

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

June 12, 2014

On June 12, 2014, 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

FCRHA Chair Elisabeth Lardner called the Regular Meeting of the FCRHA to order at 7:00 p.m. FCRHA Commissioners present or absent for a portion or all of the meeting were as follows:

PRESENT

Elisabeth Lardner, Chairman  
Robert C. Carlson  
Christopher Craig  
C. Melissa Jonas  
Richard Kennedy  
H. Charlen Kyle  
Albert J. McAloon  
Robert Schwaninger

ABSENT

Willard Jasper, Vice Chair  
John Betts  
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; Robert Easley, Deputy Director, Operations; Tom Fleetwood, Director, FCRHA Policy, Reporting and Communication Division; Kris Miracle, Director, Administration Division; Steve Knippler, Senior Program Manager, FCRHA Policy, Reporting and Communication Division; Russell Lee, Acting Director, Rental Services Division; Vincent Rogers, Senior Program Manager, Rental Services Division; Aseem Nigam, Director, Real Estate Finance and Grants Management (REFGM) Division; Deepthi Jain, Senior Real Estate Finance Officer, REFGM Division; Michael Pearman, Portfolio Manager, REFGM Division; Robert Fields, Interim Associate Director, Grants Management, REFGM Division; Carol Erhard, Director, Homeownership and Relocation Division; Abdi Hamud, Chief, Homeownership and Relocation Division; Mary Lou Thompson, Financial Specialist IV, Financial Management Division (FMD); Leo Leduc, Director, Property Management Division; Toni Clemons-Porter, Associate Director, Sr. Housing and Assisted Living, Property Management Division; Mike Trent, Network Analyst, Information Systems and Services (ISS) Division; and Jodi Cienki, FCRHA Assistant. Other Fairfax County staff in attendance: Cynthia Tianti, Deputy County Attorney and Alan Weiss, Assistant County Attorney and FCRHA Counsel.

CITIZEN TIME

The FCRHA Chair opened Citizen Time at 7:00. With no one signed up and no one in the audience wishing to speak, the Chair closed citizen time at 7:00.

APPROVAL OF MINUTES  
**April 10, 2014**

A motion was made by Commissioner Schwaninger, seconded by Commissioner Kyle, that the FCRHA approve the Minutes of the April 10, 2014 Meeting. A vote was taken and the motion carried with Commissioners Jonas abstaining and Commissioner McAloon out of the room.

ACTION ITEMS

1.

**RESOLUTION NUMBER 20-14**

Fairfax County Redevelopment and Housing Authority (FCRHA) Authorization to 1) Accept Assignment of the Limited Partner's Interest in the Herndon Harbor House Limited Partnership; and 2) Assign a Portion of the General Partner Interest in the Herndon Harbor House Limited Partnership to FCRHA Housing Assistance Corporation (Hunter Mill District)

WHEREAS, the Fairfax County Redevelopment and Housing Authority (the "Authority") authorized the formation of Herndon Harbor House Limited Partnership (the "HHI Partnership") to serve as the owner of Herndon Harbor House; and

WHEREAS, the Authority is the sole general partner (the "General Partner") and M & T Bank Affordable Housing Fund, LP, successor to First Maryland Bancorp Fund, LP; Banc of America Housing Fund IIIA LP, successor to The Nations Housing Fund III Limited Partnership, and Enterprise Housing Partners VII Limited Partnership are limited partners (collectively, the "HHI Limited Partner") in the HHI Partnership; and

WHEREAS, the HHI Limited Partner desires to assign their respective interests (the "Limited Partners' Interests") in the Partnerships to the Authority; and

WHEREAS, the Authority, in order to accept the HHI Limited Partner's assignment in the HHI Partnership and to preserve the limited partnership status of the HHI Partnership, must admit a co-General Partner.

NOW, THEREFORE, BE IT RESOLVED that the Authority authorizes the acceptance of the assignment of the respective Limited Partner's Interests in the HHI Partnership, as outlined in the item presented to the Authority in at its June 12, 2014 meeting; and

BE IT FURTHER RESOLVED that the Authority approves the admission of the FCRHA Housing Assistance Corporation as co-General Partner in the HHI

Partnership and the transfer of 0.0049 percent of the Authority's current general partner interest in the HHI Partnership to FCRHA Housing Assistance Corporation.

