi Jain, Sr. Real Estate Finance Officer, Real Estate Finance; Joe Maranto, Fiscal Administrator, FMD; Derek Dubard, Real Estate Finance Officer, Real Estate Finance; John Panarelli, Design and Construction Manager, PIMD; Elisa Johnson, Management Analyst III; Leslie Jones, Real Estate Development Loan Officer, Real Estate Finance; Erin S. Ballard, FCRHA Assistant. Other Fairfax County staff in attendance: David Bobzien, County Attorney; Alan Weiss and David Stroh, Assistant County Attorneys and FCRHA Counsel; Deputy County Executive Verdia Haywood; Caroline Valentine, Management Analyst, DSMHS; Bill MacMillian, Management Analyst, DSMHS.

PUBLIC HEARING

Fairfax County Redevelopment and Housing Authority (FCRHA) FY 2009 Proposed Budget and the Certification of the FCRHA FY 2009 Proposed Budget as Consistent with the Adopted FCRHA Strategic Plan – Action Plan for FY 2009

The Chairman opened the hearing at 7:19 p.m. With no one signed up and no one in the audience wishing to speak the Chair closed the hearing at 7:19 p.m.

CITIZEN TIME

The FCRHA Vice Chair opened Citizen Time at 7:20 p.m. With no one signed up and no one in the audience wishing to speak, the Chair closed Citizen Time at 7:21 p.m.

APPROVAL OF MINUTES – December 13, 2007 Regular Meeting

A motion was made by Commissioner Kershenstein, seconded by Commissioner Schwaninger, that the FCRHA approve the Minutes of the FCRHA Meeting of December 13, 2007. Commissioner Kershenstein requested a correction to the Minutes to reflect a roll call vote taken on Resolution 86-07. Without objection, the Chair directed that the correction be made. A vote was taken, and the motion carried unanimously to approve the Minutes as corrected.

ACTION

1. **RESOLUTION NUMBER 01-08**

Certification of the Proposed FY 2009 Fairfax County Redevelopment and Housing Authority (FCRHA) Budget as Consistent with the Adopted FCRHA Strategic Plan – Action Plan for FY 2009

NOW THEREFORE, BE IT RESOLVED, THAT the Fairfax County Redevelopment and Housing Authority (FCRHA) certifies that the proposed FY 2009 FCRHA Budget, as presented at its December 13, 2007 meeting, is consistent with the adopted FCRHA Strategic Plan – Action Plan for FY 2009, approved at the December 13, 2007 FCRHA meeting, in compliance with Section 36-19.2(B) of the Code of Virginia.

A motion was made by Commissioner McAloon, seconded by Commissioner Kyle, to adopt Resolution Number 01-08. A vote was taken and the motion passed unanimously.

2. **RESOLUTION NUMBER 02-08**

Approval of a Marketing Plan for New Manufactured Homes in Woodley Hills Estates; Approval to Reallocate \$50,000 Within Fund 143, Homeowner Assistance Programs, to Assist Purchasers with Purchase of Their Current Homes; Approval to Provide Loans with Second Priority Liens of Up to \$30,000 to Qualified Purchasers (Mount Vernon District)

WHEREAS, the Fairfax County Housing and Redevelopment Authority (FCRHA) has purchased four (4) manufactured homes that have been set up in Woodley Hills Estates;

WHEREAS, sales prices, a marketing plan and certain eligibility criteria have been described; and

WHEREAS, funds from Fund 143, Homeowner Assistance Program, Project 013845 (MIDS Resale Project) in the amount of \$50,000 are available to fund the purchase of homes from current residents; and

WHEREAS, the FCRHA desires to provide seller financing of up to \$30,000 to qualified purchasers as described in the item presented at the meeting of the FCRHA on January 24, 2008;

NOW BE IT HEREBY RESOLVED that the FCRHA approves the sales prices, the marketing plan, the eligibility criteria for purchasers of the manufactured

homes, the seller proposed loan financing, and other recommendations to market the four (4) manufactured homes;

BE IT FURTHER RESOLVED THAT the FCRHA authorizes the Department of Housing and Community Development to reallocate \$50,000 within Fund 143, Homebuyer Assistance Programs to provide funds to purchase the current homes from qualified purchasers who are purchasing the new manufactured units.

