

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

May 9, 2024

On May 9, 2024, the Commissioners of the Fairfax County Redevelopment and Housing Authority (FCRHA) met in Conference Rooms 9/10 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia.

CALL TO ORDER

FCRHA Chairman Lenore Stanton called the Meeting of the FCRHA to order at 7:00 p.m. Attendance for all, or part of the meeting, was as follows:

PRESENT

Lenore Stanton, Chairman
Elisabeth Lardner, Vice Chair
Staci Alexander
Steven Bloom
Michael Cushing
LaToya Isaac
Michael McRoberts
Paul Zurawski

ABSENT

Nicholas McCoy

The remote location from which the following Commissioner participated is:

Michael McRoberts – St. Helena, California

Also present at the meeting were the following staff of the Department of Housing and Community Development (HCD): Thomas Fleetwood, Director; Amy Ginger, Deputy Director, Operations; Anna Shapiro, Deputy Director, Real Estate Finance and Development; Linda Hoffman, Associate Director of Policy, Policy and Communications (P&C); Brandy Thompson, Management Analyst, P&C; Allyson Pearce, Marketing and Outreach Manager, P&C; Mark Buenavista, Director, Design, Development, and Construction; Margaret Johnson, Director, Rental Housing; Peggy Gregory, Director, Rental Assistance; Debashish Chakravarty, Associate Director, Real Estate Finance (REF); Alexanne Yi, Senior Real Estate Finance Officer, REF; Jason Chia, Information Technology Manager, Central Services.

Also in attendance was FCRHA Counsel: Cynthia Bailey, Deputy County Attorney; Ryan Wolf, Senior Assistant County Attorney; Alan Weiss, Richard Dzubin, and Brett Callahan, Assistant County Attorneys.

MOTION

Pursuant to the FCRHA's Policy for Remote Participation in Meetings by Electronic

Communication, Chairman Stanton noted for the record that there was a physical quorum present at the meeting location and asked for a motion that Commissioner McRoberts be permitted to participate remotely in the meeting due to a personal matter that precluded his physical attendance.

Commissioner Zurawski made the motion, which Commissioner Bloom seconded. The motion passed unanimously.

MOTION

Pursuant to the FCRHA's Policy for Remote Participation in Meetings by Electronic Communication, Chairman Stanton asked for a motion that Commissioner McRoberts' voice was clear, audible and at an appropriate volume for the meeting room.

Commissioner Zurawski made the motion, which Commissioner Isaac seconded. The motion passed unanimously.

CITIZEN TIME

The FCRHA Chairman opened citizen time at 7:02 p.m. No one signed up in advance and no one in the audience wanted to speak. The Chairman closed citizen time at 7:03 p.m.

APPROVAL OF MINUTES

March 14, 2024

Commissioner Zurawski moved to approve the Minutes of the March 14, 2024 FCRHA Meeting, which Commissioner Alexander seconded. The motion passed unanimously.

ACTION ITEM

1.

RESOLUTION NUMBER 15-24

Authorization of Issuance of Multifamily Housing Revenue Bonds or Notes in an Aggregate Amount Not to Exceed \$20,000,000 to Finance Affordable Housing at Little River Glen I; Authorization and Approval of the Execution and Delivery of Various Documents and Certain Other Matters in Connection Therewith (Braddock District)

WHEREAS, the Fairfax County Redevelopment and Housing Authority (the "Authority") is a political subdivision of the Commonwealth of Virginia, established pursuant to the Housing Authority Law, Title 36, Chapter 1, Code of Virginia of 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 its Multifamily Housing Mortgage Revenue Note (Little River Glen I Apartments Project) (the “Note”) on a tax-exempt basis in an original principal amount not to exceed \$20,000,000; and

WHEREAS, the proceeds of the Note will be loaned to the Owner named below to be used, together with other sources, to: (1) finance or reimburse the cost of the acquisition, rehabilitation, and equipping of the 120-unit affordable senior rental housing project known as Little River Glen I Apartments (the “Project”), located at 4001 Barker Court, Fairfax, Virginia 22032 in the Braddock District, (2) fund capitalized interest and other related reserves, if any, and (3) pay costs of issuance of the Note; and