BE IT FURTHER RESOLVED that the Authority authorizes Paula C. Sampson, Assistant Secretary, and any other Assistant Secretary, on behalf of the Authority, 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 Jonas, to adopt Resolution Number 20-14. A vote was taken and the motion carried unanimously with Commissioner McAloon out of the room.

#### **RESOLUTION NUMBER 21-14**

Fairfax County Redevelopment and Housing Authority (FCRHA) Authorization to Accept the Assignment of the Limited Partner's Interest in The Green Limited Partnership (Hunter Mill, Providence and Sully Districts)

WHEREAS, the Fairfax County Redevelopment and Housing Authority (the "Authority") authorized the formation of The Green Limited Partnership ("The Green Partnership", and along with the HHI Partnership, the "Partnerships") to serve as the owner of The Green; and

WHEREAS, the Authority and FCRHA Housing Assistance Corporation are general partners and Banc of America Housing Fund IIIA LP, successor to The Nations Housing Fund III Limited Partnership, is a limited partner ("The Green Limited Partner") in The Green Partnership; and

NOW, THEREFORE, BE IT RESOLVED that the Authority authorizes the acceptance of the assignment of the respective Limited Partner's Interests in The Green Partnership, as outlined in the item presented to the Authority in at its June 12, 2014 meeting; and

BE IT FURTHER RESOLVED that the Authority authorizes Paula C. Sampson, Assistant Secretary, and any other Assistant Secretary, on behalf of the Authority, 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 Jonas, to adopt Resolution Number 21-14. A vote was taken and the motion carried unanimously with Commissioner McAloon out of the room.

2.

**RESOLUTION NUMBER 22-14**

Approval of the Fairfax County Redevelopment and Housing Authority (FCRHA)  
Fiscal Year 2014 Moving to Work (MTW) Block Grant Plan

BE IT RESOLVED THAT the Fairfax County Redevelopment and Housing Authority (FCRHA) approves the implementation of the Moving to Work Block Grant Plan for Fiscal Year 2014, as contained in the Action item presented to the FCRHA at its meeting on June 12, 2014.

A motion was made by Commissioner Kennedy, seconded by Commissioner Schwaninger, to adopt Resolution Number 22-14. A presentation was made by Vincent Rogers, Senior Program Manager, Rental Services Division. Following a discussion, a vote was taken and the motion carried unanimously with Commissioner McAloon out of the room.

3.

**RESOLUTION NUMBER 23-14**

Approval to Submit to the U.S. Department of Housing and Urban Development (HUD)  
the Fairfax County Redevelopment and Housing Authority (FCRHA) Moving to Work  
(MTW) Plan for Fiscal Year 2015

BE IT RESOLVED THAT the Fairfax County Redevelopment and Housing Authority (FCRHA) approves the submission to the U.S. Department of Housing and Urban Development of the Moving to Work Plan for Fiscal Year 2015, as contained in the Action item presented to the FCRHA at its meeting on June 12, 2014, and authorizes the FCRHA Chairman to sign all HUD-required certifications for the Plan.

A motion was made by Commissioner Schwaninger, seconded by Commissioner Kennedy, to adopt Resolution Number 23-14. A vote was taken and the motion carried unanimously with Commissioner McAloon out of the room.

4.

**RESOLUTION NUMBER 24-14**

Adoption of the FY 2015 Consolidated Fairfax County  
Redevelopment and Housing Authority/Department of Housing and Community  
Development Operating and Capital Budget Plan

BE IT RESOLVED, that the Fairfax County Redevelopment and Housing Authority (FCRHA) adopts the FY 2015 FCRHA/Department of Housing and Community Development (HCD) Operating and Capital budgets for those funds appropriated by the FCRHA as presented to the FCRHA at its June 12, 2014 meeting; and

BE IT FURTHER RESOLVED, that the FCRHA acknowledges the Operating and Capital budgets and the FCRHA's requests for those funds appropriated by the County as presented to the FCRHA at its June 12, 2014 meeting.