A motion was made by Commissioner Jasper, seconded by Commissioner Lardner, to adopt Resolution Number 02-08. Commissioner Lardner thanked HCD staff for working with the residents of Woodley Hills and responding to their questions and concerns. A vote was taken and the motion passed unanimously.

3. **RESOLUTION NUMBER 03-08**

Authorization to Enter into a Contract with Metro Paving Corporation, the Lowest Responsive and Responsible Bidder for Rehabilitation Work at the Audubon Apartments (Project 1901) Public Housing Development, Using \$1,016,933 from Fund 969, Public Housing Projects Under Modernization, and \$100,000 from Fund 144, Housing Trust Fund (Lee District)

BE IT RESOLVED, that the Fairfax County Redevelopment and Housing Authority determines that Metro Paving Corporation is the lowest responsive and responsible bidder to perform the renovations at Audubon Apartments and hereby authorizes:

- 1) Its Chairman, Vice Chairman or an Assistant Secretary to enter into a contract in the amount of \$971,248 for these improvements to Audubon Apartments with Metro Paving Corporation, as outlined in the item presented to the FCRHA at its meeting on January 24, 2008; and
- 2) Its Chairman, Vice Chairman or an Assistant Secretary to approve change orders to this contract in an amount not to exceed 15% percent of the contract (\$145,685) and designate a contracting officer.

A motion was made by Commissioner Rau, seconded by Commissioner McAloon to adopt Resolution Number 03-08. Commissioner McAloon thanked staff for adding accessibility features. A vote was taken and the motion passed unanimously.

4. **RESOLUTION NUMBER 04-08**

Issuance of Fairfax County Redevelopment and Housing Authority Five-Year Bond Anticipation Notes (Affordable Housing Acquisition) Series 2008A in an Amount not to Exceed \$40,000,000 to Provide the Interim Financing for Crescent Apartments (Hunter Mill District)

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY BOND ANTICIPATION NOTES (AFFORDABLE HOUSING ACQUISITION) SERIES 2008A IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$40,000,000; AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYMENT AGREEMENT AND GROUND LEASE WITH THE COUNTY OF FAIRFAX AND AN ASSIGNMENT AGREEMENT, APPROVING THE FORM AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A FINAL OFFICIAL STATEMENT RELATING TO THE NOTES; APPROVING A FORM OF A NOTICE CALLING FOR BIDS TO PURCHASE THE NOTES, AND OTHER DOCUMENTS RELATED TO THE ISSUANCE AND SALE OF THE NOTES; PROVIDING FOR THE AWARD OF AND DIRECTING THE AUTHENTICATION AND DELIVERY OF SUCH NOTES; AND DELEGATING TO PROPER OFFICERS AUTHORITY TO DETERMINE CERTAIN DETAILS OF SUCH NOTES

WHEREAS, the Fairfax County Redevelopment and Housing Authority ("FCRHA") 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 further its goal of preserving affordable housing in Fairfax County; and

WHEREAS, on February 6, 2006, the Board of Supervisors of Fairfax County (the "County") entered into an Agreement of Purchase and Sale (the "Purchase Contract") for the purchase of the 180 unit Crescent Apartments multi-family rental housing complex, including the approximately 16.5 acre site thereof, located at 1527 Cameron Crescent Drive in Reston, Virginia (the "Property"); and

WHEREAS, the County, upon entering into the Purchase Contract, requested that FCRHA provide interim financing for a portion of the purchase price of the Property and related costs and offered to enter into a payment agreement pursuant to which the County agreed to make payments, to or for the account of FCRHA, in amounts sufficient, with the proceeds of any permanent financing and renewal notes financing (as herein provided) and any other sources of funds available for the purpose, for FCRHA to pay timely the interest on and the principal of notes to be issued for such interim financing; and