WHEREAS, the Project will be owned by LRG Apartments Limited Partnership, a Virginia limited partnership (the “Owner”); and

WHEREAS, Thomas E. Fleetwood, as Assistant Secretary on behalf of the Authority, executed a Declaration of Intent on May 5, 2023, evidencing its intent to issue the Note in an original principal amount not to exceed \$20,000,000; and

WHEREAS, the Authority on October 19, 2023, authorized the submission of the proposed tax-exempt financing of the Project to the Fairfax County Board of Supervisors for approval; 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 Note on a tax-exempt basis; and

WHEREAS, the Authority held a TEFRA Hearing on October 19, 2023; and

WHEREAS, for purposes of compliance with Section 147(f) of the Internal Revenue Code of 1986, as amended, the proposed financing and issuance of the Note was approved by the Fairfax County Board of Supervisors at its meeting held on October 24, 2023; and

WHEREAS, the Project is expected to receive a private activity bond volume allocation not to exceed \$20,000,000 from the Virginia Department of Housing and Community Development; and

WHEREAS, there have been prepared proposed forms of:

the Funding Loan Agreement (the “Funding Loan Agreement”) by and among the Authority, The Bank of New York Mellon Trust Company, N.A., as fiscal agent (the “Fiscal Agent”), and TD Bank, N.A., a national banking

association (the “Initial Funding Lender”), pursuant to which the Note will be issued and secured;

the Project Loan Agreement (the “Loan Agreement”) by and among the Authority, the Fiscal Agent and the Owner, pursuant to which the proceeds of the Note will be loaned to the Owner;

the Land Use Restriction Agreement (the “Land Use Restriction Agreement”) by and among the Authority, the Fiscal Agent and the Owner;

WHEREAS, the Initial Funding Lender will finance the Project during construction through its acquisition of the Note and funding of the proceeds thereof; and

WHEREAS, following completion of construction of the Project and the satisfaction of certain conditions to conversion set forth in the forward commitment of the Federal Home Loan Mortgage Corporation (“Freddie Mac”), as permanent lender, Freddie Mac is expected to purchase the Note through its authorized seller-servicer (Walker & Dunlop LLC) to provide financing for the Project during the permanent phase;

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.

Issuance of the Note. The Commissioners of the Authority (the “Commissioners”) hereby authorize the issuance of the Note by the Authority, for the purpose of providing a loan of the proceeds thereof to the Owner to be used, together with other sources, to: (a) finance or reimburse the cost of the acquisition, rehabilitation, and equipping of the Project, (b) fund capitalized interest and other related reserves, if any, and (c) pay costs of issuance of the Note. The original principal amount of the Note shall not exceed \$20,000,000.

The Note shall be dated as set forth in the Funding Loan Agreement and approved by the Chair, Vice Chair, Secretary or an Assistant Secretary of the Authority. The Note shall mature not more than 22 years from its date of issuance and be sold at a price not less than 100 percent of the principal amount thereof. The Note shall bear interest initially at a variable rate tied to Term SOFR or similar alternate index as provided in the Funding Loan Agreement, and following the conversion of the Project from the construction phase to the permanent phase, the Note shall bear interest at a rate not to exceed 8.5% per annum.

The Note shall be executed on behalf of the Authority by, and bear the manual or facsimile signature of, the Chair or the Vice Chair of the Authority, 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”), and the seal of the Authority shall be thereunto affixed (or imprinted or engraved if in facsimile).

The Note shall be in the form set forth in the Funding Loan Agreement.

Limited Obligation. The Note and the interest thereon shall be limited obligations of the Authority, secured by and payable solely from the security pledged therefor under the Funding Loan Agreement.

NEITHER THE COMMISSIONERS OF THE AUTHORITY NOR ANY PERSON EXECUTING THE NOTE SHALL BE LIABLE PERSONALLY THEREON BY REASON OF THE ISSUANCE THEREOF. THE NOTE 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 NOTE BE PAYABLE OUT OF ANY FUNDS OR PROPERTIES OTHER THAN THE SECURITY PLEDGED THEREFOR UNDER THE FUNDING LOAN AGREEMENT. THE NOTE SHALL NOT CONSTITUTE AN INDEBTEDNESS WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY DEBT LIMITATION OR RESTRICTION. THE AUTHORITY HAS NO TAXING POWER.