A motion was made by Commissioner Schwaninger, seconded by Commissioner Kennedy, to adopt Resolution Number 24-14. A vote was taken and the motion carried unanimously.

5.

**RESOLUTION NUMBER 25-14**

Approval of Exception to FCRHA Subordination Policy in Connection with Refinancing  
Plan for Certain Properties Owned by Pathway Homes, Inc. (Lee, Mason and Mount  
Vernon Districts)

WHEREAS the Fairfax County Redevelopment and Housing Authority (FCRHA) has made six (6) loans to Pathway Homes, Inc., a non-profit organization to rehabilitate real property located at 6215 Pioneer Drive, 5626 Sheldon Drive, 2201 Huntington Ave, 2203 Huntington Ave, 2303 Mary Baldwin Drive, and 2305 Mary Baldwin Drive (together, the "Subject Properties") for use as affordable housing; and

WHEREAS, the FCRHA currently has subordinated its financial interest in the Deeds of Trusts for the Subject Properties; and

WHEREAS, the Berkadia Commercial Mortgage LLC has offered a loan commitment to Pathway to provide up to \$657,500 in first-trust refinancing for the Subject Properties; and

WHEREAS, the FCRHA has been requested to re-subordinate its position to the proposed first-trust loan on the Subject Properties; and

WHEREAS, the proposed refinancing for the Subject Properties does not conform to the requirements of the FCRHA Refinancing and/or Subordination Policy as it relates to cross-collateralization or cross-default; and

WHEREAS, the FCRHA may grant exceptions to the FCRHA Refinancing and/or Subordination Policy; and

WHEREAS, the FCRHA has evaluated the terms of the offered Berkadia Commercial Mortgage LLC loan and the financial risk involved in subordinating the FCRHA second-lien position in the proposed loan; and

WHEREAS, the FCRHA has determined that an exception to its Refinancing and/or Subordination Policy, relative to cross-collateralization, is necessary to facilitate the proposed refinancing;

NOW THEREFORE, BE IT RESOLVED that the FCRHA approves making an exception to the FCRHA Refinancing and/or Subordination Policy and approves the proposed Pathway refinancing in accordance with the recommendation contained in the Action Item presented on June 12, 2014.

A motion was made by Commissioner Kennedy, seconded by Commissioner Schwaninger, to adopt Resolution Number 25-14. A vote was taken and the motion carried unanimously.

#### ADMINISTRATIVE ITEMS

1.

#### **RESOLUTION NUMBER 26-14**

##### Approval of Relocation Policy for Fairfax County Rental Program Properties

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) approves the proposed policy for the Fairfax County Rental Program (FCRP) as described in the Administrative Item presented on June 12, 2014, and authorizes revising the Admissions and Continued Occupancy Policies for Multi-Family, Senior, and third-party and HCD-managed FCRP properties to incorporate the relocation policy.

A motion was made by Commissioner Kennedy, seconded by Commissioner McAloon, to adopt Resolution Number 26-14. A presentation was made by Carol Erhard, Director, Homeownership and Relocation Division. Following a discussion, a vote was taken and the motion carried unanimously

2.

**RESOLUTION NUMBER 27-14**

Amending the Schedule of Meeting Dates for 2014 for the Fairfax County  
Redevelopment and Housing Authority

BE IT RESOLVED that the regular meetings and the Annual Meeting of the FCRHA for July through December 2014 will be held at the FCRHA Board Room at One University Plaza, 4500 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.

July	31 ANNUAL MEETING
September	18
November	13
December	18

A motion was made by Commissioner Jonas, seconded by Commissioner Kennedy, to adopt Resolution Number 27-14. A vote was taken and the motion carried unanimously.