WHEREAS, FCRHA, pursuant to the County's request, issued on February 16, 2006 a bond anticipation note (the "Original Note"), the proceeds of which were used to pay a portion of the purchase price of the Property; and

WHEREAS, FCRHA, pursuant to the County's request and the terms of a payment agreement issued on February 13, 2007, a bond anticipation note (the "Outstanding Note") the proceeds of which were used to pay the principal of the Original Note; and

WHEREAS, FCRHA on February 2, 2006, authorized the issuance of its bonds to provide long-term permanent financing for the Property; and

WHEREAS, FCRHA is in the process of determining the use and development of the Property and does not yet wish to enter into permanent financing for the Property; and

WHEREAS, the Outstanding Note has a maturity date of February 12, 2008, and FCRHA desires to issue new notes as a source of interim financing to pay the principal of the Outstanding Note on or before its maturity date; and

WHEREAS, the County will offer to enter into a Payment Agreement (hereinafter defined) to support such interim financing; and

WHEREAS, pursuant to and in accordance with the Act, FCRHA desires to issue, sell, and deliver its Bond Anticipation Notes (Affordable Housing Acquisition) Series 2008A (the "Notes") in an aggregate principal amount up to \$40,000,000 sufficient, to pay a portion of the principal amount of the Outstanding Note and certain costs of issuance of the Notes; and

WHEREAS, there has been prepared the proposed form of a Payment Agreement between FCRHA and the County (the "Payment Agreement"), pursuant to which the County will agree to make payments, to or for the account of FCRHA, in amounts sufficient, with the proceeds of any other sources of funds available for the purpose, for FCRHA to pay timely the interest on and the principal of the Notes; and

WHEREAS, there has been presented to FCRHA the official notice calling for bids for the purchase of the Notes (the "Notice of Sale") that, or a summary thereof (the "Summary Notice of Sale"), will be published for such purpose; and

WHEREAS, there has been presented to FCRHA the Preliminary Official Statement relating to the Notes (the "Preliminary Official Statement"); and

WHEREAS, the County has advised FCRHA that the County will undertake primary responsibility for any annual and other reports, notices or disclosures that may be required under Rule 15c2-12 adopted by the Securities and Exchange Commission under

the Securities Exchange Act of 1934, as the same may be amended from time to time, and make a continuing disclosure undertaking; and

WHEREAS, FCRHA will assign to the bond registrar and payment agent of the Notes all of FCRHA's rights under the Payment Agreement, including FCRHA's rights to County Payments under, and to enforce the terms and provisions of, the Payment Agreement; and

WHEREAS, there has been prepared the proposed form of a Lease Agreement between FCRHA and the County (the "Ground Lease") by the terms of which the County will lease to FCRHA the Property; and

WHEREAS, there has been prepared the proposed form of the Notes; and

WHEREAS, the Commissioners of FCRHA (the "Commissioners") have determined that it is necessary to delegate to the Chairman, Vice Chairman, Secretary or an Assistant Secretary of FCRHA and the County Executive or Deputy County Executive/Chief Financial Officer the power to approve the sale of the Notes and the details of these transactions, subject to the guidelines and standards established hereby; now, therefore

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

Section 1. ***Issuance of the Notes.*** The Commissioners hereby authorize the issuance of the Notes by FCRHA for the purpose of providing interim financing for the payment of the principal amount of the Outstanding Note. The aggregate principal amount of the Notes shall not exceed \$40,000,000. The Notes shall have terms and provisions and be in substantially the form of the Notes made available at this meeting. The Notes shall be dated and shall bear interest at such fixed rate as may be approved by the Chairman, Vice Chairman, Secretary or an Assistant Secretary of FCRHA with the approval of the Chairman or Vice Chairman of the Board of Supervisors of Fairfax County, Virginia or the County Executive or Deputy County Executive/Chief Financial Officer of the County and that conform to the provisions of the Notice of Sale and this Resolution.

