

**ECONOMIC DEVELOPMENT AUTHORITY  
of the  
CITY OF HAMPTON, VIRGINIA**

Minutes – Regular Meeting

June 18, 2019 -- 8:30 a.m.

EDA Conference Room

CALL  
TO ORDER

Vice Chair Seymour called the meeting to order at 8:30 a.m.  
Chair Ferebee is on travel and could not attend the meeting today.

DIRECTORS  
PRESENT

Richard M. Bagley, Jr., Carlton M. Campbell, Sr., James A.  
“Pete” Peterson, Laura S. Sandford and L. Scott Seymour. Also  
present was Secretary/Treasurer Charles E. Rigney, Sr. (via phone)  
and Assistant Treasurer Steven L. Lynch.

STAFF  
PRESENT

Brian DeProfio, Cheran Ivery, Patricia Melochick, Ashley Gilmartin,  
Bonnie Brown, Curtis Colbert, Daniel Girouard, Robin McCormick,  
Susan Borland, Christopher Hennessey, Terri McCann, Michael  
Yaskowsky and Teresa Hudgins

GUESTS  
PRESENT

Phillip Jones, City of Hampton Intern  
Mayor Donnie Tuck

MINUTES

Vice Chair Seymour stated the Minutes from the May 21, 2019  
meeting were distributed. A motion was made by Ms. Sandford and  
seconded by Mr. Bagley to approve the Minutes as presented. A roll  
call vote was taken which resulted as follows:

Ayes: Bagley, Campbell, Peterson, Sandford and Seymour  
Nays: None

Vice Chair Seymour stated the Minutes from the May 29, 2019  
Special Meeting were distributed. A motion was made by Mr.  
Peterson and seconded by Ms. Sandford to approve the Minutes as  
presented. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Campbell, Peterson, Sandford and Seymour  
Nays: None

LOAN & GRANT  
REVIEW  
COMMITTEE

Vice Chair Seymour reported the Committee met on May 29, 2019  
and June 6, 2019. There were no questions or comments on the  
Active Loan Status Report dated May 24, 2019 or the EDA Loan/  
Grant Program Fund Balance Sheet as of May 31, 2019.

Mr. Lynch reported Vennell Atkinson secured a new location on  
Build America Drive and will cease operations at the Quality Inn  
location on July 1<sup>st</sup>. T Mobile is evaluating three (3) sites for the  
antenna relocation. The auction of the personal property has  
concluded and final figures will be provided at the next meeting.

Vice Chair Seymour reported the Committee considered a Façade Improvement Grant from Cornerstone Rx, LLC in the amount of \$2,135 at 2100 Executive Drive, Suite A for exterior building signage. The Committee is recommending the grant for approval in the amount of \$2,135 including all staff recommendations. Since this motion is coming from the Committee, no second is required. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Campbell, Peterson, Sandford and Seymour  
Nays: None

ECONOMIC  
DEVELOPMENT  
REPORT

Mr. Lynch stated the updated Status Report on EDA Actions was included in the package. Other items of interest:

- The HVAC system at the Boo Williams Sportsplex has been replaced and is functioning properly
- The entrance sign at the Sportsplex is scheduled to be installed by the end of the month and the interior track replacement is scheduled to start on August 1<sup>st</sup>

RESOLUTION  
VICTORY  
LANE  
MOTORSPORTS

Mr. Girouard presented a Resolution of the Economic Development Authority of the City of Hampton, Virginia to approve the award of a Hampton Community Cultural, Athletic and Visitor Attraction Grant to Victory Lane Motorsports, LLC in the amount of \$80,000. A motion was made by Mr. Bagley and seconded by Ms. Sandford to approve the Resolution as presented. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Campbell, Peterson, Sandford and Seymour  
Nays: None

RESOLUTION  
VIRGINIA AIR  
& SPACE CENTER

Mr. Girouard presented a Resolution of the Economic Development Authority of the City of Hampton, Virginia to approve the award of a Hampton Community Cultural, Athletic and Visitor Attraction Grant to the Virginia Air and Space Center in the amount of \$127,500. A motion was made by Mr. Bagley and seconded by Ms. Sandford to approve the Resolution as presented. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Campbell, Peterson, Sandford and Seymour  
Nays: None

RESOLUTION  
LIBERTY  
SOURCE

Ms. Melochick and Mr. Girouard updated the Board on the status of the Liberty Source Performance Agreement and Grants. A Resolution was presented approving the First Amendment to the Governor's Development Opportunity Fund Grant and City of Hampton, Virginia Local Job Creation and Capital Investment Grant for the Performance Agreement between the City of Hampton, the Economic Development Authority of the City of Hampton, Virginia, the Fort Monroe Authority and Liberty Source PBC dated August 8, 2014. A motion was made by Mr. Bagley and seconded by Mr.

