

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

October 27, 2011

On October 27, 2011, 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.

CALL TO ORDER

Acting FCRHA Chair Elisabeth Lardner called the Regular Meeting of the FCRHA to order at 7:01 p.m. FCRHA Commissioners present or absent for a portion or all of the meeting were as follows:

PRESENT

Elisabeth Lardner, Chairman  
Richard C. Sullivan, Jr., Vice Chairman  
John Betts  
Robert C. Carlson  
Willard Jasper  
Richard Kennedy  
H. Charlen Kyle  
Albert J. McAloon  
Robert Schwaninger

ABSENT

Christopher Craig  
Rod Solomon

Also present at the meeting were the following staff of the Department of Housing and Community Development (HCD): Paula C. Sampson, Director; John Payne, Deputy Director, Real Estate; Patti Schlener, Director, Administration; Robert Easley, Director, Financial Management Division; Tom Fleetwood, Associate Director, Administration; David Ellis, Interim Deputy Director; Carol Erhard, Director, Rental Services, Office of Housing Management (OHM); Aseem Nigam, Director, Real Estate Finance and Grants Management (REFGM); Barbara Silberzahn, Director, Homeownership & Relocation Division (H&R); Abdi Hamud, Program Manager, H&R; Vincent Rogers, Senior Program Manager, Rental Services, Office of Housing Management (OHM); Molly Norris, Associate Director, Real Estate Finance and Grants Management (REFGM); Christina White, Director, Property Management (PM); Navneet Sohi, Information Officer, Public Affairs; Jane Wright, Administrative Assistant, Design, Development and Construction division (DD&C); Robert Fields, Associate Director of Special Projects, REFGM; Mike Trent, Network Analyst, Information Systems and Services (ISS); and Peter Uhrmacher, FCRHA Assistant. Other staff in attendance: Cynthia Tianti, Deputy County Attorney; Allen Weiss, Assistant County Attorney; and Ryan Wolf, Assistant County Attorney and FCRHA Counsel.

CITIZEN TIME

The FCRHA Chair opened Citizen Time at 7:01 p.m. With no one signed up and no one in the audience wishing to speak, the Chair closed Citizen Time at 7:02 p.m.

APPROVAL OF MINUTES

A motion was made by Commissioner Schwaninger, seconded by Commissioner Jasper, that the FCRHA approve the Minutes of the September 15, 2011 Regular Meeting. A vote was taken and the motion carried unanimously.

ACTION ITEMS

1.

RESOLUTION NUMBER 45-11

Authorization to Use the Fairfax County Redevelopment and Housing Authority PNC Bank Taxable Line of Credit to Pay the Virginia Housing Partnership Fund Note Due January 20, 2012 for Morris Glen Limited Partnership (Lee District)

WHEREAS, the Fairfax County Redevelopment and Housing Authority (FCRHA) authorized the formation of the Morris Glen Limited Partnership (the "Partnership") to serve as the owner of Morris Glen (the "Development");

WHEREAS, the FCRHA is the managing general partner (the "General Partner") and Pacific Harbor Fund Limited Partnership No. IV is the investor Limited Partner;

WHEREAS, in 1995 the financing for the construction of the Development by the Partnership included a Second Priority Loan, the Virginia Housing Partnership Fund Note (the "VHPF Note");

WHEREAS, the VHPF Note matures on January 20, 2012 (the "Maturity Date") and has a balloon payment (the "Balloon Payment") due on or before the Maturity Date in the amount of Six Hundred Eighty-one Thousand Three Hundred Eighty Dollars and Seventy Cents (\$681,380.70);

WHEREAS, the FCRHA has an established taxable Line of Credit (the "LOC") with PNC Bank;

NOW, THEREFORE, BE IT RESOLVED THAT the FCRHA authorizes the use of the LOC for the Balloon Payment, due under the terms of the VHPF Note, as a loan from the FCRHA to the Partnership under the terms of a Promissory Note (the "Note"); and

BE IT FURTHER RESOLVED that the FCRHA authorizes Paula C. Sampson, Assistant Secretary, and any Assistant Secretary, on behalf of the FCRHA, to execute and deliver any agreements or documents, and to take any other action as may be necessary or appropriate to comply therewith or in furtherance of the purposes thereof.

A motion was made by Commissioner Schwaninger, seconded by Commissioner Kennedy, to adopt Resolution 45-11. A vote was taken and the motion carried unanimously.

ADMINISTRATIVE ITEMS

1.

RESOLUTION NUMBER 46-11

Establishing the Schedule of Meeting Dates for 2012  
For the Fairfax County Redevelopment and Housing Authority

BE IT RESOLVED that the regular meetings and the Annual Meeting of the FCRHA for January through December 2012 will be held at the FCRHA Board Room at One University Drive, Fairfax, Virginia 22030 at 7:00 p.m. on the following dates unless the Chairman, or in the Chairman's absence, the Vice Chairman, shall authorize a different time.

January	19	
February	23	
April	19	
June	14	
July	19	ANNUAL MEETING
September	20	
October	25	
December	6	

A motion was made by Commissioner Jasper, seconded by Commissioner Schwaninger, to adopt Resolution 46-11. A vote was taken and the motion carried unanimously.

2.