The Notes shall be executed on behalf of FCRHA by, and bear the manual or facsimile signature of, the Chairman or the Vice Chairman of FCRHA, and the seal of FCRHA shall be impressed and duly attested by the manual or facsimile signature of the Secretary or an Assistant Secretary of FCRHA or any other person authorized to do same ("Authorized Representative"), at least one of such signatures to be manual.

Section 2. ***Sale of Notes.*** The Notes shall be sold by competitive bidding in accordance with the terms of the Notice of Sale, the bids for such Notes to be received at the offices of the County Executive or Deputy County Executive/Chief Financial Officer of the County. The Notes shall be awarded to the bidder submitting the

best bid (determined in accordance with the requirements of the Notice of Sale and the terms set forth below) and, as determined by a FCRHA representative, provided that the Fairfax County Executive or the Fairfax County Deputy County Executive/Chief Financial Officer or their designee shall have first requested FCRHA to award the Notes to such best bidder.

The Chairman or Vice Chairman of FCRHA is hereby authorized, if the County Executive, the Deputy County Executive/Chief Financial Officer, or the Fairfax County Financial Advisor shall so recommend, to accept an offer of the purchaser of the Notes, to purchase the Notes at a purchase price of not less than ninety-six percent (96%) of the aggregate principal amount thereof nor more than one hundred eight percent (108%) of the aggregate principal amount thereof, plus accrued interest, and resulting in a true interest cost to FCRHA not in excess of 6.5 percent (6.5%), upon the terms and conditions set forth in the Notice of Sale and to approve and fix the details of the Notes that cannot be determined except under the actual market conditions that will obtain when the Notes are offered at competitive bidding, as herein authorized, but subject to such limitations as set forth herein.

Section 3. **Limited Obligations.** The Notes shall be limited obligations of FCRHA payable solely from the sources referred to in the preamble to this Resolution and as provided in the form of the Notes.

Section 4. **Payment Agreement.** The Payment Agreement is hereby approved in the form made available at this meeting. The Chairman or Vice Chairman of FCRHA is hereby authorized and directed to execute and deliver the Payment Agreement in substantially the form hereby approved with such additions, deletions and modifications thereto as may be approved by the Chairman or Vice Chairman, the execution of the Payment Agreement being conclusive evidence of such approval and of the approval of FCRHA; and the Secretary or an Assistant Secretary of FCRHA, or any Authorized Representative, is hereby authorized and directed to affix the seal of FCRHA to the Payment Agreement and to attest same.

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

Section 6. **Assignment Agreement.** The Assignment Agreement is hereby approved in the form made available at this meeting. The Chairman or Vice Chairman of FCRHA is hereby authorized and directed to execute and deliver the Assignment Agreement in substantially the form hereby approved with such additions, deletions and modifications thereto as may be approved by the Chairman or Vice

Chairman, the execution of the Assignment Agreement being conclusive evidence of such approval and of the approval of FCRHA; and the Secretary or an Assistant Secretary of FCRHA, or any Authorized Representative, is hereby authorized and directed to affix the seal of FCRHA to the Assignment Agreement and to attest same.

Section 7. **Preliminary Official Statement.** The form of the Preliminary Official Statement is hereby approved and the Chairman or Vice Chairman of FCRHA is hereby authorized to approve the terms of and publish a Preliminary Official Statement describing the Notes in substantially the same form as the Preliminary Official Statement presented to this meeting and deem "final" such Preliminary Official Statement for purposes of Rule 15c2-12 under the Securities Exchange Act of 1934, as amended. The distribution and use by the winning bidders of a final Official Statement relating to the Notes (the "Official Statement") is hereby authorized. The Official Statement shall be completed with the pricing and other information in substantially the form of the Preliminary Official Statement approved this day by FCRHA with such minor changes, insertions and omissions as may be approved by authorized representatives of the County and the Chairman or Vice Chairman of FCRHA. The Chairman or the Vice Chairman of the FCRHA is hereby authorized and directed to execute and deliver the Official Statement to the winning bidder for its use in making a public offering of the Notes upon the terms set forth in the Official Statement and Notice of Sale.