Funding Loan Agreement. The Funding Loan Agreement is hereby approved in the form made available at this meeting. The Chair or the Vice Chair of the Authority is hereby authorized and directed to execute and deliver the Funding Loan Agreement in substantially the form herein approved with such additions, deletions and modifications thereto as may be approved by the Chair or the Vice Chair, the execution of the Funding Loan Agreement 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 attest the signature of the Chair or the Vice Chair to the Funding Loan Agreement and affix the seal of the Authority to the Funding Loan Agreement.

Fiscal Agent. The Bank of New York Mellon Trust Company, N.A. is hereby appointed to act as fiscal agent (the “Fiscal Agent”) for the Note under the Funding Loan Agreement.

Bond Counsel. Ballard Spahr LLP is hereby appointed Bond Counsel in connection with the issuance of the Note.

Land Use Restriction Agreement. The Land Use Restriction Agreement is hereby approved in the form made available at this meeting. The Chair, Vice Chair, 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 Chair, Vice Chair, 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.

Tax Agreement. The Chair, Vice Chair, 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 Note prepared by Bond Counsel.

Loan Agreement. The Loan Agreement is hereby approved in the form made available at this meeting. The Chair or Vice Chair 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 attest the signature of the Chair or the Vice Chair to the Loan Agreement and to affix the seal of the Authority to the Loan Agreement in substantially the form herein approved with such additions, deletions and modifications thereto as may be approved by the Chair or the Vice Chair, the execution of the Loan Agreement being conclusive evidence of such approval and of the approval of the Authority.

Other Action. The Chair, Vice Chair, 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 and issuance of the Note and the conversion of the Project to the permanent phase (including but not limited to the replacement of transaction participants appointed hereby upon their resignation or if circumstances warrant).

No Personal Liability. No stipulation, obligation or agreement herein contained or contained in the Funding Loan Agreement, the Loan Agreement, the Land Use Restriction Agreement, the Tax Agreement, the Note 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 Note or be subject to personal liability or accountability by reason of the issuance thereof.

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 Note and the execution, delivery and performance of the documents and agreements authorized hereby are in all respects approved and confirmed.

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.

Repealer; Effective Date. Any prior resolutions 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.

ADOPTED AND APPROVED this 9th day of May, 2024.

Commissioner Isaac moved to adopt Resolution Number 15-24, which Commissioner Alexander seconded. The motion passed with Chairman Stanton abstaining.

ACTION ITEM

2.

RESOLUTION NUMBER 16-24

Authorization of Issuance of Multifamily Housing Revenue Bonds or Notes in an Aggregate Amount Not to Exceed \$20,000,000 to Finance Affordable Housing at Little River Glen IV; Authorization and Approval of the Execution and Delivery of Various Documents and Certain other Matters in Connection Therewith (Braddock District)

WHEREAS, the Fairfax County Redevelopment and Housing Authority (the “Authority”) is a political subdivision of the Commonwealth of Virginia, established pursuant to the Housing Authority Law, Title 36, Chapter 1, Code of Virginia of 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 its Multifamily Housing Mortgage Revenue Note (Little River Glen IV Apartments Project) (the “Note”) on a tax-exempt basis in an original principal amount not to exceed \$20,000,000; and

WHEREAS, the proceeds of the Note will be loaned to the Owner named below to be used, together with other sources, to: (1) finance or reimburse the cost of the acquisition, construction, and equipping of a 60-unit affordable senior rental housing project to be known as Little River Glen IV Apartments (the “Project”), located at 4013 Barker Court, Fairfax, Virginia 22032 in the Braddock District, (2) fund capitalized interest and other related reserves, if any, and (3) pay costs of issuance of the Note; and

WHEREAS, the Project will be owned by LRG Four Limited Partnership, a Virginia limited partnership (the “Owner”); and

WHEREAS, Thomas E. Fleetwood, as Assistant Secretary on behalf of the Authority, executed a Declaration of Intent on May 5, 2023, evidencing its intent to issue the Note in an aggregate principal amount not to exceed \$20,000,000; and