Campbell to approve the Resolution as presented. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Campbell, Peterson, Sandford and Seymour

Nays: None

CLOSED  
MEETING

Vice Chair Seymour stated a Closed Meeting will now be held pursuant to Virginia Code §2.2-3711.A.3 for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of real property, in Downtown Hampton, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Authority, Virginia Code §2.2-3711.A.5 for discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community, Virginia Code §2.2-3711.A.6 for the discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the Authority would be adversely affected and Virginia Code §2.2-3711.A.8 for consultation with legal counsel employed or retained by the Authority regarding specific legal matters requiring the provision of legal advice by such counsel pertaining to (i) an existing Agreement for the Purchase and Sale of Property, (ii) an existing Option Agreement and (iii) amended to include an existing Performance Agreement. A motion was made by Ms. Sandford and seconded by Mr. Campbell to go into the Closed Meeting. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Campbell, Peterson, Sandford and Seymour

Nays: None

CERTIFICATION  
OF CLOSED  
MEETING

Vice Chair Seymour stated it was now appropriate to take a roll call vote and that to the best of our knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter, and (ii) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, or considered in the Closed Meeting. Any member who believes there was a departure from the requirements of subdivisions (i) and (ii) shall so state prior to the roll call vote, indicating the substance of the departure that, in his/her judgment has taken place. Such statements shall be recorded in the Minutes. Vice Chair Seymour asked for any statements. There were none. A motion was made by Ms. Sandford and seconded by Mr. Campbell to conclude the Closed Meeting and return to the Meeting. A roll call vote was taken which resulted as follows:

Ayes: Bagley Campbell, Peterson, Sandford and Seymour

Nays: None

OTHER  
BUSINESS

Ms. Brown updated the Board on the WVS Development Agreement and the reason it needs to be extended. A motion was made by Mr. Bagley and seconded by Ms. Sandford to approve an amendment to the certain Downtown Hampton Master Development Agreement Phase I by and among the City of Hampton, Virginia, the Economic Development Authority of the City of Hampton, Virginia, the Hampton Redevelopment and Housing Authority and WVS Hampton, LLC dated June 28, 2018 to extend the deadline for performance from June 28, 2019 to June 28, 2020 (note the deadline for performance dates that appeared on the Agenda were misstated. The correct dates are reflected above). A roll call vote was taken which resulted as follows:

Ayes: Bagley, Campbell, Peterson, Sandford and Seymour

Nays: None

Mr. Lynch reported the elevators at the Quality Inn site failed during the time the auction company was conducting the on-site auction and one elevator had to be repaired in order to remove the personal property. A motion was made by Mr. Bagley and seconded by Mr. Campbell to ratify the Thyssenkrupp Elevator Corporation Time and Material Proposal dated May 24, 2019 for repairs to the elevator at the Quality Inn site located at 1809 W. Mercury Boulevard which was signed by Steven L. Lynch, Assistant Treasurer of the EDA. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Campbell, Peterson, Sandford and Seymour

Nays: None

NEW  
BUSINESS

A motion was made by Mr. Bagley and seconded by Mr. Campbell to approve an Economic Development Grant to Marina Hotel, LLC in the amount of \$500,000 subject to the terms and conditions recommended by staff except for not charging for public access to the parking garage. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Campbell, Peterson, Sandford and Seymour

Nays: None

A motion was made by Mr. Peterson and seconded by Ms. Sandford to amend the Economic Development Incentive Grant Performance Agreement dated May 18, 2017 with T Peninsula Hotel VA, LLC to pay out the grant award less an amount the City of Hampton Public Works Departments deems appropriate to complete the outstanding items on Merchants Lane, subject to completion of all other necessary terms and conditions for the Grant award. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Campbell, Peterson, Sandford and Seymour

Nays: None

A motion was made by Mr. Bagley and seconded by Mr. Campbell to delegate to the Transaction Committee the decision to extend and/or modify or not extend and/or modify the terms of that certain Option Agreement between the Economic Development Authority of the City of Hampton, Virginia and LCP Hampton Roads III, LLC dated September 15, 2015 and as amended June 19, 2017. A roll call vote was taken which resulted as follows:

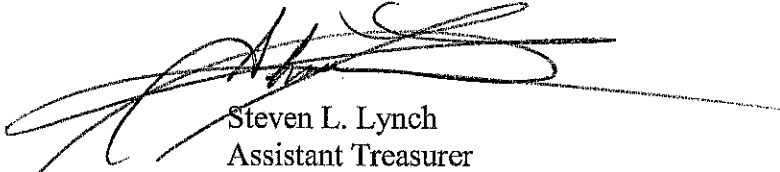
Ayes: Bagley, Campbell, Peterson, Sandford and Seymour  
Nays: None

A motion was made by Mr. Bagley and seconded by Ms. Sandford to authorize a new option agreement between the Economic Development Authority of the City of Hampton, Virginia and LCP Hampton Roads III, LLC in the event the Transaction Committee is unable to meet prior to the June 30, 2019 option agreement expiration date. A roll call vote was taken which resulted as follows:

Ayes: Bagley, Campbell, Peterson, Sandford and Seymour  
Nays: None

ADJOURNMENT      There being no further business, the meeting was adjourned at 10:30 a.m.

Respectfully submitted,



Steven L. Lynch  
Assistant Treasurer

SLI/tbh