Section 8. **Notice of Sale.** The form of the Notice of Sale presented to this meeting is hereby approved to be published in The Bond Buyer, a financial journal published in New York, New York, and devoted primarily to municipal bonds, such publication to be at least five days prior to the date fixed for the receipt of bids. Such notice shall be substantially in the form of the Notice of Sale annexed to this resolution. Alternatively, there may be published a summary of the principal terms of the notice. Bids shall be received electronically via the PARITY Competitive Bidding System.

Section 9. **Continuing Disclosure Agreement.** The form of the Continuing Disclosure Agreement, presented at this meeting, is hereby approved.

Section 10. **Renewal Notes.** In the event that there has not been provided permanent financing the net proceeds of which are sufficient to provide, at or prior to the maturity of the Notes, for the payment of the unpaid principal and interest on the Notes, the Commissioners of FCRHA covenant to use their best efforts to obtain further interim financing and issue and sell renewal notes in amounts sufficient to provide, at or prior to the maturity of the Notes, for the payment of the unpaid principal and interest on the Notes.

Section 11. **Bond Counsel.** Sidley Austin LLP is hereby appointed Bond Counsel in connection with the issuance and sale of the Notes.

Section 12. **Other Action.** The Chairman, Vice Chairman, Secretary or an Assistant Secretary of FCRHA 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 and issuance of the Notes.

Section 13. **No Personal Liability.** No stipulation, obligation or agreement herein contained or contained in the Payment Agreement, the Notes, the Continuing Disclosure Agreement or in any other agreement, certificate or document executed on behalf of FCRHA shall be deemed to be a stipulation, obligation or agreement of any Commissioner, officer, agent or employee of FCRHA in his or her individual capacity, and no such Commissioner, officer, agent or employee shall be personally liable on the Notes or be subject to personal liability or accountability by reason of the issuance thereof.

Section 14. **Action Approved and Confirmed.** All acts and doings of the Commissioners, officers, agents or employees of FCRHA which are in conformity with the purposes and intent of this Resolution and in the furtherance of the issuance of the Notes and the execution, delivery and performance of the documents and agreements authorized hereby are in all respects approved and confirmed.

Section 15. **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 16. **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 Litzenberger, to adopt Resolution number 04-08. A vote was taken and the motion passed unanimously.

5. **RESOLUTION NUMBER 05-08**

Approval, Subject to Approval of Board of Supervisors, of: 1) a One-Year Extension to the Interim Flood Insurance Grant Program in a Sub-Area of the Existing Huntington Community within the Route One Rehabilitation District, 2) Change of Income Limit Eligibility for the Program, and 3) Funding Approval for the Extension (Mount Vernon District)

WHEREAS, under the authority granted by Section 36-52.3, the Board of Supervisors (the Board) may designate a portion of that area which would include within its boundaries the homes in the Huntington community that experienced the June flooding or were deemed susceptible to future flooding.

WHEREAS, Section 36-52.3 also empowers the Board to establish a program directed toward prevention and elimination of deteriorating conditions in such an area that would enable the Fairfax County Redevelopment and Housing Authority (FCRHA) to reimburse resident owners, depending on their income levels, for the cost of obtaining flood insurance through the Federal Emergency Management Agency's (FEMA's) National Flood Insurance Program; and

WHEREAS, on February 26, 2007, the Board approved an Ordinance to Establish a Sub-Area of the Existing Huntington Community within the Route One Rehabilitation District; and

WHEREAS, the Board also approved an interim flood insurance grant program and the Department of Housing and Community Development (DHCD), as staff to the FCRHA to administer the Huntington Flood Insurance Program (HFIP) in the proposed sub-area of the Huntington community; and

WHEREAS, the FCRHA desires to extend for one year the HFIP in accordance with the amended Policies and Procedures identified in the item presented to the FCRHA at its meeting on January 24, 2008.

NOW THEREFORE BE IT RESOLVED THAT the FCRHA approves subject to Board of Supervisors approval:

- 1) The extension of the Huntington Flood Insurance Program for one year with final expiration of the program on December 31, 2008: and
- 2) Maximum household income limit of 60% AMI adjusted for family size change income limits: and
- 3) Approve funding in the amount of \$322,761 for the extension.