WHEREAS, the Authority on October 19, 2023, authorized the submission of the proposed tax-exempt financing of the Project to the Fairfax County Board of Supervisors for approval; 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 Note on a tax-exempt basis; and

WHEREAS, the Authority held a TEFRA Hearing on October 19, 2023; and

WHEREAS, for purposes of compliance with Section 147(f) of the Internal Revenue Code of 1986, as amended, the proposed financing and issuance of the Note was approved by the Fairfax County Board of Supervisors at its meeting held on October 24, 2023; and

WHEREAS, the Project is expected to receive a private activity bond volume allocation not to exceed \$20,000,000 from the Virginia Department of Housing and Community Development; and

WHEREAS, there have been prepared proposed forms of:

the Funding Loan Agreement (the “Funding Loan Agreement”) by and among the Authority, The Bank of New York Mellon Trust Company, N.A., as fiscal agent (the “Fiscal Agent”), and TD Bank, N.A., a national banking association (the “Initial Funding Lender”), pursuant to which the Note will be issued and secured;

the Project Loan Agreement (the “Loan Agreement”) by and among the Authority, the Fiscal Agent and the Owner, pursuant to which the proceeds of the Note will be loaned to the Owner;

the Land Use Restriction Agreement (the “Land Use Restriction Agreement”) by and among the Authority, the Fiscal Agent and the Owner;

WHEREAS, the Initial Funding Lender will finance the Project during construction through its acquisition of the Note and funding of the proceeds thereof; and

WHEREAS, following completion of construction of the Project and the satisfaction of certain conditions to conversion set forth in the forward commitment of the Federal Home Loan Mortgage Corporation (“Freddie Mac”), as permanent lender,

Freddie Mac is expected to purchase the Note through its authorized seller-servicer (Walker & Dunlop LLC) to provide financing for the Project during the permanent phase;

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

Section 2. **Incorporation of Recitals.** The Recitals contained in this Resolution are true and correct and are incorporated in this Resolution by this reference.

Issuance of the Note. The Commissioners of the Authority (the “Commissioners”) hereby authorize the issuance of the Note by the Authority, for the purpose of providing a loan of the proceeds thereof to the Owner to be used, together with other sources, to: (a) finance or reimburse the cost of the acquisition, construction, and equipping of the Project, (b) fund capitalized interest and other related reserves, if any, and (c) pay costs of issuance of the Note. The original principal amount of the Note shall not exceed \$20,000,000.

The Note shall be dated as set forth in the Funding Loan Agreement and approved by the Chair, Vice Chair, Secretary or an Assistant Secretary of the Authority. The Note shall mature not more than 22 years from its date of issuance and be sold at a price not less than 100 percent of the principal amount thereof. The Note shall bear interest initially at a variable rate tied to Term SOFR or similar alternate index as provided in the Funding Loan Agreement, and following the conversion of the Project from the construction phase to the permanent phase, the Note shall bear interest at a rate not to exceed 8.5% per annum.

The Note shall be executed on behalf of the Authority by, and bear the manual or facsimile signature of, the Chair or the Vice Chair of the Authority, 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”), and the seal of the Authority shall be thereunto affixed (or imprinted or engraved if in facsimile).

The Note shall be in the form set forth in the Funding Loan Agreement.

Limited Obligation. The Note and the interest thereon shall be limited obligations of the Authority, secured by and payable solely from the security pledged therefor under the Funding Loan Agreement.

NEITHER THE COMMISSIONERS OF THE AUTHORITY NOR ANY PERSON EXECUTING THE NOTE SHALL BE LIABLE PERSONALLY THEREON BY REASON OF THE ISSUANCE THEREOF. THE NOTE 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 NOTE BE PAYABLE OUT OF ANY FUNDS OR PROPERTIES OTHER THAN THE SECURITY PLEDGED THEREFOR UNDER THE FUNDING LOAN AGREEMENT. THE NOTE SHALL NOT CONSTITUTE AN INDEBTEDNESS WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY DEBT LIMITATION OR RESTRICTION. THE AUTHORITY HAS NO TAXING POWER.

