

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

May 18, 2020, Special Meeting

On May 18, 2020, the Commissioners of the Fairfax County Redevelopment and Housing Authority (FCRHA) met electronically.

CALL TO ORDER

FCRHA Chair Robert Schwaninger called the Meeting of the FCRHA to order at 11:00 a.m. Attendance for all, or part of the meeting, was as follows:

PRESENT

Robert Schwaninger, Chairman  
Matthew Bell  
Christopher Craig  
Kenneth Feng  
Lenore Kelly  
Richard Kennedy  
Albert J. McAloon  
Ezra Rosser  
Rod Solomon  
Sharisse Yerby

ABSENT

C. Melissa McKenna, Vice Chair

The remote locations from which each Commissioner testified are:

Robert Schwaninger, Chairman – Annandale, Virginia  
Matthew Bell – Alexandria, Virginia  
Christopher Craig – Fairfax, Virginia  
Kenneth Feng – Herndon, Virginia  
Lenore Kelly – Fairfax, Virginia  
Richard Kennedy – Reston, Virginia  
Albert J. McAloon – Springfield, Virginia  
Ezra Rosser - Hartsel, Colorado  
Rod Solomon – Oakton, Virginia  
Sharisse Yerby – Falls Church, Virginia; arrived at approximately 11:23 a.m.

Also present at the meeting via telephone were the following staff of the Department of Housing and Community Development (HCD): Thomas Fleetwood, Director; Amy Ginger, Deputy Director, Operations; Teresa Lepe, Deputy Director, Real Estate, Finance and Development; Vincent Rogers, Director, Policy and Compliance (P&C); Benjamin Boxer, Marketing and Outreach Manager, P&C; Stephen Knippler, Senior Program Manager, P&C; Jason Chia, Information Technology Manager, Financial Management and Information Systems and Services (FM-ISS); Mike Trent, Network Analyst, FM-ISS. Also participating via telephone was FCRHA Counsel: Cynthia A.

Bailey, Deputy County Attorney; Cherie Halyard; Alan Weiss; and Ryan Wolf, Assistant County Attorneys.

FCRHA Chairman Schwaninger passed the virtual gavel to Commissioner Craig.

#### MOTION

After a complete roll call of the Commission, Chairman Schwaninger made a motion that each Commissioner's voice may be adequately heard by each other Commissioner of the FCRHA.

Commissioner Kennedy seconded the motion. The motion passed unanimously.

#### MOTION

Chairman Schwaninger made a motion that the State of Emergency caused by the COVID-19 pandemic makes it unsafe for the FCRHA to physically assemble and unsafe for the public to physically attend any such meeting, and that as such, the Freedom of Information Act's (FOIA) usual procedures, which require the physical assembly of the FCRHA and the physical presence of the public, cannot be implemented safely or practically. Chairman Schwaninger further moved that the FCRHA may conduct this meeting electronically through a dedicated audio conferencing line, and that the public may access this meeting by calling 1-877-402-9757 and entering access code 1789207.

Commissioner McAloon seconded the motion. The motion passed unanimously.

#### MOTION

Chairman Schwaninger made a motion that all of the matters addressed on the May 18, 2020 agenda must address the Emergency itself, are necessary for continuity in Fairfax County government, and/or are statutorily required or necessary to continue operations and the discharge of the FCRHA's lawful purposes, duties, and responsibilities.

Commissioner Bell seconded the motion. The motion passed unanimously.

Commissioner Craig returned the virtual gavel to Chairman Schwaninger.

#### PUBLIC HEARING

*Proposed Second Amendment to Comprehensive Agreement for Redevelopment of the North Hill Site*

This public hearing was held telephonically under the State law during COVID-19 under the State of Emergency orders issued by Governor Ralph Northam during the pandemic crisis.

The FCRHA Chair opened the Public Hearing at 11:07 a.m. With no one signed up in advance and no one who had accessed the meeting wishing to speak, the Chair closed the Public Hearing at 11:08 a.m.

ACTION ITEM

1.