RESOLUTION NUMBER 47-11

Approval to Implement New Housing Choice Voucher Program Payment Standards at 100 Percent of the U.S. Department of Housing and Urban Development (HUD) Fiscal Year 2012 Fair Market Rents

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority authorizes implementation of the proposed 2012 Housing Choice Voucher Program Payment Standards effective, January 1, 2012, as outlined in the Administrative Item presented to the FCRHA at its meeting on October 27, 2011.

A motion was made by Commissioner Jasper, seconded by Commissioner Kyle, to adopt Resolution 47-11. A vote was taken and the motion carried unanimously.

3.

RESOLUTION NUMBER 48-11

Approval to Release for Public Comment the Draft Fairfax County Redevelopment and Housing Authority (FCRHA) Annual Plan for the Public Housing and Housing Choice Voucher Programs for Fiscal Year 2012 (FCRHA Fiscal Year 2013), and Authorization to Advertise a Public Hearing on the Draft Plan

BE IT RESOLVED THAT the Fairfax County Redevelopment and Housing Authority (FCRHA) approves, for the purpose of seeking public comment, the Draft Annual Plan for the Public Housing and Housing Choice Voucher Programs for FY 2012 (FCRHA Fiscal Year 2013) as presented to the FCRHA at its meeting on October 27, 2011; and

BE IT FURTHER RESOLVED THAT THE FCRHA authorizes the Department of Housing and Community Development to advertise a public hearing on the proposed revisions to the Annual Plan for FY 2012 (FCRHA Fiscal Year 2013) to be held at the FCRHA's January 2012 meeting, tentatively scheduled for January 19, 2012

A motion was made by Commissioner Jasper, seconded by Commissioner Kyle, to adopt Resolution 48-11. A vote was taken and the motion carried unanimously.

4.

RESOLUTION NUMBER 49-11

Authorization to Advertise Availability of Applications for up to 62 Project-Based Section 8 Housing Choice Vouchers, Related to the Blueprint for Affordable Housing

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority hereby authorizes the Department of Housing and Community Development to publicly announce and advertise that the FCRHA accept applications from affordable housing providers for up to 62 Project-Based Section 8 Housing Choice Vouchers for

formerly homeless individuals and families or other special populations, as detailed in the item presented to the FCRHA at its meeting on October 27, 2011.

A motion was made by Commissioner Jasper, seconded by Commissioner Kyle, to adopt Resolution 49-11. A vote was taken and the motion carried unanimously.

INFORMATION ITEMS:

1. Fairfax County Redevelopment and Housing Authority Regular Meeting Summary – September 15, 2011
2. Minutes of the Housing Ownership, Management, and Security Committee Meeting – October 19, 2011
3. Minutes of the Finance Committee Meeting – October 19, 2011
4. Minutes of the Committee of the Whole – October 19, 2011
5. Update on Refinancing Section 108 Loan, B-95-UC-51-0001-A (Series 2001-A, Neighborhood Improvements)
6. Fairfax County Redevelopment and Housing Authority Calendar of Meetings – November and December 2011

CLOSED SESSION

A motion was made by Commissioner Schwaninger, seconded by Commissioner Carlson, 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.

The motion carried and the FCRHA went into Closed Session at 7:09 p.m.

OPEN SESSION RESUMES

A motion was made by Commissioner Carlson, 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 roll call vote was taken as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Elisabeth Lardner, Chairman Richard C. Sullivan, Jr., Vice Chairman John Betts Robert C. Carlson Willard Jasper Richard Kennedy Charlen Kyle Albert J. McAloon Robert Schwaninger		

The motion carried unanimously by the commissioners present and Open Meeting resumed at 7:31 p.m.

#### RESOLUTIONS

1.

#### RESOLUTION NUMBER 50-11 (As Amended)

Authorization Not to Cure the Default on the Property: and/or Authorization to Exercise the FCRHA's Right to Acquire the Property Prior to or at any Future *Default or Future* Foreclosure Sale of the Affordable Dwelling Unit (ADU) 2532 Peter Jefferson Lane, Herndon, Virginia 20171 (Dranesville District)

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

1. Shall not take any action to cure the loan default on the Affordable Dwelling Unit; and
2. Authorizes the Office of the County Attorney to negotiate and take such legal actions, including, but not limited to, institution of petitions for injunctive relief or actions seeking other relief, as appropriate, as consistent with the discussion in Closed Session; and
3. Authorizes the acquisition of the property at or before any foreclosure sale of the subject property for an amount that does not exceed the amount allowed under the covenant and restrictions on the property, in the event that funds are available; and
4. Authorizes the Chairman, Vice Chairman and any Assistant Secretary of the FCRHA to negotiate and to execute any and all documents necessary to

purchase the Property and resell the Property in accordance with the recommendation presented by staff in Closed Session; and

5. Authorizes drawing from Fund 143 Homeowners Assistance Program, Project 013845, MIDS Resale Project, subject to funding availability, not to exceed the amount presented by staff in Closed Session to cover the necessary associated costs of acquisition, carrying costs, rehabilitation and repair to be repaid from the sale of the Affordable Dwelling Unit to a qualified purchaser through the First-Time Homebuyers Program.

A motion was made by Commissioner Sullivan, seconded by Commissioner Schwaninger, to adopt Resolution Number 50-11, as amended. 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 Schwaninger, to adjourn the meeting at 7:50 p.m. A vote was taken and the motion carried unanimously.

(Seal)

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Elisabeth Lardner, Chairman

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Paula C. Sampson, Assistant Secretary