Funding Loan Agreement. The Funding Loan Agreement is hereby approved in the form made available at this meeting. The Chair or the Vice Chair of the Authority is hereby authorized and directed to execute and deliver the Funding Loan Agreement in substantially the form herein approved with such additions, deletions and modifications thereto as may be approved by the Chair or the Vice Chair, the execution of the Funding Loan Agreement 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 attest the signature of the Chair or the Vice Chair to the Funding Loan Agreement and affix the seal of the Authority to the Funding Loan Agreement.

Fiscal Agent. The Bank of New York Mellon Trust Company, N.A. is hereby appointed to act as fiscal agent (the "Fiscal Agent") for the Note under the Funding Loan Agreement.

Bond Counsel. Ballard Spahr LLP is hereby appointed Bond Counsel in connection with the issuance of the Note.

Land Use Restriction Agreement. The Land Use Restriction Agreement is hereby approved in the form made available at this meeting. The Chair, Vice Chair, 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 Chair, Vice Chair, 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.

Tax Agreement. The Chair, Vice Chair, 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 Note prepared by Bond Counsel.

Loan Agreement. The Loan Agreement is hereby approved in the form made available at this meeting. The Chair or Vice Chair 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 attest the signature of the Chair or the Vice Chair to the Loan

Agreement and to affix the seal of the Authority to the Loan Agreement in substantially the form herein approved with such additions, deletions and modifications thereto as may be approved by the Chair or the Vice Chair, the execution of the Loan Agreement being conclusive evidence of such approval and of the approval of the Authority.

Other Action. The Chair, Vice Chair, 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 and issuance of the Note and the conversion of the Project to the permanent phase (including but not limited to the replacement of transaction participants appointed hereby upon their resignation or if circumstances warrant).

No Personal Liability. No stipulation, obligation or agreement herein contained or contained in the Funding Loan Agreement, the Loan Agreement, the Land Use Restriction Agreement, the Tax Agreement, the Note 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 Note or be subject to personal liability or accountability by reason of the issuance thereof.

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 Note and the execution, delivery and performance of the documents and agreements authorized hereby are in all respects approved and confirmed.

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.

Repealer; Effective Date. Any prior resolutions 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.

ADOPTED AND APPROVED this 9th day of May, 2024.

Commissioner Isaac moved to adopt Resolution Number 16-24, which Vice Chair Lardner seconded. The motion passed with Chairman Stanton abstaining.

ACTION ITEM

3.

RESOLUTION NUMBER 17-24

Authorization to Execute a Memorandum of Understanding Between the Fairfax County
Redevelopment and Housing Authority and the Fairfax County Department of Family
Services for the Provision of Supportive Services to Residents of Certain Senior
Properties

BE IT RESOLVED THAT the Fairfax County Redevelopment and Housing Authority (FCRHA) authorizes the execution of the Memorandum of Understanding between the Fairfax County Redevelopment and Housing Authority and the Fairfax County Department of Family Services for the Provision of Supportive Services to Residents of Certain Senior Properties at its meeting on May 9, 2024, and

BE IT FURTHER RESOLVED that the FCRHA authorizes any Assistant Secretary, or the designee thereof, to take any actions reasonably necessary to implement or effectuate this Memorandum of Understanding.

Vice Chair Lardner moved to adopt Resolution Number 17-24, which Commissioner Isaac seconded. The motion passed unanimously.

ADMINISTRATIVE ITEM

1.

RESOLUTION NUMBER 18-24

Approval of Revisions to the Housing Choice Voucher Program Administrative Plan,
Chapter 6

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) approves the revisions to its Housing Choice Voucher Program Administrative Plan, Chapter 6, as presented to the FCRHA on May 9, 2024.

Commissioner Zurawski moved to adopt Resolution Number 18-24, which Commissioner Alexander seconded. The motion passed unanimously.

ADMINISTRATIVE ITEM

2.

RESOLUTION NUMBER 19-24

Approval of Revisions to the Housing Choice Voucher Program Administrative Plan,
Chapter 14

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) approves the revisions to its Housing Choice Voucher Program Administrative Plan, Chapter 14, as presented to the FCRHA on May 9, 2024.

Vice Chair Lardner moved to adopt Resolution Number 19-24, which Commissioner Isaac seconded. The motion passed unanimously.