INFORMATION ITEMS

1. Fairfax County Redevelopment and Housing Authority Regular Meeting Summary – April 10, 2014
2. Minutes of the Housing Ownership, Management and Security Committee Meeting – June 4, 2014
3. Minutes of the Finance Committee Meeting – June 4, 2014
4. Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing with Respect to the Issuance of Tax Exempt Bonds for Private Activity Bond Allocations for the Benefit of The Residences at Government Center to be Held July 31, 2014 (Braddock District)
5. Initial Resale Control Period – Affordable Dwelling Unit (ADU) at 4104 H Monument Court Unit 202 Fairfax, VA 22033 (Springfield District)
6. Changes to the Housing Assistance Payment Schedule for the Housing Choice Voucher Program – Brief Discussion
7. Update on Smoking Policy Considerations – Brief Discussion
8. Fairfax County Redevelopment and Housing Authority Calendar of Meetings – July and August 2014

CLOSED SESSION

A motion was made by Commissioner Schwaninger, seconded by Commissioner Jonas, 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 and of disposition of publicly held real property 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 7:18 p.m.

OPEN SESSION RESUMES

A motion was made by Commissioner Schwaninger seconded by Commissioner Jonas, 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:

AYE

Elisabeth Lardner, Chairman  
Robert C. Carlson  
C. Melissa Jonas  
Richard Kennedy  
H. Charlen Kyle  
Albert J. McAloon  
Robert Schwaninger

NAY

ABSTAIN

The motion carried unanimously by the commissioners present and Open Meeting resumed at 7:48 p.m. **Note:** Commissioner Craig was out of the room.

RESOLUTIONS

1.

**RESOLUTION NUMBER 28-14**

Fairfax County Redevelopment and Housing Authority (FCRHA) Elects to Exercise Its Option to Purchase Home Equity Loan Program (HELP) Property at 3930 El Camino Place, Unit 14, Alexandria, VA 22309 (Lee District)

BE IT HEREBY RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) elects to exercise its option to purchase the property at

3930 El Camino Place, Unit 14, Alexandria, Virginia 22309 at a price of \$150,000 and resell the property to a qualified household in the First-Time Homebuyers Program for the associated costs of acquisition and rehabilitation; and

BE IT FURTHER RESOLVED that the FCRHA authorizes drawing from Fund 400-C40365, Moderate Income Direct Sales Resale, Cost Center H383807002, Homeownership - HCD, not to exceed \$175,500, the amount required to purchase the subject property and to cover the necessary associated costs of acquisition, carrying costs and rehabilitation. The acquisition and rehabilitation funds would be repaid upon resale of the property.

BE IT FURTHER RESOLVED that the FCRHA authorizes each Assistant Secretary to execute all documents necessary to effectuate the purchase of this property.

A motion was made by Commissioner McAloon, seconded by Commissioner Schwaninger, to adopt Resolution Number 28-14. A vote was taken and the motion carried unanimously with Commissioner Craig out of the room.

2.

#### **RESOLUTION NUMBER 29-14**

Fairfax County Redevelopment and Housing Authority (FCRHA) Waiver Request for Moderate Income Direct Sales (MIDS) Property at 7804 Inverton Road, Apartment 203, Annandale, VA 22003 (Braddock District)

BE IT HEREBY RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) not authorize the waiver request and exercise its right of repurchase of the MIDS property at 7804 Inverton Road Apartment 203, Annandale, VA 22003 at the control price (\$177,078) providing marketable title can be provided and resell the property to a qualified household in the First-Time Homebuyers Program for the associated costs of acquisition and rehabilitation; and

BE IT FURTHER RESOLVED that the FCRHA authorizes drawing from Fund 400-C40365, Moderate Income Direct Sales Resale, Cost Center H383807002, Homeownership - HCD, not to exceed \$206,098, the amount required to purchase the subject property and to cover the necessary associated costs of acquisition, carrying costs and rehabilitation. The acquisition and rehabilitation funds would be repaid upon resale of the property.

BE IT FURTHER RESOLVED that the FCRHA authorizes each Assistant Secretary to execute all documents necessary to effectuate the purchase of this property.

A motion was made by Commissioner Craig, seconded by Commissioner Schwaninger, to adopt Resolution Number 29-14. 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 8:00 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