**RESOLUTION NUMBER 28-20**

Authorization to Execute the Proposed Second Amendment to Comprehensive Agreement with CHPPENN I, LLC for the Redevelopment of the North Hill Property (Mount Vernon District)

**BE IT RESOLVED, THAT** the Fairfax County Redevelopment and Housing Authority (FCRHA) approves the proposed Second Amendment to Comprehensive Agreement with CHPPENN I, LLC (CHPPENN) pertaining to the redevelopment of the FCRHA-owned North Hill property, as described in the Action Item presented to the FCRHA at its meeting on May 18, 2020; and

**BE IT FURTHER RESOLVED, THAT** the FCRHA authorizes any Assistant Secretary, on behalf of the FCRHA, to execute and deliver the proposed Second Amendment to Comprehensive Agreement and to take any other action as may be reasonably necessary or appropriate to comply therewith or in furtherance of the purposes thereof, consistent with the Action Item presented on May 18, 2020.

Commissioner Kennedy moved to adopt Resolution Number 28-20, which Commissioner Bell seconded. The motion passed unanimously.

CLOSED SESSION

Commissioner Craig moved that the Fairfax County Redevelopment and Housing Authority ("FCRHA") go into Closed Session, for the following:

Pursuant to Virginia Code Section 2.2-3711(A)(7), for consultation with legal counsel regarding the following litigation:

FCRHA v. Sequeira and Green; Case No. CL-2019-0000246, Fairfax County Circuit Court

Commissioner Kennedy seconded the motion. The FCRHA went into Closed Session at 11:10 a.m.

OPEN SESSION

Chairman Schwaninger conducted a roll call and asked each FCRHA Commissioner participating in the meeting to state their name and the location from which they were participating.

The remote locations from which each Commissioner testified are:

Robert Schwaninger, Chairman – Annandale, Virginia  
Matthew Bell – Alexandria, Virginia  
Christopher Craig – Fairfax, Virginia  
Kenneth Feng – Herndon, Virginia  
Lenore Kelly – Fairfax, Virginia  
Richard Kennedy – Reston, Virginia  
Albert J. McAloon – Springfield, Virginia  
Ezra Rosser - Hartsel, Colorado  
Rod Solomon – Oakton, Virginia  
Sharisse Yerby – Falls Church, Virginia

FCRHA Chairman Schwaninger passed the virtual gavel to Commissioner Craig.

Shirley Carter spoke, stating that she wanted to provide her name, which she did, and stating that she was a resident of Annandale, Virginia.

MOTION

Chairman Schwaninger made a motion that each Commissioner's voice may be adequately heard by each other Commissioner of the FCRHA.

Commissioner Rosser seconded the motion. The motion passed unanimously.

Commissioner Craig returned the virtual gavel to Chairman Schwaninger.

Commissioner Craig moved 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 FCRHA during Closed Session. Commissioner Rosser seconded the motion.

The FCRHA took the following roll call vote:

AYE

Robert Schwaninger, Chairman  
Matthew Bell

NAY

ABSTAIN

Christopher Craig  
Kenneth Feng  
Lenore Kelly  
Richard Kennedy  
Albert J. McAloon  
Ezra Rosser  
Rod Solomon  
Sharisse Yerby

The motion carried and the Open Meeting resumed at 11:38 a.m.

#### RESOLUTION

1.

#### **RESOLUTION NUMBER 29-20**

Request for FCRHA Approval of FTHB Program Settlement Terms – 8357 Claremont Woods Drive, Unit B, Alexandria, VA - Fairfax County Redevelopment and Housing Authority v. Adelayda D. Sequeira and John O. Greene, II, /Adelayda D. Sequeira v. Advanced Title & Settlement Company, L.L.C., Case No. CL-2019-0000246 (Fx. Co. Cir. Ct.) (Lee District)

**BE IT HEREBY RESOLVED** that the Fairfax County Redevelopment and Housing Authority (FCRHA) authorizes the settlement of the case styled *Fairfax County Redevelopment and Housing Authority v. Adelayda D. Sequeira and John O. Greene, II, et al.*, Fairfax County Circuit Court, Case No. CL-2019-0000246, according to the terms and conditions set forth by the County Attorney in the Closed Session Item on May 18, 2020.

Commissioner McAloon moved to adopt Resolution Number 29-20, which Commissioner Kennedy seconded. The motion passed unanimously.

#### ADJOURNMENT

Commissioner Kennedy moved to adjourn the meeting, which was seconded by Commissioner McAloon. The motion passed unanimously and the meeting adjourned at 11:39 a.m.

(Seal)

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Robert Schwaninger, Chairman

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Thomas Fleetwood, Assistant Secretary