INFORMATION ITEMS

1. Summary of the Board of Supervisors' Housing Committee Meeting –
February 27, 2024

CLOSED SESSION

Commissioner Cushing moved that the FCRHA go into Closed Session for the following:

Pursuant to Virginia Code Section 2.2-3711(A)(7) for consultation with legal counsel and briefings by staff members regarding actual or probable litigation where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the FCRHA, specifically the following matters:

1. **Zoraida Barrios v. FCRHA, et al.**; HUD Case # 03-23-4812-V (Franconia District);
2. **Linda Pelligrino v. Edgewood Management Corp. and the FCRHA**, Fairfax County Circuit Court #CL-2023-0012958 (Mason District);
3. **Jacqueline Humphries v. Hayden, JLB McLean LLC, et. al**, United States District Court, Eastern District of Virginia, Alexandria Division, 1:23-CV-01744 (Providence District)

Pursuant to Virginia Code Section 2.2-3711(A)(3) and – (A)(6) for the discussion of the acquisition or disposition of real property for a public purpose and the investment of public funds where competition or bargaining is involved, and where if those discussions occurred in an open meeting the bargaining position of the FCRHA would

be adversely affected, and specifically with regard to the following matter:

1. Acquisition of property in the Sully District.
2. Disposition of property for the Little River Glen Redevelopment

Pursuant to Virginia Code Section 2.2-3711(A)(3) for the discussion of the disposition of real property for a public purpose and where if those discussions occurred in an open meeting the bargaining position of the FCRHA would be adversely affected, and specifically with regard to the following matter:

1. Franconia Government Center Redevelopment

Commissioner Zurawski seconded the motion. The FCRHA went into Closed Session at 7:31 p.m.

OPEN SESSION

Commissioner Cushing moved that the members of the FCRHA 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 FCRHA. Commissioner Zurawski seconded the motion.

The FCRHA took the following roll call vote:

AYE

Lenore Stanton, Chairman
Elisabeth Lardner, Vice Chair
Staci Alexander
Steven Bloom
Michael Cushing
LaToya Isaac
Michael McRoberts
Paul Zurawski

NAY

ABSTAIN

The motion carried and the Open Meeting resumed at 8:11 p.m.

CLOSED SESSION ITEM

1.

RESOLUTION NUMBER 20-24

Authorization of Certain Funds for Acquisition of Certain Real Property Located in the

Sully District

BE IT RESOLVED THAT the Fairfax County Redevelopment and Housing Authority (FCRHA) authorizes (1) the expenditure of American Rescue Plan Act, State and Local Fiscal Relief Funds in connection with the acquisition of certain real property located in the Sully District, in substantial conformance with the terms and conditions presented by staff and the Office of the County Attorney in Closed Session and (2) any Assistant Secretary to take such actions as may be reasonably necessary to effectuate such expenditure of funds.

Vice Chair Lardner moved to adopt Resolution Number 20-24, which Commissioner Alexander seconded. The motion passed unanimously.

CLOSED SESSION ITEM

2.

RESOLUTION NUMBER 21-24

Authorization of Negotiation Parameters and Redevelopment Documents at Little River Glen Redevelopment (Braddock District)

BE IT RESOLVED THAT the Fairfax County Redevelopment and Housing Authority (FCRHA) authorizes (1) any Assistant Secretary, together with his or her designees, to negotiate the terms and conditions of the ground leases and related documents for the Little River Glen redevelopment, in substantial conformance with the parameters described in Closed Session, and (2) any Assistant Secretary to take such steps as reasonably necessary to effectuate the redevelopment of Little River Glen consistent with such documents, including the formation and direction of FCRHA subsidiaries, the admission of other entities as members or partners of the FCRHA subsidiaries in connection with the federal low-income housing tax credit program, and the conveyance of interests in real property.

Commissioner Cushing moved to adopt Resolution Number 21-24, which Commissioner Isaac seconded. The motion passed unanimously.

BOARD MATTERS

See Attachment 1.

ADJOURNMENT

The FCRHA Chairman adjourned the meeting at 8:22 p.m.

Lenore Stanton, Chairman

(Seal)

Thomas Fleetwood, Assistant Secretary