A motion was made by Commissioner Lardner, seconded by Commissioner Jasper, to adopt Resolution Number 05-08. After a brief discussion, a vote was taken and the motion passed unanimously.

6. **RESOLUTION NUMBER 06-08**

Authorization to: 1) Purchase up to Four Affordable Dwelling Units at Halstead at the Metro I and II Development (aka Patriot Village at Dunn Loring); 2) Reallocate and Disburse, Subject to the Approval of the Board of Supervisors, up to \$ 176,514 from Fund 319, The Penny For Affordable Housing Fund, for a Portion of the Permanent Financing; and 3) Expend up to \$445,471 from Fund 946, Fairfax County Redevelopment and Housing Authority Revolving Development Fund, for the Interim Financing for the Proposed Acquisitions (Providence District)

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) authorizes the purchase of up to four affordable dwelling units (the ADU Units) in the Halstead at the Metro I and II Development (aka Patriot Village at Dunn Loring), and

BE IT FURTHER RESOLVED that the FCRHA authorizes Paula C. Sampson to act as its authorized negotiator for the purchase of the ADU Units, and further authorizes its Chairman, Vice Chairman or any Assistant Secretary to execute all documents and agreements necessary or appropriate in connection with the purchase of the ADU Units; and

BE IT FURTHER RESOLVED that the FCRHA approves the financing plan as described in the item presented to the FCRHA at its meeting on January 16, 2008, for the purchase of up to four ADU Units at the Halstead at the Metro I and II development (aka Patriot Village at Dunn Loring); and

BE IT FURTHER RESOLVED that the FCRHA hereby authorizes, subject to the approval of the Board of Supervisors, up to \$176,514 from Fund 319, The Penny For Affordable Housing Fund, for a portion of the permanent financing of four units at the Halstead at the Metro I and II Development (aka Patriot Village at Dunn Loring); and

BE IT FURTHER RESOLVED that the FCRHA hereby authorizes up to \$445,471 to be drawn down from Fund 946, FCRHA Revolving Development Fund, as the interim financing, if necessary, to purchase the four ADU units at the Halstead at the Metro I and II Development (aka Patriot Village at Dunn Loring) to be repaid at the time permanent financing is arranged.

After a brief presentation by Charlene Fuhrman-Schulz, a motion was made by Commissioner Schwaninger, seconded by Commissioner Litzenberger, to adopt Resolution Number 06-08. A vote was taken and the motion passed unanimously.

7. **RESOLUTION NUMBER 07-08**

Approval of Recommendations for the Use of FY 2009 Community Development Block Grant Funds and HOME Funds

WHEREAS, Fairfax County FY 2009 Community Development Block Grant entitlement funding is anticipated to be \$5,929,346; and

WHEREAS, Fairfax County FY 2009 HOME grant entitlement is projected to be \$2,448,559;

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

- (1) approves recommendations for the use of FY 2009 Community Development Block Grant and HOME funds presented to the FCRHA at its meeting on January 24, 2008; and
- (2) forwards those recommendations to the Consolidated Community Funding Advisory Committee for consideration in preparation of the Consolidated Plan One-Year Action Plan Use of Funds for FY 2009.

After a brief presentation by Audrey Spencer-Horsely, discussion followed, during which Commissioner Rau expressed disappointment that funding for the Reston Museum had been reduced. HCD Director Paula Sampson indicated that staff would look at program income to assist in filling the gap created by this reduction. A motion was made by Commissioner Litzenberger, seconded by Commissioner Jasper, to adopt Resolution Number 07-08. A vote was taken and the motion passed unanimously.

ADMINISTRATIVE

1. **RESOLUTION NUMBER 08-08**

Authorization to Enter into a Memorandum of Understanding with the Fairfax County Sheriff's Office for the Magnet Housing Rental Program

NOW THEREFORE BE IT RESOLVED THAT the Fairfax County Redevelopment and Housing Authority (FCRHA) hereby authorizes Paula C. Sampson, Assistant Secretary, to negotiate and enter into a Memorandum of Understanding with the Fairfax County Sheriff's Office with respect to the establishment of the Magnet Housing Rental Program for new recruits of the Sheriff's Office as outlined in the item presented to the FCRHA at its meeting on January 24, 2008.

A motion was made by Commissioner Jasper, seconded by Commissioner Schwaninger, to adopt Resolution Number 08-08. A vote was taken and the motion passed unanimously.

INFORMATION ITEMS:

1. Fairfax County Redevelopment and Housing Authority Regular Meeting Summary – December 13, 2007
2. Contracts of \$50,000 or Less
3. Minutes of the Housing Ownership, Management, and Security Committee Meeting – January 16, 2008
4. Minutes of the Planning and Development Committee Meeting – January 16, 2008
5. Minutes of the Finance Committee – January 16, 2008
6. Summary of the Joint Meeting of the Board of Supervisors Housing and Human Services Committees – November 26, 2007
7. Affordable Dwelling Unit (ADU) Tracking Report – *brief presentation*
8. Fairfax County Redevelopment and Housing Authority Calendar of Meetings – February and March 2008.

CLOSED SESSION

A motion was made by Commissioner Schwaninger, seconded by Commissioner Rau, that the Fairfax County Redevelopment and Housing Authority (“FCRHA”) go into closed Session for (1) discussion and consideration, pursuant to Virginia Code Section 2.2-3711 (A)(3), of the acquisition of real property for a public purpose located in Fairfax County where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the FCRHA and (2) consultation with legal counsel and briefing by staff members, pursuant to Virginia Code Section 2.23711 (A) (7), pertaining to actual litigation and specific legal matters requiring the provision of legal advice by such counsel where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the FCRHA.

The motion carried and the FCRHA went into Closed Session at 7:52 p.m.

OPEN MEETING RESUMED

A motion was made by Commissioner Schwaninger, seconded by Commissioner Kershenstein, that 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 roll call vote was taken as follows:

AYE

Conrad Egan
Charlen Kyle
Elisabeth Lardner
Robert Schwaninger
Albert McAloon
Will Jasper
Lee Rau
John Kershenstein
John Litzenberger

NAY

ABSTAIN

The motion carried unanimously by the commissioners present and open meeting resumed at 8:07 p.m.

MOTIONS

1. RE: 8283 Crestmont Circle, Springfield, VA 22153,

That the Fairfax County Redevelopment and Housing Authority authorize the Office of the County Attorney to settle the case styled, *Fairfax County Redevelopment and Housing Authority v. Valicia Ann Spriggs. et al.*, CL-2007-0007678, based on the terms and conditions outlined by the County Attorney during Closed Session.

A motion was made by Commissioner Lardner, seconded by Commissioner Rau, to approve the motion as presented by the County Attorney. A vote was taken and the motion passed unanimously.

2. RE: 6264 Les Dorson Lane (aka Les Dorsen Lane), Alexandria, Virginia 22315, a Founders Ridge (Kingstowne) Property in the Lee District

- That the Fairfax County Redevelopment and Housing Authority not take action to cure the loan default on the Property in the Lee District identified in closed session; and
- Authorize the exercise of its right to acquire the Property and to bid/purchase at a foreclosure sale of the Property in an amount not to exceed the amount presented by staff in closed session; and

- Authorize 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 foreclosure guidelines as presented by staff in Closed Session; and
- Authorize drawing upon Fund 143, Moderate Income Direct Sales (MIDS) Resale Project, not to exceed the amount presented by the staff in Closed Session to cover acquisition 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, to approve the motion as presented by the County Attorney. A vote was taken and the motion passed unanimously.

BOARD MATTERS – See Attachment #1

ADJOURNMENT

A motion was made by Commissioner Kershenstein, seconded by Commissioner Kyle, to adjourn the meeting at 8:30 p.m. A vote was taken and the motion carried unanimously.

(Seal)

Conrad Egan, Chairman

Paula C. Sampson, Assistant Secretary